

Tuesday, November 17, 1959

LOK SABHA DEBATES

Second Series

Volume XXXV, 1959/1881 (Saka)

[November 16 to 27, 1959/Kartika 25 to Agrahayana 6, 1881 (Saka,)]



NINTH SESSION, 1959/1881 (Saka)

(Vol. XXXV contains Nos. 1 to 10)

**LOK SABHA SECRETARIAT
NEW DELHI**

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Note.—The sign + marked 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

*Tuesday, November 17, 1959/Kartika
26, 1881 (Saka).*

*The Lok Sabha met at Eleven of the
Clock.*

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Damage to Crops by Floods and Drought

+

*35. { Shri Ram Shankar Lal:
Shri Shree Narayan Das:
Shri Sadhan Gupta:
Pandit D. N. Tiwary:
Shri M L Dwivedi:
Shri S M Banerjee:
Shri Tangamani:
Shri Panigrahi:
Shri C. K. Bhattacharya:
Dr. Ram Subhag Singh:
Shri Bibhuti Mishra:
Shri Anirudh Sinha:
Shri Dhanagar:
Shri N E Muniswamy:
Shrimati I'a Palchoudhuri:
Shri Prakash Vir Shastri:
Shri Sarju Pandey:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:
Shri A K. Gopalan:
Shrimati Parvathi Krishnan:
Shri Subiman Ghose:

Will the Minister of Food and Agriculture be pleased to lay a statement on the Table showing

(a) the over-all position with regard to the various crops in view of the recent drought followed by excessive rains and floods in the country and how far it has affected the food situation;

(b) whether any assessment has been made as to the damage suffered

249 (A) LSD.—1.

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in crops and cattle-heads as a result of drought and floods in the country;

(c) if so, the details thereof (State-wise), and

(d) the details of Central assistance, asked for and given in this regard (State-wise)?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) Information regarding the over-all position of various crops as a result of the recent drought or floods will become available only in March-April, 1960, on the issue of the All-India final estimates for major Kharif crops

(b) and (c) Most of the State Governments and Union Territories have not so far been able to make any assessment of the damage suffered in crops and cattle-heads as a result of drought and floods during the current year. Necessary information in this connection will be laid on the Table of the House as soon as it becomes available

(d) No Central assistance in connection with the recent damage by drought or floods has been asked for.

Dr. Ram Subhag Singh: May I know to what extent the Damodar Valley Corporation proved useful in preventing these floods?

Shri M. V. Krishnappa: That is not for me to say. It is for the Irrigation Ministry to say, but we had very severe floods in West Bengal this year and the price was affected by the floods

Shrimati Neelu Chakravarty: May I know whether it is a fact that the West Bengal Government has asked the Centre for supply of seeds so that the new Baro crop can be produced in the State of West Bengal?

The Minister of Food and Agriculture (Shri S. K. Patil): So far as the needs of West Bengal in the matter of

seeds are concerned, we had issued instructions some weeks ago, from wherever we could get them they could be supplied and I think a considerable portion has been supplied.

श्री ए० ए० हिबेरी मैं यह जानना चाहता हूँ कि इस सम्बन्ध में सरकार ने विभिन्न राज्यों को क्या सहायता दी है ?

श्री ए० ए० पाटिल उसहायता अब मागी जाती है तब पहुँचाने की बात आती है। हमारे रिप्लाई में कहा गया है कि उनके पास से कोई माग नहीं आई है।

Shrimati Ha Falchowdhari: As cattle has been badly affected, may I know whether the Central Government will do something about saving the cattle and sending cattle fodder to West Bengal, because that has also, I understand, been asked for?

Shri S. K. Patil: The House must understand that primarily and mainly it is the responsibility of the State Governments. The Central Government comes in only when they ask for it and when they are not, on their own, able to get it. Now, so far as the particular question of cattle is concerned, any demand that might have come from the West Bengal Government was attended to and would be attended to.

श्री एच देव माननीय मंत्री यहोदय ने अभी प्रश्न के उत्तर में यह कहा कि सभी स्टेट्स की तरफ से इस सम्बन्ध में कोई सूचना नहीं मिली है। तो हिमाचल प्रदेश तो बहुत जल्दी हिम से ढक जायेगा। यदि वहाँ की फसल नष्ट हो गई है और स्टेट गवर्नमेंट की तरफ से कोई इतला नहीं आई है तो केन्द्रीय सरकार वहाँ के लोगों के खाने पीने का क्या प्रबन्ध कर रही है, क्योंकि हिमाचल तो केन्द्रीय सरकार की जिम्मेदारी है ?

श्री ए० ए० पाटिल . यह तो हिमाचल प्रदेश की जिम्मेदारी है। उस के पास खाने पीने के लिये होगा, नहीं तो वह हम को लिखती। हम से जिस सहायता की अपेक्षा होती है वह देने के लिये हम हमेशा तयार रहते हैं।

Pandit D. N. Tiwary: May I know whether any demand for seeds has come from Bihar State that they were not supplied in time and have not been supplied so far?

Shri S. K. Patil: I have no information about the Bihar State Government as to whether any demand was made. But I could generally state the position. So far as seed is concerned, we have not got excess of seed for emergencies like that. For the first time we realised that emergencies might arise and seed has got to be kept. We had a little quantity, but we collected for the needs of West Bengal from other places. Wherever seed was available we have kept in view that for purposes like this, because emergencies recur time and again, and we can supply it. But so far as Bihar is concerned, I have no information just now.

Shri C. K. Bhattacharya: Has the attention of the hon. Minister been drawn to a statement made by Shri T. K. Ghosh, Minister of Agriculture and Production in the West Bengal Cabinet as regards the damage to food-crops by the recent floods? He has made a statement about the total damage to food crops, so far as West Bengal is concerned, by the recent floods. Has the hon. Minister studied it and, if so, what is his reaction to it?

Shri S. K. Patil: The better course for studying it is when the Minister writes to the Central Government. We do not pick up news from the newspapers and give our reaction. That is a bad way of doing things.

Shri Thirumala Rao: May I know if the Government have received any report from the Andhra Government?

about the probable loss of foodgrains on account of heavy floods in the river Godavari and also the heavy rains in the West Godavari and Krishna districts and, if so, whether the hon. Minister will be able to state the extent of the loss?

Shri S. K. Patil: I do not know whether the Andhra Government has written anything. But the floods necessarily do not mean that all crops are destroyed. Sometimes floods are good and as a result of them even the crops come in. But so far as the particular need of Andhra is concerned, I do not think there is any grave need in Andhra and that such a contingency will arise.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): May I intervene, Sir. I went to Andhra the other day and I was told that there has been undoubtedly loss in certain areas, but it is more than made up by the very good crops elsewhere.

Shri Tangamani: In view of the loss sustained in West Bengal, may I know whether the Government have made fresh allocations for agricultural loans and whether there was any such demand from the West Bengal Government?

Shri S. K. Patil: Surely any demand that is coming from West Bengal on this particular score is being attended to. There is no difficulty on that score.

Mr. Speaker: Hon. Members are putting questions as if this is the first Assembly to which directly these matters ought to be addressed. Hon. Members will get into touch with their counterparts in the State legislatures and find out what has been done in regard to these matters. Every hon. Member assumes that some demand has been made and the hon. Minister here says that had any demand been received he would have taken it up. Next question.

Some Hon. Members rose—

Mr. Speaker: I am sorry. Hon. Members must get into touch with the

Governments of their own States. These are State Governments also. I cannot allow any more questions.

Shri S. M. Banerjee: Our fear is that the prices may go up because of the damage to crops.

Mr. Speaker: Order, order. Next question.

Buffer Stock of Foodgrains

+

Shri Panigrahi:
 Pandit D. N. Tiwary:
 Shri M. L. Dwivedi:
 Shri Keshava:
 Shri Prakash Vir Shastri:
 Shri Ram Krishan Gupta:
 Sardar Iqbal Singh:
 Shri Ajit Singh Sarhadi:
 Shri A. M. Tariq:
 Shri Surendra Mahanty:
 Shrimati Mafta Ahmed:
 Shri Kodiyan:
 Dr. Ram Subhag Singh:
 Shri Dhanagar:
 Shri D. C. Sharma:
 Shri Sarju Pandey:
 Shri Hem Barua:
 Shri Narayanankutty Memon:
 Shri Punnoose:
 Shri A. K. Gopalan:
 Shri Ramakrishna Reddy:
 Shri N. R. Muniswamy:
 Shri Rameshwar Tanta:
 Shri Anirudh Sinha:
 Shri Aurobindo Ghosal:
 Pandit J. P. Jyotishi:
 Shrimati Ha Palchoudhuri:

Will the Minister of Food and Agriculture be pleased to state—

(a) whether there is any proposal to build a buffer stock of foodgrains in the country,

(b) if so, the details thereof,

(c) whether there is a proposal to request the United States Government to store 5 million tons of their surplus foodgrains in India as a sort of Bank from which this country could draw during an emergency,

(d) whether any formal request in this regard has been made to the United States Government; and

(e) if so, the reactions of that Government?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b) Yes. It is proposed to build up and maintain a larger reserve stock of foodgrains than it has been possible so far. The method by which this may be done, the size of the reserve and other details are under consideration.

(c) Yes, one of the possible methods would be for the United States Government to store in India on their own account a part of their surplus foodgrains but it is for them to consider the practicability of this method from their point of view.

(d) No formal request has yet been made to the United States Government.

(e) Does not arise.

Shri Panigrahi: May I know whether this proposal to build up a buffer stock was discussed in the Food Committee and whether the hon Minister of Food, during his tours in the western countries, met any of the representatives of those Governments and had any talk with them in respect of this proposal.

The Minister of Food and Agriculture (Shri S. K. Patil): It has been our policy to build a sizable reserve in those countries. That does not need any discussion at all. It is very necessary. Whether it should be done from the internal resources and whether those resources are just now available is a point to be considered. Until then, surely, these reserves have got to be built from the food that comes from outside for sometime, and I am quite sure that that could be done. There would not be any difficulty about it.

Shri M. L. Dwivedi
and Shri Sarju Pandey } rose—

Mr. Speaker: Shri Sarju Pandey

श्री सरजू पांडे . मैं यह जानना चाहता हूँ कि अमरीका से जो अनाज लेंगे और उसका जो स्टॉक किया जाएगा तो यह मुल्क के किन भागों में इसका स्टॉक रखने की योजना सरकार के विचारधीन है ? मुल्क के किन हिस्सों में स्टॉक करने और किन शर्तों पर दे रहे हैं ?

श्री स० का० पाटिल मैंने जो आपका सवाल समझा है उसमें कह सकता हूँ कि उसमें कोई शर्त नहीं है, अभी तक जैसे आ रहा है उसी तरीके से आयेगा और कोई नई शर्त उसके पीछे नहीं है ।

Shri M. L. Dwivedi: I was under the impression that those who have tabled the question would be given chances first to put supplementaries.

Mr. Speaker: The hon Member must see all the names. Shri Sarju Pandey's name is also there.

Shri M. L. Dwivedi: Mine is first in the order.

मैं जानना चाहता हूँ कि क्या अमरीका की सरकार नया या और किसी सरकार ने ऐसे फुड रिजर्व बनाने में मदद करने और उसमें इमदाद देने के लिये वायदा किया है या कोई प्रीफर किया है ?

श्री स० का० पाटिल फायदा करने या प्रीफर करने का सवाल नहीं है अभी तक हमारे फुड रिजर्व बन रहे हैं और हमारी इच्छा यह है और कोशिश यह है कि वह रिजर्व ज्यादा बने ताकि हमारे फुडवेन माइनेज पर अच्छा असर पड़े ।

श्री स० सा० द्विवेदी अमरीका ने माना है ?

श्री स० का० पाटिल वह तो मान ही है और हमारे पास है ही ।

Shri D. C. Sharma: What is the present position of buffer food stocks in our country and what kind of insurance does it provide against losses due to floods and drought, taking into consideration the present conditions?

Shri A. M. Thomas: It was understood that the stocks in Central reserves is not to be generally given out to the public. It is not in public interest to divulge it. With regard to the other point, it is with the idea of providing for any emergencies that this larger reserve is intended to be built up.

बैठक अध्यक्ष सिंह क्या मंत्री महोदय यह बतलाने की कृपा करेंगे कि यह जो बफर स्टॉक बनाये जायेंगे वह डेफिसिट स्टेट्स में बनाये जायेंगे या और भी स्टेट्स में बनाये जायेंगे ?

श्री स० का० पाटिल बफर स्टॉक तो तमाम देश के लिये होता है और जहाँ जहाँ डेफिसिट होगा वहाँ वह काम में लायेगा।

Shri M. E. Muniswamy: May I know whether the hon. Minister had given thought to the question of providing modern warehouses whereby the food-grains could be stored to avoid pest infection and damage by rodents and also increasing the existing capacity of the warehouses?

Shri A. M. Thomas: Certainly, we have got a very ambitious programme. The present target has been the construction of 2 million ton storage capacity, which we hope we will be able to achieve within a few years. For the other idea to materialise, we will have additional construction too.

Dr. Ram Subhag Singh: May I know whether Government has assessed the quantity of foodgrains which it can procure during the coming harvest season and what will be the percentage of the larger stocks which Government propose to build out of this procurement?

Shri A. M. Thomas: Our present system of procurement that has been followed by the Centre will still continue. With regard to procurement in deficit States, the scope is very limited. Our idea is to continue procurement in the surplus areas.

Shrimati Renu Chakravarty: We read in the papers that the hon. Food Minister has made certain proposals in the last FAO Conference about requesting the United States Government to store 5 million tons of food-grains in India. We want to know what actually emerged out of it.

Shri S. K. Patil: This request has nothing to do with the FAO Conference. We do require a stock of 5 million tons. That is in my view a safe and reasonable margin. Whether it should be built up out of internal resources or outside resources depends on us. If it is possible to do it with internal resources, we can do so. So far as USA are concerned, they gave us 3 million tons last year and surely, they will continue to give it as long as we are in difficulty.

Shrimati Renu Chakravarty: That is under PL 480, this is entirely different.

Shri S. K. Patil: I have said this has nothing to do with the FAO Conference. It is an independent proposal. This stock of 5 million tons is not only of wheat, but of rice also. So, it is not confined to one country. It can be from our resources plus USA plus a few more countries.

Shri Surendranath Dwivedy: The statement is attributed to the Minister that he discussed this matter at the FAO Conference. Is that report not correct?

Shri S. K. Patil: What was discussed at the FAO Conference was the proposal for a World Food Bank and not about requirements of 5 million tons.

Shri B. K. Galikwad: Government have imported foodgrains from the foreign countries in the past and they are going to import foodgrains from

foreign countries in future. May I know whether it is a fact that over 2 crore acres of cultivable land is available in this country and, if so, why it has not been given to the poor agriculturists for cultivation and grow more food in the country and solve the problem.

Shri S. K. Patil: My information is not that. After careful study, we have come to the conclusion that there is what is known as oasar land or wasteland, but it would not be as much as 90 million acres, as the hon. Member says. Every effort is being made to bring those lands under the plough.

Shri Tyagi: After the stock is built up and completed and it is also sent to the deficit States off and on, may I know what will be the procedure for replenishing the buffer stock? Will Government also be prepared to buy surplus grains from local peasants at the same rate at which they are importing from outside?

Shri S. K. Patil: The idea of a buffer stock seems to be quite different in the minds of some hon. Members. What we require for annual consumption is not the buffer stock. It means whenever prices fall, Government will go and buy and whenever prices rise, release it. That is my conception of buffer stock. When this stock is built up, that same stock would not remain year after year, because grain is a perishable commodity, which has got to be replenished. That will be mostly done by our internal resources.

Shri Narayanaikutty Menon: May I know whether this idea of building a stock of surplus foodgrains in India was put to the United States Government formally, informally or in any other way? What is the initial reaction of the U.S. Government?

Shri S. K. Patil: The reaction is bound to be good because any buffer stock or any large quantity of stock in India will positively have an effect on the spiral of prices. For that we need not depend on the opinions of people.

Shri Narayanaikutty Menon: The hon. Minister has been avoiding one question viz., whether this idea has been formally put to the U.S. Government. That is the original question I tabled.

Shri S. K. Patil: We have replied to that. He has not read the printed answer. We have said that it has not yet been formally put.

Irrigation Potential

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 *37. { **Shri Subodh Hananda:**
Shri Ram Krishan Gupta:
Shri S. C. Samanta:
Shri E. C. Majhi:
Shri D. C. Sharma:
Dr. Ram Subhag Singh:
Shri Sarju Pandey:
Shri Hem Barua:
Shri E. Madhusudan Rao:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 205 on the 7th August, 1959 and state.

(a) whether Government have since examined the report of the officers appointed to report whether irrigation potential in the country is fully utilised or not, and

(b) if so, the decision taken?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The Government of India have since examined the reports of the Special Officers with regard to Bombay, West Bengal, Uttar Pradesh, Madhya Pradesh, Bihar, Kerala, Madras, Orissa, Mysore and Rajasthan.

(b) Important recommendations of the officers regarding utilisation have already been communicated to the State Governments for taking necessary action.

Shri Subodh Hananda: May I know whether it is a fact that due to heavy taxation of the canal waters, the potentiality could not be used in West Bengal?

Shri Hathi: Not in all cases.

सेठ गोबिन्द दास : क्या यह जो रिपोर्ट के पी सरकार के पास भावपाशी के सम्बन्ध में आई है उसमें इस बात की भी जांच की गई है कि बड़ी बड़ी जो भावपाशी की योजनायें हैं उनके सिवाय छोटी छोटी भावपाशी की योजनाएँ जैसे तालाब खोदना, कहीं पर पातालिक कुयें डालना है तो कहीं नाले बाँधना है तो इस प्रकार की भी कोई जांच हुई है और क्या इस सम्बन्ध में कोई विचार किया जा रहा है ?

श्री हाथी : यह रिपोर्ट जिन प्राजेक्ट्स के लिये मनी है उसमें मीडियम और मेजर इरिगेशन प्रोजेक्ट्स की ही बात है, छोटे छोटे तालाब बगैरह के लिये उसमें नहीं है। इरिगेशन मिनिस्ट्री में बड़े प्राजेक्ट्स की बात आती है, मीडियम और मेजर प्राजेक्ट्स की बात आती है।

सेठ गोबिन्द दास . यह जो छोटे छोटे भावपाशी के बहुत मौके हैं उनके सम्बन्ध में क्या कुछ किया जा रहा है ?

श्री हाथी . उनको तो एग्जीक्यूटिव मिनिस्ट्री डील करती है।

Shri D. C. Sharma: May I know if the irrigation potential of Punjab was also studied and, if so, what were the recommendations made in order that the irrigation potential may be increased and better utilised?

Shri Hathi: The reports about Punjab, Jammu and Kashmir and Andhra, which have been received recently, are under examination.

Shri S. C. Samanta: Which of the States have submitted their reports? Have their reactions also been duly considered?

Shri Hathi: The States were not required to submit their reports. Two officers were appointed, who went to each State and examined each project. They submitted the report to the Government of India, and their findings have been communicated to the State Governments.

Dr. Ram Subhag Singh: It is now over three years that we have been hearing that irrigation potentialities for 25 lakhs acres of land are going waste in the country. What portion of that potential is being utilized at present? Has there been a reduction in the 25 lakhs acres or is it more now?

Shri Hathi: I can say that the percentage of the utilisation of water is now increasing satisfactorily.

श्री सरजू पांडे : श्रीमान् मंत्री जी ने कहा कि उन्होंने कमेटी की रिपोर्ट राज्य सरकारों को भेज दी है इसलिये कि उसकी सिफारिशों को इम्प्लीमेंट करें। मैं जानना चाहता हूँ कि कितनी राज्य-सरकारों ने इस बात की सूचना केन्द्रीय सरकार को भेज दी है कि वह उन सिफारिशों पर धमल कर रही है या किस हद तक उन्होंने धमल किया है ?

श्री हाथी : कमेटी ने जो सिफारिश की हैं वे राज्य सरकारों को इम्प्लीमेंट करने के लिये भेज दी गई हैं और राज्य सरकार उनको इम्प्लीमेंट करेगी।

Shri Goray: Just now the hon. Minister said that the utilisation of irrigation potential is progressing satisfactorily. Will he be more concrete and say what is the percentage?

Shri Hathi: I have got a statement for each State for all the ten States of which the reports have been examined. I can either lay it on the Table or read it, but I would prefer to lay it as it is a big one.

Mr. Speaker: It may be laid on the Table

Shri Hathi: In some cases it is 91 per cent; in some others it is 88 per cent

Shri Panigrahi: Will it be made available to Members?

Shri Hathi: The report is a voluminous one. I will lay the summary on the Table.

Mr. Speaker: Very well. I will place three or four copies in the library so that hon. Members can look into them.

Shri Somavane: May I know whether the utilisation of irrigation potentialities has been hampered in Bombay State on account of the delay in having field-channels for the medium projects?

Shri Hathi: Yes, that is one of the reasons.

Shrimati Benu Chakravarty: In this survey have they mentioned the percentage of the channels which were originally supposed to have been constructed and how much still remains?

Shri Hathi: They have given the percentage of the distributaries and channels that have still to be constructed for each State and for each project.

Mr. Speaker: It may be laid on the Table of the House.

Shri Sinhasan Singh: May I know whether the water rates differ from State to State? If so, have the Government taken any steps to have a uniform rate all over India so that the water may be available to all agriculturists on the same terms and at the same rate?

Shri Hathi: The rates do differ. But that is a matter for the State Governments to consider

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पंडित डा० ना० सिवारी:

श्री म० ना० द्विवेदी:

श्री श्रीगणेश दास:

श्री राम कृष्ण गुप्त:

श्री हरिश्चन्द्र भायूर:

*३८. श्री स० मो० बनर्जी:

श्री पानिचही:

श्री संगमनि:

श्री डी० चं० शर्मा:

श्री सुखदेव राव:

श्री सुलत सिंह:

श्री विनूति विजय:

श्री सुखदेवा चम्बलम्:

पंडित जे० पी० श्योतिषी:

क्या खास तथा कुचि मनी दश में चीनी की स्थिति के बारे में ७ अगस्त, १९५९ को सभा पटल पर रखे गये वक्तव्य के सम्बन्ध में यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि देश में खुले बाजार में चीनी अब भी निर्धारित दर से ऊँची दर पर बेची जा रही है;

(ख) यदि हा, तो सरकार ने इस काले बाजार को बन्द करने के लिये राज्यवार और प्रांत क्या कार्यवाही की है अथवा करने जा रही है;

(ग) क्या १९५८-५९ में चीनी के बितरण और खपत का राज्यवार व्यौरा देने वाला एक विवरण सभा पटल पर रखा जायेगा; और

(घ) चीनी के अभाव के कब तक और किस प्रकार दूर होने की संभावना है?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas):

(a) There are reports of sugar being sold from ordinary shops at prices higher than the prices at which sugar is sold from approved shops.

(b) It is for the State Governments to arrange for proper distribution at reasonable prices. So far as the Central Government is concerned, specific quotas are now being made available to the States from each monthly release. Except in one or two places, allotments from the controlled regions of U.P., North Bihar and Punjab are also being made to the nominees of the State Governments.

(c) A statement showing the despatches of sugar to each State during 1958-59 (for eleven months November

to September) is placed on the Table. [See Appendix I, annexure No. 15].

(d) Sugar position can be eased in the country by increased production and Government has recently announced certain incentives to cane-growers and sugar factories for the purpose.

Shri Tyagi: At the cost of wheat.

Pandit D. N. Tiwary: May I know whether the higher rate at which sugar is sold in villages is known to the Government and, if so, what that higher rate is? Is it Rs. 1-4-0 or Rs. 1-8-0 or more?

Shri A. M. Thomas: It differs from State to State. We have received reports about the open market prices being higher than the controlled prices, or prices that have been fixed by the Government or district authorities, as the case may be. That may be from stocks which have been lying with the private traders on which we exercise no control.

Shri Tangamani: May I know whether it has been brought to the notice of Government that the prevailing market price in Madras of one viss of sugar is Rs. 1-10-0 and the open market price is much higher? And if that is due to scarcity, what steps do the Government propose to take for supplying enough sugar to Madras State?

Shri A. M. Thomas: The requirements of Madras are being adequately met. Their consumption requirements would be round about 10,000 tons and we have released 10,000 tons to Madras.

Shri Tangamani: My question has not been answered. What is the prevailing market price?

Shri A. M. Thomas: The controlled rate in Madras will be about Rs.1.07 per seer; that is to say, the wholesale price would be Rs. 41.88 nP. In Coimbatore it is Rs. 41.88 nP. In other places, it will be a little more. Of course we have not got reliable

figures with regard to the open market in the various centres.

Shri S. M. Banerjee: What are the prices fixed by Government in various States? May I know whether it is a fact that in almost all the States the prices of sugar in the open market are higher and, if so, whether the Central Government would like to take sugar distribution in their own hands because the State Governments have miserably failed in this matter?

Shri A. M. Thomas: It is not possible for the Central Government to undertake the distribution of sugar throughout the length and breadth of the country. We have left the matter to the State Governments concerned. We have fixed quotas for each State for distribution. With regard to prices, we have fixed ex-factory prices in North Bihar, Punjab as well as Uttar Pradesh. The sale price is calculated on the following basis: ex-factory price, plus actual transport charges plus duties or taxes payable plus a sum not exceeding Re. 1 per maund for profit and incidental charges. With regard to distribution, that is being made under the direct supervision and control of the district authorities.

श्री कुशवाहट राय क्या माननीय मंत्री जी यह बतलाने की रूप करेंगे कि राज्यों में जो शर्कर के फुटकर विक्रेता हैं उनके ऊपर भी कोई नियंत्रण है ?

The Minister of Food and Agriculture (Shri S. K. Patil): I could not get the question.

Shri Khushwaqt Rai: Is there any control over the retail dealers of sugar in the States?

Shri A. M. Thomas: With regard to control in the States, I have already said that it is up to the various States to have the necessary regulations in the matter of control. In certain States, there is control on the distribution of sugar. Some other States have not yet been able to finalise the arrangements and so in those States

even now it is sold through the private trade channel but the prices at which they are to sell are controlled. With regard to controlled region, I have already stated the formula under which the sugar has to be sold. In the other States, such as the deficit States in the South and Bombay, there is no control as such, but there is an informal understanding with regard to the ex-factory price and the price at which sugar would be sold.

Shri Ranga: Are we still exporting sugar and, if so, by what quantities? Is it at a subsidized rate?

Shri A. M. Thomas: We are not intending to export any sugar.

Shri Braj Raj Singh: May I know whether the Government's attention has been drawn to the fact that the cane growers in U.P. are not satisfied with the prices announced by the Government per maund of cane? May I also know whether the Government has come to know that the cane growers have decided to go on strike and not to supply cane to the factories if the price increase of Rs. 2 per maund is not granted to them?

Shri S. K. Patil: The prices of cane are to be related to the prices of other things as well. Some hon. Member has said just now that even what is being done is done at the cost of wheat. Considering the incentives that are given now, the rise in price of cane from Rs. 1-7-0 to Rs. 1-10-0 is adequate in the opinion of the Government. There is also the possibility that with the other incentives that have been given, at the end the cane-growers will get more, because some duties will be knocked off. Beyond that it is impossible to go, because otherwise the whole price structure of agricultural commodities would rise.

श्री स० सा० छिबेदी : यमी हाल में मंत्री कहीवय में एक बयान दिया था कि ऊंची कीमत पर चीनी बनाने में न करीयें तो चीनी के बाम कीक आ जायेंगे। लेकिन बेहात के क्षेत्रों के लिए थिटेस की दुकानें मुकरर नहीं की गयी हैं इस

लिए बेहात में के लोगों की जरूरत कैसे पूरी होगी अगर वह चीनी ऊंचे दामों पर नहीं करीयेंगे। क्या माननीय मंत्री इस विषय पर प्रकाश डालेंगे ?

श्री स० सा० पाटिल : यह मेरी राय है कि ज्यादा प्राइस दे कर शक्कर न करीयी जाये। शक्कर के बिना भादमी कभी मरता नहीं है। उसकी इतनी आवश्यकता नहीं है, जितनी कि गेहूं और चावल की हो सकती है। एक तरह से हमारी एक ब्यूटी होती है कि हम इस को एनकरेज न करें। यह हमारी सोपीनिबन है। गवर्नमेंट की तरफ से कोई रूल बनैरह कुछ नहीं निकला है।

Shri Snnblah Ambalam: The hon. Minister has just now said that adequate quantities of sugar have been supplied to Madras. He has also stated that the traders are selling sugar at prices higher than the controlled rate. May I know whether the Government propose to impose any penal measures against those traders who contravene the Sugar Control Order?

Shri A. M. Thomas: Their licences can certainly be cancelled. I have already said that with regard to the sugar that is now being allotted to the various States they are exercising the necessary control and there would have been some carry over from the previous stock with the traders for which they are naturally charging a little more. We cannot possibly control distribution of that quantity.

Some hon. Members: May I ask a question?

Mr. Speaker: We have gone through only three questions during the course of half an hour.

Shri Nath Pal: Just one question, Sir.

Shri Braj Raj Singh: It is very important.

Mr. Speaker: What shall I do? (Interruption). No, no; it is very

wrong. If hon. Members are not satisfied they should give notice of a half-an-hour discussion and we can have it.

Integral Coach Factory at Perambur

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*39. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Integral Coach Factory at Perambur is manufacturing all-welded bogie wagons for carrying Iron Ores;

(b) if so, how many such wagons have been manufactured uptill now; and

(c) what are the advantages of such wagons in comparison with the conventional wagons?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes; Integral Coach Factory are manufacturing prototypes of these wagons

(b) None;

(c) The main advantage of such wagons is reduction in tare-weight resulting in higher carrying capacity.

Shri Subodh Hansda: How many prototype wagons have been manufactured by the Perambur factory?

Shri Shah Nawaz Khan: I have just now said, none

Shri S. C. Samanta: When will the construction work begin?

Shri Shah Nawaz Khan: The construction work has already started. Orders were placed some time in May this year.

Shri Raghunath Singh: What is the cost of these wagons? Is it more than that of the ordinary wagons?

Shri Shah Nawaz Khan: The exact cost has to be worked out later on,

but the approximate cost will be in the neighbourhood of Rs. 65,000. It is considerably more than the cost of the ordinary wagons, but the carrying capacity of these wagons will be nearly three times the carrying capacity of the ordinary wagons.

Shri Muhammed Elias: May I know whether Messrs. Burn & Co., Messrs. Braithwaite and Messrs. Jessop & Co. are manufacturing all-riveted wagons? Have they started manufacturing welded wagons in their factories?

Shri Shah Nawaz Khan: We have drawn their attention to the desirability of producing all-welded wagons. I hope they will switch over to them soon.

Shri Vidya Charan Shukla: The hon. Minister has just now said that the exact cost of these coaches will be worked out later on. May I know whether the Government undertakes manufacture of such things without even knowing the cost of it?

Shri Shah Nawaz Khan: I have said that the approximate cost will be something like Rs. 65,000.

Shri Vidya Charan Shukla: But the exact cost is not known to the Government.

Shri Muhammed Elias: Which one will be cheaper, the riveted one or the welded one?

Shri Shah Nawaz Khan: I cannot say exactly as to which would be cheaper; but possibly the riveted wagon may be slightly cheaper. But the advantage of having a welded wagon is so great that it might be worth while paying a little more for welded wagons. Their carrying capacity is much more than that of the riveted wagons.

Shri Tangamani: How many wagons are likely to be constructed before the end of this year at the Integral Coach Factory at Perambur?

Shri Shah Nawaz Khan: We are constructing only four prototype wagons.

After we have completed their construction and various experiments have been carried out we will decide as to what is to be done later on.

Shri Thirumala Rao: Has the question, viz., that the rise in cost is set off by increase in carrying capacity, been examined?

Mr. Speaker: That is what he has said.

Shri Thirumala Rao: No, Sir, he has not said that. This question has not been examined.

Mr. Speaker: Very well, the hon. Minister will answer it.

Shri Shah nawas Khan: I have said so.

Shrimati Benu Chakravartty: Does the hon. Deputy Minister know that there have been long negotiations with Messrs. Burn & Co. regarding the feasibility of changing over to welded wagons for carrying ores? In view of the fact that as yet there is no capacity for making all-welded bogies is it the policy of Government now firmly not to place orders for any other bogies except all-welded bogies?

Shri Shah nawas Khan: No, Sir.

Purchase of Logs for Forest Department, Andamans

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*49. { **Shri S. C. Samants:**
Shri Subodh Hansda:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether in or about the month of March, 1959 tenders were invited twice for supplying logs to the Forest Department at Middle Andaman Depots;

(b) if so, who were the tenderers;

(c) whether lowest tender was accepted; and

(d) who was the Chief Conservator of Forests at the time?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (d). Necessary information has been called for from the Chief Commissioner, Andamans and Nicobar Islands and will be placed on the Table of the House as soon as it is received.

श्री पद्म देव : क्या माननीय मंत्री जी को यह मालूम है कि हिमाचल में सैकड़ों मील लम्बे ऐसे जंगल हैं, जिन में जर्जू नाम के पेड़ बहुत ज्यादा पाये जाते हैं और वे टीकबुड से बहुत मजबूत और ज्यादा देर तक चलने वाले हैं ? क्या इस संबंध में कोई जांच करने का प्रयत्न किया जायगा कि उस को रेलवे के लिए इस्तेमाल किया जाये। ताकि मजबूती और दूसरे रूप में घन घनपने ही देश में रहे।

डा० पं० शा० देवमुख . इस बात का मुझे खास ज्ञान तो नहीं है, मगर हिमाचल प्रदेश में एक फरेस्ट डिपार्टमेंट है, जो हर एक टिम्बर की बेल्यू जानता है और मुझे पूरा विश्वास है कि धानरेवल मेम्बर माहब ने जो सूचना दी है, उसकी तरफ उम का ध्यान जायेगा।

Shri S. C. Samants: Is it not a fact that more than one month ago I had given notice of this question? What is the difficulty in procuring information from Andamans? Is there anything secret because of which the hon. Minister is going to put it on the Table of the House later on?

Dr. P. S. Deshmukh: I can assure the hon. Member that there is nothing secret. We have not got complete information. As soon as we get it, it will be placed on the Table of the House

Shri Raghunath Singh: May I know whether this tender relates to soft wood or to hard wood? This at least must be known to the Government.

Dr. P. S. Deshmukh: I would like to wait for the information.

Members of Railway Board

*41. **Shri Harish Chandra Mathur:** Will the Minister of Railways be pleased to state:

(a) how many posts of the Members of Railway Board are lying vacant and for what period they have remained vacant during the current year;

(b) what procedure and criterion is adopted in filling up these posts; and

(c) whether it has been decided not to fill some of these posts?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) None of the posts of Members is vacant at present. Two posts were vacant, one for the period from 30th June, 1959 to 20th October, 1959 and the other from 31st July, 1959 to 26th October, 1959

(b) These are selection posts and as such they are filled by selection from amongst senior officers of Railways with the approval of the Appointments Committee of the Cabinet

(c) Does not arise in view of (a) above.

Shri Harish Chandra Mathur: What were the special circumstances, that is, whether there were any sudden casualties or there were facts which were not known to the Government, that these posts could not be filled in time and a state of vacuum and uncertainty was created?

Mr. Speaker: One fell vacant in July and was filled up in October. The other fell vacant in June and that was also filled up in October. Where does the casualty come in?

Shri Shah Nawas Khan: There is no great vacuum.

Shri Tyagi: May I take it that he is carrying on without these posts?

Shri Ranga: The Board carried on without two members for three months. Why not abolish those two posts?

Shri Harish Chandra Mathur: Out of four members two were absent for three or four months.

Mr. Speaker: Are we having a general discussion here?

Shri Harish Chandra Mathur: I want to know whether there were any special circumstances, viz., whether there were sudden casualties or what happened or it is that they could not think about it in time. What are the circumstances? It creates such a suspense. It is a general question.

Mr. Speaker: I thought the hon. Minister said that it took time for them to find out as to who is the suitable and proper man from a number of them.

Shri Tyagi: The hon. Minister stated that the work is going on normally without filling them up.

Mr. Speaker: If they fill all of them then there is a quarrel. If they have filled up the two posts quickly there is a quarrel. If they keep them vacant, there is a quarrel. We do not know where we stand!

Shri Nath Pai: Are we to infer from the fact that the posts were not filled up for two months and still the administration was carried on smoothly that these posts are not really essential? This arises particularly in view of the fact that these are very high-salaried posts in the country.

Mr. Speaker: Hon. Members feel that two months or three months is too long a period for not filling up these vacancies which are very important posts. What is the reason for it?

Shri Shah Nawas Khan: There is no special reason except administrative reasons of finding a suitable person. As the House is aware, the Chairman of the Railway Board was not keeping very good health and had undergone a very serious operation. So, he had to go. The other Member had to be released to go to the Atomic Energy Commission.

Hon. Hon. Members: Unsatisfactory answer.

Mr. Speaker: Next question.

Shri T. B. Vittal Rao: Could we ask some more supplementary questions, Sir?

Mr. Speaker: Nothing more.

Ukai Project

*42. { Shri S. M. Banerjee:
Shri Valvi:
Shri Khimji:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 1334-A on the 10th September, 1959 and state:

(a) the nature of decision arrived at by Government on the Report of the Experts regarding Ukai Project; and

(b) whether a copy of the same will be laid on the Table?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The Government of India accepted the recommendations of the Committee of Experts, which in substance, are as follows:

(1) Out of a total quantity of 9.18 m.a.ft. available in a design year, 6.0 m.a.ft. be allocated for the basin above Ukai, and the remaining 3.18 m.a.ft. be given for use at Ukai and for the area below.

(2) The most economical size of the dam is for a full reservoir level of 345; and

(3) As worked out by the Committee, the estimates of cost stand at Rs. 51.57 crores for the development of an average of 1,20,000 KW of power annually and complete irrigation of the areas envisaged to the extent of about 3,91,850 acres.

Shri F. R. Patel: May I know whether the Ukai project was included in the First Five Year Plan and why so much time has been taken to finalise it?

Shri Hathi: Because it was being investigated and there were several technical points raised and they had to be clarified.

Shri Khimji: May I know whether the Government of Bombay have accepted the recommendations of the expert committee and if so what steps they have taken for the execution of the project, so far?

Shri Hathi: Those recommendations were conveyed to the Government of Bombay. They required further discussions. These discussions were held and ultimately they have requested the Planning Commission to give them the sanction to go ahead and the Government of India have given the sanction. They are now starting the project.

Shri Khimji: May I know whether there is truth in the report that the Finance Minister of the Government of India, on or about the 28th is laying the foundation stone of this project?

The Minister of Finance (Shri Morarji Desai): It is true; on the 27th.

Shri Assar: May I know whether the Government is aware that complaints have been received by the Government opposing the Ukai project and what steps are being taken?

Shri Hathi: We have not received them here. It may be with the Bombay Government.

Shri Yajnik: May I know whether the height of the dam as was originally settled has been reduced as a result of the recommendations of the expert committee? Is it a fact that the number of kilowatts that was to be generated has also been reduced as a result of the expert committee's recommendation and if so, what is the reduction in the height of the dam and the number of kilowatts to be generated, and in the number of acres to be irrigated?

Mr. Speaker: The hon. Minister may answer one of the questions.

Shri Hathi: The height of the dam has been reduced from 351 to 345 feet.

Shri Yajnik: Kilowatts?

Shri Hathi: As the Speaker asked me to answer one, I have answered one. In the power, there will not be much difference. It will be 120,000 KW.

Shri Yajnik: And the acreage? It is important for us to know the reduction in the acreage that would take place as a result of the recommendations.

Shri Hathi: The number of acres would not be much reduced. It is going to give perennial irrigation to the present area irrigated under the Kakrapara project.

Shri B. K. Galkwad: How many acres of fertile cultivable land will go under water if this Ukai dam is constructed?

Shri Hathi: I have not got these figures with me.

Shri K. U. Parmar: May I know whether it is a fact that machinery and equipment brought for the Ukai project were immediately transferred to the Koyna project? What are the reasons for that? May I know whether it is a fact that the Bombay Government, in order to do injustice to Gujarat, have shifted this equipment?

Mr. Speaker. Order, order.

Shri Hathi: I cannot vouchsafe for the various presumptions made. But, after all, the machinery in a State are meant for the various projects in the State itself. It is for the State to take them wherever they want. When it is surplus, it may again be brought back to the dam.

Shri Jadhav: What is the total estimated cost of the project? Lands from which districts will be irrigated?

Shri Hathi: Cost, I have stated, will be Rs. 61.57 crores.

Shri Goray: The Minister said that he does not know the exact acreage of cultivable land that may be sub-

merged. Does he know how many villages will have to be vacated?

Shri Hathi: I have not got that information with me.

Fourth All-India Conference of Warehousemen

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*48. { **Shri Goray:**
 Shri Valvi:

Will the Minister of Food and Agriculture be pleased to state.

(a) whether it is a fact that the Fourth All India Conference of Warehousemen was held at Poona on the 14th and 15th September, 1959; and

(b) if so, what decisions were taken by the said Conference?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes, there was a conference of warehousemen at Poona which was also attended by representatives of the Reserve Bank and the State Bank, Managing Directors of several State Warehousing Corporations, Registrars of Cooperative Societies of several States and other senior officials.

(b) Mostly the difficulties and problems arising in the day-to-day working of the warehousing scheme in the different States were discussed at the conference. Certain general matters, such as, the way in which plans should be prepared by the different State Corporations and the Central Corporation for the Third Plan, the possibility of setting up a joint self-insurance scheme for all the Corporations and a common construction agency were also discussed. In the light of these discussions the different Corporations will now formulate their definite views.

Shri Goray: May I know how many warehouses are likely to be built during the next two years?

Shri A. M. Thomas: For the warehouses now existing, the total capacity would be 84,000 and odd tons. The total number of warehouses that are

functioning are, under the Central Warehousing scheme, 9; in the States, the total is 42

Shri Goray: I asked how many warehouses are likely to be built during the next two years

Shri A. M. Thomas: With regard to the construction programme, a programme for building a capacity of 5000 tons has now been approved. Construction of 11300 tons additional storage capacity is also under consideration. We think we would be able to plan for another 35,000 tons in 7 other centres for 1959-60.

Shri Goray: What will be the proportion of the number of warehouses to the total number of villages? Will there be a warehouse for about 10 villages or 15 villages?

The Minister of Food and Agriculture (Shri S. K. Patil): About warehousing corporations and warehouses which are managed by the Government, we are making a proposal that for the Third Five Year Plan, we shall multiply and we shall come to some kind of a stage where for every Community Development Block, we should have a warehouse. Therefore, the whole Plan is under discussion. Final decisions have not yet been made. For our immediate purposes and also for near distant purposes, warehousing capacity has to increase many many more times than what it is today.

Shrimati Ila Palchoudhuri: May I know whether any of our Indian warehousemen offered to build warehouses for the buffer stocks to be kept as the Minister has in mind?

Shri S. K. Patil: So far as warehouses are concerned, we have developed a modern warehouse which is, I should say, one of the best anywhere. I am not talking of Silos, but the ordinary warehouses. They have been approved of even by experts of other countries in the event of stock being increased, etc. We have reduced the price of construction also under another scheme. All that is being attended to.

Shri Thirumala Rao: What does the word warehousemen connote? Does it refer to the Directors controlling the warehouses or people actually in charge of the warehouses?

Shri A. M. Thomas: People in charge of warehouses.

Shri Thirumala Rao: Government servants?

Shri A. M. Thomas: Yes.

Shri Goray: Would the Minister tell me whether the entire capacity of the present warehouses is being utilised by the farmers?

Shri A. M. Thomas: Yes, Sir. We have got information that the capacity is mostly utilised, and the present stock figures indicate that a quantity of about 329 000 maunds of different commodities has been stored.

Shri Goray: What will the percentage be to the total capacity?

Shri A. M. Thomas: Almost the total capacity is now being used.

Shri Jadhav: May I now the number of villages that will be covered by warehousing in the Third Plan?

Mr Speaker: That is what he said.

Shri S. K. Patil: I said it should be a community block. The hon Member may have an idea. The number of villages differ, but the block has got an entity of its own, and it does cover a number of villages.

राज्य गंगा परियोजना

*४४. श्री भक्त वर्धन क्या सिवाई और बिजुत नदी १२ अगस्त, १९५९ के तारांकित प्रश्न नम्बर ३४९ के उत्तर के सम्बन्ध में बहू बनाने की कृपा करेंगे कि

(क) उत्तर प्रदेश की राज्य सरकार ने रामगंगा परियोजना के लिये अर्थिक और विदेशी मुद्रा के रूप में बालू वर्ष में कितनी सहायता मांगी है; और

(ख) सरकार ने इस सम्बन्ध में क्या कार्यवाही की है ?

सिंचाई और विद्युत उपयोजी (भी हाथी):
(क) तथा (ख). उत्तर प्रदेश सरकार के लिये ऋण के रूप में ३७७ लाख रुपये की राशि, विविध विस्तार योजनाओं (मिस्लेनियस डिबेलपमेंट स्कीमज्) के लिये, निर्धारित कर दी गई है। इन विस्तार योजनाओं में सिंचाई तथा विद्युत् संबंधी योजनाएँ भी सम्मिलित हैं। उत्तर प्रदेश सरकार से चालू वर्ष की योजनाओं की सूची की प्रतीक्षा की जा रही है।

उत्तर प्रदेश सरकार ने अभी तक राम-गंगा परियोजना के लिये ४ २७ लाख रुपये की विदेशी मुद्रा के लिये प्रार्थना की है। इस राशि में से २ १५ लाख रुपये की स्वीकृति दे दी गई है।

श्री भक्त दर्शन मैं यह जानना चाहता हूँ कि क्या केन्द्रीय सरकार इस काम के लिए उत्तर प्रदेश सरकार को केवल ऋण ही देना चाहती है या और प्रकार में भी सहायता देना चाहती है ?

श्री हाथी वह जो टेकनिकल ऐडवाइस चाहे वह भी केन्द्रीय सरकार जरूर देगी।

Shri C. D. Pande: This dam was to be completed within the Second Plan period, and I know it for certain that this process of construction has been completely brought to a standstill. What is the reason? May I know whether any progress has been made in this regard?

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): It is not correct to say that it was to be completed within the Second Plan period. It was settled that only the preliminary works relating to this scheme would be done during this Plan, and the next Plan would be the construction period of this Plan.

Shri Tyagi: The hon. Minister has just now stated that the Centre have agreed to a certain amount to be given as grant or subsidy or whatever it be to the U.P. Government for a

few projects. May I know if the Jumna Hydel Scheme is also included in those projects?

Hafiz Mohammad Ibrahim: No, Sir, certainly not. That is an entirely separate subject, and it is much more expensive. That is a separate question.

श्री भक्त दर्शन क्या गवर्नमेंट के ध्यान में यह बात आई है कि यह स्कीम कई वर्षों से खटाई में पड़ी हुई है, यहाँ तक कि राम गंगा पर जो पुन बनने वाला था, जिसके द्वारा मशीनरी बहा पहुँचने वाली थी, वह भी अभी तक नहीं बन पाया है। तो मैं जानना चाहता हूँ कि क्या केन्द्रीय सरकार उत्तर प्रदेश की सरकार को हिदायत देगी कि जल्दी में जल्दी इस काम को पूरा किया जाये ?

हाफिज मुहम्मद इब्राहीम नहीं, यह बात सही नहीं है, और किमी की तरफ से कोई गफलन नहीं हो रही है। जहाँ तक पुल का मामला है, पुल के लिए स्टील की जरूरत थी, उस के मिलने में देर लगी। अब वह मिल गया है और उस पर काम हो रहा है।

सेठ अचल सिंह क्या मंत्री महोदय यह बताने की कृपा करेंगे कि राम गंगा प्राजेक्ट कितने बरसों में तैयार हो जायगी ?

हाफिज मुहम्मद इब्राहीम ६ सालों में बनेगी।

Service Co-operatives

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- *45. {
Shri P. C. Borooah:
Shri Jhulan Sinha:
Shri D. C. Sharma:
Shri Bibhuti Mishra:
Shri Sarju Pandey:
Shri Hem Raj:
Shri Nek Ram Negi:
Shri S. A. Mehdi:
Shri Kajika Singh:

Will the Minister of Community Development and Co-operation be pleased to refer to the reply given to

Starred Question No. 101 on the 4th August, 1959, and state:—

(a) whether the programme for the establishment of service co-operatives during the remaining part of the year 1959-60 has since been finalised; and

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

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) Yes

(b) The details of the programme State-wise are given in the statement laid on the Table of the Sabha [See Appendix I, annexure No 16]

Shri P. C. Borooah: May I know the amount sanctioned for the scheme so far as Assam is concerned?

Shri B. S. Murthy: The Centre and the State Governments will share in financing and giving some subsidy to the societies. The total amount for all States will be Rs 59 25 lakhs for the year 1959-60.

Shri P. C. Borooah: May I know how many of the existing societies have been reorganised by this time and how many have been newly organised?

Shri B. S. Murthy: It has been given in the statement. Twenty-three thousand sixty-eight old societies will be reorganised and 15,727 will be organised.

Shri P. C. Borooah: I wanted to know how many have been reorganised by this time.

Mr. Speaker: Is it not given in the statement there? In respect of whatever is given in the statement, the hon. Minister will say; please refer to the statement.

Shri P. C. Borooah: It is not in the statement.

Shri Hem Raj: In view of the fact that the old co-operative law is a very complicated one and the zamindars are very much harassed in getting their loans, may I know what steps have been taken to simplify that law to make the service co-operatives successful?

Shri B. S. Murthy: The State Governments have been requested to look into the matter and bring necessary amendments to the existing co-operative law.

Shri Tangamani: May I know how many out of the 500 new service co-operatives which are going to be set up in Madras have been organised? May I know the reason why there is such a low number in the programme for Madras?

Shri B. S. Murthy: This scheme has just been finalised in August 1959. It is too early to say how many have been organised or how many have been revitalised.

Shri M. R. Krishna: May I know whether the Government have created any effective machinery to assist the service co-operatives in the various States?

Shri B. S. Murthy: Yes, Sir. The Government is trying to organise supervising unions at the block levels and also district and State unions.

Dr. Ram Subhag Singh: May I know whether it will be possible at this pace to spread a network of good service co-operatives throughout the country within the fixed period of three years of which about eleven months are already over?

Shri B. S. Murthy: I think it will not be impossible provided all the Members of Parliament give their support.

Dr. Ram Subhag Singh: In what way have Government asked for the co-operation of the Members for spreading this work?

Shri Basappa: May I know how many new co-operatives have been started in Mysore?

Shri B. S. Murthy: I just stated that it is too early to find out that data

Seth Govind Das: The hon Minister has just said that instructions have been issued to the different States for changing the co-operative law. Does the hon Minister know that in very few States these laws have been changed and that the difficulties of these co-operatives are just the same as they have been so far?

Shri B. S. Murthy: I only have to say to the hon Member that co-operation is a State subject, and we have to persuade the State Governments to do the needful in the matter.

Shri Sonavane: May I know whether every village desirous of having a service co-operative society would be registered, and what would be the maximum loan that would be given in proportion to its capital?

Seth Govind Das: It takes years for registration.

Shri B. S. Murthy: It is the desire of the Government to provide a co-operative society to every village with a population of about 1,000 people and the loan will be in accordance with the share capital of the co-operative society.

Shrimati Renuka Ray: The hon Minister said that the Central Government cannot take action and it is for the State Governments, but I would like to know whether the Central Government is aware how many State Governments have actually changed or amended their laws in response to its suggestion?

Shri B. S. Murthy: I did not say the Central Government had not taken any action in the matter. As a matter of fact, last July a conference of the Ministers of Co-operation was held in Mysore, and then this question was thrashed out and all the Ministers of the States have agreed that necessary amendment to the existing co-operative law should be introduced and implemented.

Shrimati Renuka Ray: But how many have so far changed the laws? Have they taken any action?

Shri B. S. Murthy: I think the hon. Member knows that between July and November some of the State Assemblies have not met.

Shri Raghunath Sahai: From the statement it appears that 10,000 co-operative societies have been fixed as the quota for UP. I understand these societies have been formed, but I would like to know from the hon Minister whether the remarks made by the *National Herald* of UP have come to his notice, in which the paper has doubted the genuineness of the societies formed in UP. Has he examined the veracity of these remarks?

Shri B. S. Murthy: The 10,000 service co-operative societies of UP are divided as follows: 6,000 co-operatives to be reorganised, and 4,000 to be organised. I do not think a big State like UP will feel any difficulty in organising the societies.

Shri Raghunath Singh: May I know how many co-operative societies have been registered in UP, and whether it is a fact that more than eighty per cent of the applications are pending for the last four months for registration?

Shri B. S. Murthy: I shall look into it if my hon. friend gives me the information.

Shri Narayanankutty Menon: In the case of co-operative societies which require only reorganisation, what is the procedure adopted by the Central Government to reorganise them, and how far has the work progressed?

Shri B. S. Murthy: As I said the scheme has just been finalised in August, and the States are busy in implementing the recommendations.

WRITTEN ANSWERS TO QUESTIONS

हिमाचल प्रदेश में भूमि उपयोगी सम्बन्धी सर्वेक्षण

*४६. { श्री पद्म देव
श्री म० ना० सिंह

क्या साक्ष्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि

(क) क्या हिमाचल प्रदेश में भूमि उपयोगी सम्बन्धी सर्वेक्षण का कार्य आरम्भ हो गया है ,

(ख) यदि हा, तो उस में अब तक क्या प्रगति हुई है , और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

कृषि उपमंत्री (श्री मो० बं० कृष्णप्पा):

(क) जी नहीं ।

(ख) प्रश्न ही नहीं होता ।

(ग) योजना विभागधीन है ।

Robbery in Running Train near Bhatinda

*47. { Shri Ajit Singh Sarhadi:
Shri Ram Krishna Gupta:
Sardar Iqbal Singh:
Shri A. M. Tariq:
Shri Prakash Vir Shastri:
Shri Sarju Pandey:

Will the Minister of Railways be pleased to state

(a) whether it is a fact that two masked men armed with lethal weapons got into a third class women's compartment at Phus Mandi Station near Bhatinda on the 28th September, 1959 and snatched cash and ornaments of all the women passengers at pistol point and two of the women were thrown out of the train;

(b) if so, value of the property looted; and

(c) the steps taken to arrest the robbers?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes The incident took place on 25-9-1959 and not on 28-9-1959 Two women passengers themselves jumped out of the compartment and one was pushed out by the miscreants while she attempted to pull the alarm chain

(b) Rs 390 approximately

(c) Vigorous efforts are afoot by the District Police and the Government Railway Police, who are investigating the case, to trace out the culprits

Gilding Training Centre, Hyderabad

*48. { Shri D C Sharma:
Shri Pangarkar:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No 494 on the 17th August, 1959 and state

(a) whether any progress had since been made in the setting up of a gilding training centre at Hyderabad (Deccan),

(b) if so, the nature of the progress made, and

(c) when it is likely to be started?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) to (c) A, number of sites for the establishment of Gliderdrome have been inspected but no final choice has yet been made A gliding centre will be established at Hyderabad after the gliderdrome has been constructed

Oak Sleepers for Railways

*49. { Shri C K Bhatiacharyya:
Shri Achar:

Will the Minister of Railways be pleased to state:

(a) whether a very large quantity of oak sleepers for Railways supplied

by a foreign firm have been found to be unserviceable;

(b) whether these have been examined by the wood experts of the Forest Research Institute, Dehra Dun, who visited Bombay for the purpose,

(c) whether the exporters have been paid in full,

(d) what is the amount of loss, and

(e) what steps have been taken to recover it?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No. Some of the sleepers, however, have developed cracks

(b) Yes, Sir

(c) Yes, Sir

(d) The matter is still under examination in consultation with the Forest Research Institute, Dehra Dun

(e) The defects have been brought to the notice of the suppliers, and their reply is still awaited

Extension of Railway Line beyond Madhopur

*50 { Shri Inder J Malhotra.
Shri M L Dwivedi.
Pandit D N. Tiwari
Shri Ram Krishan Gupta
Shri Padam Dev.
Shri D C Sharma

Will the Minister of Railways be pleased to refer to the reply given to Starred Question No 657 on the 21st August, 1950 and state

(a) the alternative alignments which are under examination of the Central Government for extension of railway line beyond Madhopur into the State of Jammu and Kashmir,

(b) whether all the proposed alternative alignments have been discussed with the Government of Jammu and Kashmir; and

(c) if so, by what time a final decision regarding the alignment of the railway line is likely to be arrived at?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (c) Extension of Railway line beyond Madhopur in the State of Jammu and Kashmir will involve crossing of the River Ravi. The alignment of the line beyond the Ravi depends upon the site of the river-crossing which is still under investigation. Before finalising the alignment, the State Government's views will also be asked for and considered. A decision can be taken only after the investigations are completed.

Survey of Indian Ocean

*51 **Shri N. R. Muniswamy:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that several countries will co-operate in an international project to survey the Indian Ocean,

(b) in what way India will participate in the survey, and

(c) what are the special features of the Indian Ocean in which the said survey is to be conducted?

The Deputy Minister of Agriculture (Shri M V Krishnappa): The Prime Minister will give a reply to the question later

Cross-breeding Centre at Hyderabad

*52. { Shri Nagi Reddy.
Shri Ramam:
Shri D V Rao

Will the Minister of Food and Agriculture be pleased to state

(a) whether the Indian Council of Agricultural Research have started a cross-breeding centre at Hyderabad, as a research project;

(b) if so, the number of bulls imported and the cost thereof, and

(c) what is the programme of research planned?

The Minister of Agriculture (Dr F. S. Deshmukh): (a) Yes

(b) None Breeding under the project is done by artificial insemination with Jersey semen received from the Central Artificial Insemination Station, Bangalore where four imported bulls are maintained. These were given as a gift by the TCM

(c) A statement is laid on the Table of the Lok Sabha

STATEMENT

"The object of the project is to evolve cows of high milking capacity, suited to local conditions, by cross-breeding with Jersey. For this purpose, one main centre has been located at Hyderabad with four sub-centres at Secunderabad, Uppal, Shamshabad and Royadrag. The main programme of work is as follows —

- (i) Survey of the cattle population and collection of information about their milk production, breeding, feeding, and managerial practices
- (ii) Control of breeding to eliminate all natural mating
- (iii) Use of Jersey semen for artificial mating and provision of necessary facilities for this
- (iv) Study of adaptability to local conditions of the cross-bred progeny at different levels of Jersey blood so as to determine the most suitable level"

Deraiment near Visapur

*53 Shri Kumbhar: Will the Minister of Railways be pleased to refer to the reply given to Starred Question No 1346 on the 10th September, 1959 regarding the derailment of a passenger train between Visapur and Belwandi and state:

- (a) the causes of the accident; and
- (b) the loss sustained as a result thereof?

The Deputy Minister of Railways (Shri Shah Nawas Khan): (a) Under investigation

(b) Damage to the Railway property has been assessed at Rs 46,000

वेड़ीता सरकार को हीराकुंड बांध का नियंत्रण सौंपना

*५४. { श्री सरजू पाण्डेय:
श्री वं० ज० मल्लिक:
श्री संगण्णा.
श्री हेम बघवा:

क्या सिंचाई और विद्युत् मंत्री २ मितम्बर, १९५९ व तारांकित प्रश्न संख्या १०७५ के उत्तर के सम्बन्ध में यह बताने की वृथा करेंगे कि .

(क) क्या उड़ीसा सरकार को हीराकुंड बांध का नियंत्रण सौंपने के बारे में केन्द्रीय सिंचाई मंत्री तथा उड़ीसा व मुख्य मंत्री की दिल्ली में अभी हाल में एक बैठक हुई थी ,

(ख) यदि हा ना क्या वह हस्तांतरण मान लिया गया है,

(ग) यदि हा, तो वह हस्तांतरण कब होगा , और

(घ) उम हस्तांतरण का वितीय स्थिरा क्या है ?

सिंचाई और विद्युत् उपमंत्री (श्री द्वाबी) (क) जी हा ।

(ख) जी हा ।

(ग) पहली अग्रेल, १९६० को ।

(घ) अपेक्षित जानकारी का विवरण संसा पटल पर रखा दिया है ।

बिबरण

हिराकुंड के लिये वित्तीय प्रबन्ध

(क) निर्माण प्राक्कलन (एस्टिमेट) की प्रथम अवस्था ३१ मार्च, १९६० से समाप्त हो जायेगी तथा राज्य सरकार १ अप्रैल, १९६० से पूर्णित परियोजना के सम्पोषण (मेन्टेनेन्स) का जिम्मा अपने पर ले लेगी।

(ख) परियोजना का राजस्व (रेवेन्यू) तथा व्यय एव ङ्जी पर व्याज राज्य के आय-व्ययक (बजट) में १ अप्रैल, १९६० से मिला दिया जायेगा।

(ग) आगामी दो वित्तीय वर्षों के लिए केन्द्रीय सरकार राज्य सरकार को ऋण देगी ताकि नियमों के अनुसार परियोजना की पूँजी पर दिये हुये व्याज और षुद्ध प्रातिस्था में सम्पोषण (मेन्टेनेन्स) तथा प्रबन्धन (इंपेरीगियेसन) को निकाल कर, भेद मिट जाये।

(घ) पूर्व अनुच्छेद में कथित ऋण साधारण कार्यों के लिए ऋण माना जायेगा। अतः परियोजना की मूल लागत में नहीं सम्मिलित किया जायेगा।

(ङ) 'विपनिमा परियोजना' 'एक पूषक योजना का परियोजना भाग २' माना जायेगा। परियोजना के निर्माणार्थ केन्द्रीय सरकार राज्य सरकार को वित्त प्रदान करेगी। इसमें निर्माण अवधि में होने वाला व्याज भी सम्मिलित होगा। जब यह परियोजना समाप्त हो जायेगी तथा इसके प्राक्कलन बन्द हो जायेंगे तो पूँजी का व्याज एवं सत्सम्बन्धी प्राप्ति तथा व्यय राज्य के राजस्व का भाग बन जायेंगे।

Hingoli-Khandwa Rail Link

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

Will the Minister of Railways be pleased to refer to the reply given

to Starred Question No. 63 on the 11th February, 1959 and state:

(a) how many out of the thirty-four major bridges on the Hingoli-Khandwa Rail Link under construction have since been completed;

(b) whether all the girders required for these bridges have since been received;

(c) whether the railway line between Kanhargaoon and Akola will be opened for the passenger traffic shortly;

(d) when the whole link will be completed and opened for the passenger traffic; and

(e) the total amount spent on the link upto the 30th September, 1959?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Eighteen

(b) Yes Sir, except for 5 spans.

(c) Yes, Sir This section is expected to be opened in the first week of December, 1959.

(d) The whole link is expected to be completed and opened to passenger traffic by the end of December, 1960

(e) Rs 9 50 crores

Leakage of Delhi Master Plan

*56. { Shri Vajpayee:
Pandit D. N. Tiwari:
Shri M. L. Dwivedi:
Shri Prakash Vir Shastri:
Shri Nardeo Snatak:
Shri Ansar Harvani:
Shri A. M. Tariq:
Shri Ramji Verma:
Shri S. A. Mehdi:
Shri Kodiyar:
Shri Hem Barua:
Dr. Ram Subhag Singh:
Shri B. C. Mullick:

Will the Minister of Health be pleased to state:

(a) whether the Chief Commissioner, Delhi, has been asked to conduct an

enquiry into the alleged leakage of Delhi's Master Plan prepared by the Town Planning Organisation;

(b) if so, whether the enquiry has accordingly been instituted;

(c) the composition and terms of reference of the enquiry body; and

(d) the progress made in the enquiry?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir

(b) The enquiry is being conducted.

(c) A copy of the Health Ministry's letter dated the 29th October, 1959 addressed to the Chief Commissioner, Delhi in this regard is laid on the Table of the Sabha. [See Appendix I annexure No 17.]

(d) The report of the Chief Commissioner is awaited.

New A.I.I Scheme for Travelling to London

*57. { Shri S. A. Mehdi:
Shri Oza:
Shri M. R. Krishna:

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

(a) whether any new scheme of Air India International with a bank to offer loan to passengers for travelling to London has been introduced;

(b) if so, what are its features; and

(c) the number of Indian passengers who have availed of this opportunity?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) Yes, Sir.

(b) and (c). I lay on the Table of the Lok Sabha a statement giving the requisite information. [See Appendix I, annexure No. 18.]

Sinking of the 'Oberon'

*58. Shri Subman Ghose: Will the Minister of Transport and Communications be pleased to state:

(a) whether any enquiry has been held on the sinking of the ship 'Oberon' in the Hooghly on the 7th September, 1959;

(b) if so, the result of the enquiry;

(c) what were the ranks of the employees who died in the accident;

(d) has any compensation been paid to the families of the deceased;

(e) if so, the amount paid in each case;

(f) if the reply to part (d) be in the negative, the reasons for non-payment; and

(g) the loss suffered by Government in this mishap?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (g). A statement is laid on the Table of the Lok Sabha [See Appendix I, annexure No 19]

National Highways

*59 Shri Damani: Will the Minister of Transport and Communications be pleased to state:

(a) the extent to which profits made out of cement distribution by the State Trading Corporation of India Ltd., during the last two years have been utilised for the improvement of National Highways; and

(b) what is the present position in that respect?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). No amount has yet been utilised for the improvement of National Highways. The question of utilising a sum of Rs. 6.99 crores for cement concreting certain sections of National Highways and Rs. 2 crores for the development of certain new roads as National

Highways is under active consideration and specific proposals have been made to the Planning Commission for their concurrence.

'Hydrographic Surveyors'

*60. **Shri Tangamani:** Will the Minister of Transport and Communications be pleased to state:

(a) whether there is a proposal for utilising the services of the hydrographic surveyors in Calcutta Harbour, in other minor ports, inland water survey, border river survey etc;

(b) if so, in what form they will be utilised;

(c) the present strength of such surveyors in Calcutta;

(d) whether there has been a demand for increasing the number of such surveyors; and

(e) if so, what action has the Government taken in the matter?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) No.

(b) Does not arise

(c) The sanctioned strength of the Calcutta Port Commissioner's River Survey Service consists of one post of River Surveyor, one temporary post of River Surveyor on Special Duty, one post of Deputy River Surveyor, 36 posts of Assistant River Surveyor—(34 permanent and 2 temporary).

(d) and (e). The Calcutta Port Commissioners recently applied for the sanction of the Central Government to the creation of three posts of Assistant River Surveyor for attending to the increased survey works on the River Hooghly. They have been asked to indicate the actual increase in survey work and the basis on which the creation of three more posts has been recommended.

Assam-Agartala Road

*61. { **Shri Dasaratha Deb:**
Shri Bangshi Thakur:

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

(a) whether the condition of the Assam-Agartala Road has deteriorated;

(b) if so the causes of this deterioration; and

(c) the immediate steps suggested to improve condition of the road?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c). There has been no deterioration in the condition of the Assam-Agartala Road. The road suffered ordinary damages during the last monsoon. Such damages are usual for hill roads specially when newly constructed. The through traffic on the road was maintained throughout.

Complaints Department of P. & T.

*62. **Shri J. B. S. Bist:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that the Complaints Department of Posts and Telegraphs was wound up;

(b) if so the reasons therefor; and

(c) whether Government propose to provide any alternative machinery to look into specific public complaints?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) to (c). The Complaints Section has not been wound up but has been reorganised on the recommendations of the Special Reorganisation Unit appointed by Government to examine into the working of Departments. The object of this reorganisation is to provide a machinery to check and accelerate disposals of public complaints, to analyse them and to evolve suggestions for removing defects and improving efficiency of the services.

In view of this, the question of providing an alternative machinery does not arise

Hirakud Power for Madhya Pradesh

*63. Shri Vidya Charan Shukla: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Madhya Pradesh Government has moved the Centre to persuade the Orissa Government to release for it a minimum of 500 KW of power from the Hirakud Dam Project; and

(b) if so, action taken by Government thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes, Sir

(b) The proposal to supply 5,000 KW of power from the Hirakud Dam Project to Madhya Pradesh was discussed at the meeting of the Hirakud Control Board held on the 25th September, 1959. The Control Board was of the view that the Hirakud Dam Project should supply 5,000 KW of power by the end of 1961 to Madhya Pradesh for meeting the needs of Raigarh. Further action on the recommendation of the Control Board will be taken by the Government of Orissa

World Agriculture Fair in New Delhi

Shri Shree Narayan Das:
Shri Surendranath Dwivedy:
Shri Bhakt Darshan:
Shri Vajpayee:
Shri Arjun Singh
Bhadanria:
Shri Bibhuti Mishra:
Shri Inder J. Malhotra:
*64. Shri D. C. Sharma:
Shri A. K. Gopalan:
Shri Kunhan:
Shri Supakar:
Shri Hem Barua:
Shri Muhammed Elias:
Shri Madhusudan Rao.
Shrimati Da Palchoudhuri:
Shri Ram Krishan Gupta:

Will the Minister of Food and Agriculture be pleased to refer to the reply

given to Starred Question No. 661 on the 21st August, 1959 and state:

(a) what progress has since been made with regard to organising World Agriculture Fair in New Delhi;

(b) whether it is a fact that some of the countries which had earlier agreed to join have now withdrawn from the Fair;

(c) if so, the names of such countries; and

(d) the reasons for their withdrawal?

The Minister of Agriculture (Dr. P. S. Deshmakh): (a) A note showing the progress with regard to organising the World Agriculture Fair since 21-8-1959, furnished by the Secretary, World Agriculture Fair is placed on the Table of the Sabha [See Appendix I, annexure No 20]

(b) Only one country has withdrawn from the Fair

(c) The United Arabic Republic

(d) No reasons have been given

Gradation of Foodgrains

*65. Shri Ram Krishan Gupta: Will the Minister of Food and Agriculture be pleased to refer to the reply given to Unstarred Question No. 1763 on the 29th August, 1959 and state.

(a) at what stage is the uniform scheme of gradation of foodgrains; and

(b) the nature of steps taken so far in preparing standards for small structure for storage of grains by small stockists?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) The scheme is still under consideration

(b) Designs for capacities varying between 100 to 2,000 tons are under examination with the Committee Plan Projects.

State Trading in Foodgrains

- *86. { Shri Valvi:
Shri Prakash Vir Shastri:
Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Supakar:

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No 83 on the 4th August, 1950 and state.

(a) whether the Central Government have received replies from the various State Governments to the circular letter sent to them regarding the implementation of the Scheme for State Trading in foodgrains, and

(b) what progress has been made so far in various States in this regard?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Replies from some State Governments have been received

(b) As already stated in reply to Starred Question No 83 on 4th August 1950, the State Governments have licensed the wholesale traders in their respective States. Necessary measures are also being taken to organize and develop co-operative societies. About 13.6 lakh tons of rice and paddy and 2.38 lakh tons of wheat have been purchased by the Central and State Governments during the year in different States

मड़ुघाड़ीह में इंजन के पुर्जों का कारखाना

*६७. श्री जयल हसन: क्या रेलवे मंत्री ४ अगस्त, १९५१ के अतागतक प्रश्न संख्या ९९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) बनारस के पास मड़ुघाड़ीह में इंजन के पुर्जों का कारखाना स्थापित करने के सम्बन्ध में इस बीच क्या प्रगति हुई है ?

(ख) इस कारखाने पर सम्भवतः कितना कार्य होगा ;

(घ) यह कारखाना इंजन के पुर्जों सम्भवतः कब तक तैयार करने लगेगा ; और

(ग) उक्त कारखाने के निर्माण कार्य में शीघ्रता लाने के लिए क्या विशेष कार्य-वाही की जा रही है ?

रेलवे उपमंत्री (श्री शाहनवाज खां):

(क) कारखाने तक बड़ी लाइन की साइडिंग बन गयी है। कर्मचारियों के रहने के लिए भकान बनाने का ८० फीसदी काम पूरा हो चुका है। पानी की व्यवस्था कज्जे और गद्दी नालिया बनाने जैसे ज़रूरी काम भी हो रहे हैं। मुख्य कारखाना बनाने के लिए टेंडर मजूर कर लिए गये हैं और यह काम भी जल्द शुरू हो जायेगा।

(ख) पूरी योजना पर ४ ७९ करोड़ रुपये और पहले चरण (1st phase) पर २ ५६ करोड़ रुपये, जिसे दूसरी पंचवर्षीय आयोजना के अन्त तक पूरा करना है।

(ग) १९६१ में।

(घ) मुख्य कारखाने का इमारत बनाने के लिए टेंडर मजूर कर लिए गये हैं और कारखाना-प्रशासन (Workshop Administration) से कहा गया है कि इस काम को जल्द पूरा किया जाय।

Attack on Woman Passenger near Ghaziabad

- *68. { Shri Padam Dev:
Shri Prakash Vir Shastri:
Shri Nardeo Snatak:
Shrimati Maftda Ahmed:
Shri Sarju Pandey:
Shri Muhammed Elias:
Shri P. C. Borooah:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a twenty-five year old woman of Bombay was shot at and seriously injured in a moving train between Pilakhwa and Dasna near Ghazla-

bad on the night of the 26th September, 1959;

(b) if so, the details of the incident;

(c) whether the assailant has been arrested; and

(d) the nature of steps taken to provide safety arrangements in trains?

The Deputy Minister of Railways (Shri Shanawas Khan): (a) and (b). Yes. On 26-9-59 Kumari Rhoda Driver aged 32 years employed at Nainital was travelling alone in a second class ladies compartment of a Delhi bound passenger train on Moradabad-Delhi section of Northern Railway. When the train left Pilkhwa Railway station at about 20-35 hours, she noticed a man on the foot board who asked her to open the door. On her refusal to open the door, the man produced a country made pistol and threatened to shoot her and carried out his threat when she rushed to pull the alarm chain. After firing, the accused jumped off the train and was noticed by five or six villagers who were at work. They thought that someone had fallen off the train and went to help him but finding that he had a pistol with him, they took him to the local police station.

Consequent upon the pulling of the alarm chain by Kumari Rhoda Driver, the train stopped. As she was badly hurt she was rushed to the civil hospital, Ghaziabad on a goods tram under the escort of 2 R.P.F. men who happened to be on the train. She was subsequently shifted to Irwin Hospital New Delhi for treatment.

(c). Yes.

(d) (i) All important night passenger trains are accompanied, as far as possible, by police guards belonging to the Govt. Railway Police;

(ii) Safety devices on doors & windows of passenger trains have been provided to prevent ingress of undesirable persons;

(iii) Ladies compartments are marshalled as far as possible in the middle of the trains;

(iv) Conductor Guards and TTEs have instructions to pay special attention to lady passengers particularly when travelling alone and to see that the safety devices in the compartments are in working order;

(v) Ladies travelling alone in higher classes are allowed to take an attendant with a 3rd class ticket with them during night time;

(vi) Passengers have instructions to see that the latches & catches of doors and windows are secured to prevent entry of unauthorised persons.

Power Units at Bhakra

*69. { Shri D. C. Sharma:
Shri Ramji Verma:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 496 on the 17th August, 1959 and state:

(a) whether any progress has since been made in regard to the installation of 4 generating units of 90,000 kw each in the Bhakra Right Power Plant; and

(b) if so, the details thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The proposal of the Punjab Government was examined by the Central Water and Power Commission and their comments have been forwarded to the Punjab State Electricity Board. It has since been proposed that the size of the generating units to be installed should be 120,000 kw. each instead of 90,000 kw. A revised project estimate is awaited from the Punjab State Electricity Board.

Sun Hemp

*70. **Shri P. C. Borooah:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Sun Hemp (crotolaria juncea) is, in many ways, a better substitute for jute; and

(b) if so, the steps proposed to be taken for popularising its cultivation?

The Minister of Agriculture (Dr. F. S. Deshmukh): (a) Sun Hemp is a fibre allied to Jute, but it is not a good substitute for Jute

(b) It is not proposed to popularize its cultivation to replace Jute

Agricultural Journalism

*71. **Shri Inder J. Malhotra:** Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No 1330 on the 10th September, 1959 and state

(a) whether Government have any proposal to introduce Agricultural Journalism as one of the subjects in which M.Sc degree may also be offered at the Indian Agricultural Research Institute, New Delhi,

(b) what are the basic educational and other requirements which are necessary for a candidate to get admission in Ph D Degree course, and

(c) the number of students admitted this year for Ph D course and their State-wise break-up?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) No

(b) The candidate must have an M.Sc degree of a recognised University or Associateship of the Indian Agricultural Research Institute in the relevant field of science

(c) A list showing the number of students admitted this year for Ph D course and their State-wise break-up is laid on the Table of the Lok Sabha

LIST

State-wise list of the candidates selected for admission to the Ph D courses in October, 1958

State	No. admitted
Andhra Pradesh	2
Bihar	10
Bombay	6

State	No. admitted
West Bengal	3
Madhya Pradesh	4
Rajasthan	2
Delhi	6
Mysore	2
Punjab	6
Kerala	3
Madras	1
Assam	1
Kashmir	1
Uttar Pradesh	1
Himachal Pradesh	1
Yugoslavia (foreign)	1
TOTAL	50

Defective Construction of the ship 'Andamans'

*72 **Shri J. B. S. Bist:** Will the Minister of Transport and Communications be pleased to state

(a) whether the French Consultant Company which built ship 'Andamans', for the Hindustan Shipyard is not inclined to pay any compensation for the defective designing of the ship on the ground that designing was done by Indians,

(b) if so, whether Government have accepted the contention of the Company, and

(c) if not, what measures Government are taking to secure compensation from the company?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (c) The matter is still under negotiation with the French firm

Abolition of Second Class on Railways

*73 **Shri Vidya Charan Shukla:** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No 1770 on the 9th April, 1959 and state the progress since made in respect of abolition of the Second Class accommodation on Railways?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): No tangible progress has since been made in this direction

International Civil Airport at Delhi

*74. Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No 915 on the 17th August, 1959 and state the nature of final decision taken in establishing an International Civil Airport at Delhi?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): It has not been possible to take a final decision so far on the question of establishing a separate International Civil Airport for Delhi. In the meantime, Palam will continue in joint use by the I.A.F. and the Civil Aviation Department and it is also being developed for operations by Boeing Jet aircraft

डाक तथा तार भवन

*७५. श्री भक्त वर्मान : क्या परिवहन तथा संचार मंत्री २८ अप्रैल, १९५९ के उपरोक्त प्रश्न सख्या २०९४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) १९५८-५९ के वित्तीय वर्ष में डाक तथा तार विभाग के भवन निर्माण कार्यक्रम के लिए जो धन-राशि स्वीकृत की गई थी उस में से कितने धन का वास्तव में उपयोग किया जा सका ;

(ख) जिन कारणों से शेष धन खर्च नहीं किया जा सका उन्हें दूर करने के लिए कौन से कदम उठाये गये हैं ;

(ग) १९५९-६० के वित्तीय वर्ष के लिये कितनी धन राशि स्वीकृत की गई है, और

(घ) उक्त राशि के उपयोग में अब तक क्या प्रगति हुई है ?

परिवहन तथा संचार मंत्रालय में राज्य-मंत्री (श्री राम बहगुजर): (क) इस वित्तीय वर्ष में बड़े-बड़े निर्माण-कार्यों पर १२८ लाख

रुपये की धन-राशि वास्तव में उपयोग में लाई गई है ।

(ख) वित्त-मंत्रालय द्वारा भवन-निर्माण कार्य पर लगाई गई धाम पाबन्दी हटा दी गई है । इस मंत्रालय की बैठकों में भवन-निर्माण की प्रगति पर समय-समय पर विचार-विमर्श किया जाता है तथा निर्माण-कार्यों पर निगरानी रखी जाती है । निर्माण-कार्यों को और जल्दी पूरा करने के प्रस्ताव विचारार्थन हैं ।

(ग) २१५ लाख रुपये ।

(घ) अगस्त, १९५९ तक ९ ६९ लाख रुपये खर्च हो चुके हैं ।

Delhi-Kulu Air Service

*76 { Shri D. C. Sharma:
Shri Hem Raj:
Shri Daljit Singh:
Shri Dhanagar:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No 1192 on the 7th September, 1959 and state

(a) whether any progress has been made in the matter of running an Air Service from Delhi to Kulu via Chandigarh, and

(b) if so, the nature thereof?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) and (b). A Delhi-Chandigarh-Kulu air service was inaugurated on the 3rd October, 1959 on a twice weekly frequency and operated until 2nd November, 1959. The service will be resumed in April next. The Indian Airlines Corporation intend to operate the service only during the summer season i.e. April-October

Free Trade Zone at Kandla Port

54. Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to refer to the

reply given to Unstarred Question No. 933 on the 17th August, 1959 and state at what stage is the proposal for setting up a free trade zone at Kandla Port?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The proposal is still under consideration

Extension and Covering of Platform at Bhiwani Station

55. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No 1768 on the 10th September, 1958 and state

(a) whether work of extension and covering of platform at the Bhiwani Station on Rewari-Bhatinda Line of the Northern Railway has since been completed, and

(b) if not, the nature of progress made so far?

The Deputy Minister of Railways (Shri Shah Nawaz Khan). (a) and (b) No Due to difficult ways and means position, the work of covering over the platform had to be postponed. It will be taken up when the position of funds improves. There is no proposal to extend the platform at present

Ajmeri Gate Slum Clearance Scheme

56 Shri Ram Krishan Gupta. Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No 662 on the 12th August, 1959 and state.

(a) whether the new plan for the Ajmeri Gate slum clearance has since been finalised, and

(b) if so, the details thereof?

The Minister of Health (Shri Karmarkar): (a) Not yet

(b) Does not arise.

Canal Water Dues from Pakistan

57. { Shri Ramji Verma:
Shri Ajit Singh Sarhadi:
Shri D C Sharma:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No 61 on the 4th August, 1959 regarding canal water dues against Pakistan and state whether any progress has since been made in the matter of realization of the 'disputed' as well as balance of 'undisputed' charges from Pakistan?

The Deputy Minister of Irrigation and Power (Shri Hathi): No further payment on account of canal water supplies has been received from the Government of Pakistan. The question relating to the "disputed", as well as the balance outstanding towards "undisputed" charges is still under correspondence between the two Governments

Sugar in Blood

58 Shri C K. Bhattacharya: Will the Minister of Health be pleased to state

(a) whether the Central Food Research Laboratory at Mysore has found out that the use of casein and beans and black gram as diet reduces the percentage of sugar in blood, and

(b) if so, whether a statement containing details of research will be laid on the Table?

The Minister of Health (Shri Karmarkar): (a) The Central Food Research Laboratory, Mysore, have made an observation that in certain cases of diabetic patients whose insulin requirement was of the order of 20 units, the use of casein, beans and black gram as diet reduces the percentage of sugar in blood. Further work is in progress to confirm these findings

(b) The results were published in the "Lancet" dated the 17th August, 1957 (pages 317-320). A copy of the article that appeared in the "Lancet" has been placed in the library of Parliament

Warehousing Corporation in Bombay

59. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state:

- (a) whether Warehousing Corporation has been set up in Bombay State; (b) if so, the location thereof; and (c) what is the contribution of the Central Warehousing Corporation thereto?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes, Sir.

(b) Its headquarters are located at 16, Boat Club Road, Poona.

(c) The Central Warehousing Corporation has contributed Rs. 15 lakhs representing 50 per cent of the total paid up share capital of the State Warehousing Corporation.

Seed Multiplication Farms in Bombay State

60. Shri Pangarkar: Will the Minister of Food and Agriculture be pleased to state the amount allotted to the Bombay State as subsidy during 1959-60 for the establishment of seed multiplication farms?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): A revised allocation of Rs. 34.20 lakhs has been made as subsidy during 1959-60 for seed multiplication farms to the Bombay State.

Vendors and Hawkers on the Purna-Hingoli Section

61. Shri Pangarkar: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that some unauthorised vendors and hawkers are permitted on the Purna-Hingoli Section of the Central Railway; and

(b) if so, the action taken or proposed to be taken in the matter?

The Deputy Minister of Railways (Shri Shah nawas Khan): (a) No unauthorised vendors and hawkers have been permitted as such on the Purna Hingoli Section. But some of them, however, operate without permission and in contravention of the rules.

(b) Measures generally taken to deal with unlicensed vendors and hawkers are given in the statement laid on the Table. [See Appendix I, annexure No. 21].

Earnings on the Central Railway

62. Shri Pangarkar: Will the Minister of Railways be pleased to state the earnings on the Central Railway from the 1st July to the 30th September, 1959 as compared to the corresponding period during the year 1958?

The Deputy Minister of Railways (Shri Shah nawas Khan):

(In Lakhs of Rupees)

From July 1958 to September, 1958	From July 1959 to September 1959
16.42	16,87.01

Seed Multiplication Farms in Bihar

63. Shri Anirudh Sinha: Will the Minister of Food and Agriculture be pleased to state the total amount of money given to the Government of Bihar for setting up seed multiplication farms in the State during the Second Plan period so far?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): Required information is given below

Year	Amount given (Central assistance)
	(Rs. in lakhs)
1956-57	9.38
1957-58	96.73
1958-59	78.00*
1959-60	135.80†
TOTAL	309.91

*This amount represents the allotment of Central assistance to the Bihar Government. During 1958-59 sanctions were accorded to the State Governments on the basis of Head of Development and not Scheme-wise.

†Represents the amount allocated as Central assistance to the State Government for seed farms.

Railway Out-agencies in Bihar

64. Shri Anirudh Sinha: Will the Minister of Railways be pleased to state.

(a) the number of Railway out-agencies opened in Bihar so far, and

(b) the number and location of new out-agencies to be opened during 1959-60 in Bihar?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Eight

(b) The following out-agencies are expected to be opened during 1959-60

- 1 Semrahi
- 2 Terbeniganj
- 3 Sonbarsa
- 4 Laukaha
- 5 Khautauna
- 6 Laukahi Bazar
- 7 Madhepur
- 8 Narahia
- 9 Bahadurganj
- 10 Garjan
- 11 Pratabganj
- 12 Birpur
- 13 Aurangabad Town
- 14 Sherghati
- 15 Gumla

Agricultural Publications

65 Shri Inder J. Malhotra. Will the Minister of Food and Agriculture be pleased to state

(a) the names of monthly and other publications brought out by the Directorate of Extension and Indian Council of Agricultural Research,

(b) the expenditure incurred on these and revenue earned, and

(c) their total circulation over the last five years, year-wise?

249 (A1) L S D—3.

The Minister of Agriculture (Dr P. S. Deshmukh): (a) to (c) Three statements giving the required information are laid on the Table [See Appendix I, annexure No 22]

मुरादाबाद जिले के रेहड़ा नामक स्थान में तार-घर

६६ श्री प्रकाश बीर शास्त्री क्या परिवहन तथा संचार मंत्री यह बनाने की कृपा करेंगे कि :

(क) मुरादाबाद जिले के वाठ पीडिन रेहड़ा क्षेत्र में तार-घर स्थापित करने के लिए किन्नी धन गति मंजूर की गई है , और

(ख) यह तार-घर सम्भवतः कब तक स्थापित किया जायेगा ?

परिवहन तथा संचार मंत्री (डा० ए० सुब्बरायन) (क) और (ख) ६३१ रुपये की वार्षिक हानि पर रेहड़ा में एक तार-घर खोले जाने की मजूरी दी गई थी। तत्सम्बन्धी विस्तृत प्राक्कलनों के तैयार किये जाने पर पता चला है कि यह वार्षिक हानि १,६६७ रुपये आती है। इस हानि को उठाने के लिए नये सिरे में मजूरी दी जा चुकी है तथा सम्बन्धित डाक-तार महा-अध्यक्ष इस तारघर के खोले जान के लिए आवश्यक कार्रवाई कर रहे हैं।

Pathankot-Jammu Road

67. Shri Inder J. Malhotra: Will the Minister of Transport and Communications be pleased to state

(a) the amount allocated and spent on repairs of the Pathankot-Jammu road during the year 1959-60 so far,

(b) the progress of repair works now in hand on the said road, and

(c) when the main damages caused by the recent rains will be repaired?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) A sum of Rs. 3,46,000 has been allocated for repairs and a sum of Rs. 2,22,000 (upto September, 1959) has been spent

(b) The repair work is progressing satisfactorily and is likely to be completed by the 31st March 1960.

(c) There were no abnormal damages on the road due to recent rains

Co-operative Societies in Punjab

68 Shri D. C. Sharma: Will the Minister of Community Development and Co-operation be pleased to state

(a) whether Punjab Government had fully drawn the grant sanctioned by the National Co-operative Development and Warehousing Board during 1957-58 for assisting the co-operative societies in the States, and

(b) whether the programme for 1958-59 which got the technical approval of the Board has been completed?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) Yes, but subsequently out of a total grant of Rs. 5,82,060 the State Government refunded an amount of Rs. 27,618 to the Board

(b) Yes Out of a total assistance of Rs. 7,51,461 sanctioned by the Board a sum of Rs. 64,768 only was refunded to the Board

रेलवे में धीरत कुली

६६. श्री प्रकाशवीर शास्त्री : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत के कुछ स्टेशनों पर धीरते कुली का काम कर रही हैं ; और

(ख) यदि हा, तो उन स्टेशनों के नाम क्या हैं और उन में से प्रत्येक पर कितनी धीरते कुली का काम कर रही हैं ?

रेलवे उपमंत्री (श्री साहनबाबू जी):
(क) जी हा ।

(ख) एक बयान संभा पटल पर रखा जाता है । [बैलिवे परिशिष्ट १, अनुबन्ध संख्या २३]

Procurement Price for Rice and Paddy

70 Shri Panigrahi: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the procurement price for rice and paddy per maund has been fixed for the various States in India for the next harvest season; and

(b) if so, what is the price fixed for the different States?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b). Yes, Sir, the same prices which were in force during the Kharif year 1958-59 have been allowed to remain operative during the Kharif year 1959-60 also A statement is placed on the Table of the Lok Sabha showing these prices [See Appendix I, annexure No 24]

Over-bridge near Cuttack Railway Station

71. Shri Panigrahi: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No 1505 on the 25th August, 1959, and state,

(a) whether it is a fact that the Orissa Government has since forwarded its proposal to the Railway Ministry for constructing an over-bridge to the south of the Cuttack Railway Station for connecting the Cuttack city with No 5 National Highway

(b) if so, when was this proposal received from the State Government; and

(c) whether the Railway Ministry has accepted this proposal?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No, Sir The Government of Orissa have not yet forwarded their proposal for a suitable road over-bridge to connect the city with the National Highway No 5.

(b) and (c) Do not arise in view of the above

Procurement of Rice and Paddy

72. { **Shri Panigrahi:**
Shri B C Mullick:
Shri Pangarkar:

Will the Minister of Food and Agriculture be pleased to state

(a) the amount of money which has been spent by the Centre for the purchase of rice and paddy from Orissa in the procurement period upto 1st of November, 1959, and

(b) the quantities of rice and paddy purchased State wise by or on behalf of the Centre from the 31st July 1959 upto the 1st November, 1959?

The Deputy Minister of Food and Agriculture (Shri A M Thomas). (a) The value of the rice and paddy purchased in Orissa on behalf of the Central Government and delivered to them during the procurement season up to 1st November, 1959 is approximately Rs 754 lakhs

(b) The quantities of rice and paddy purchased in the various States by or on behalf of the Centre and delivered to them during the period were as follows —

(In Thousands Tons)

State	Rice	Paddy
Andhra Pradesh	6 2	
Madhya Pradesh	36 4	
Orissa	24 2	17 2
Punjab	8 9	

Sutlej-Beas Link Project

73. { **Shri Ram Krishan Gupta:**
Shri Hem Raj:
Dr Ram Subhag Singh
Shri Ajit Singh Sarhadf.

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No 1228 on the 21st August, 1959 and state

(a) whether the proposals for the construction of Sutlej-Beas link project and the Right Power station at Bhakra have since been considered, and

(b) if so the report thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi). (a) and (b) The Punjab Government are carrying out further investigations on an integrated system of works on the Beas including the Beas Sutlej link, to ensure optimum utilisation of the waters of that river Their report is still awaited

As regards the Right Power Station at Bhakra the proposal of the Punjab Government was examined by the Central Water and Power Commission and their comments have been forwarded to the Punjab State Electricity Board It has since been proposed that the size of the generating units to be installed should be 1,20 000 KW each instead of 90 000 KW A revised Project estimate is awaited from the Punjab State Electricity Board

Training of Sarpanches of Panchayats

74. { **Shri Ram Krishan Gupta:**
Shri Sarju Pandey
Shri D. C. Sharma.

Will the Minister of Community Development and Co-operation be pleased to refer to the reply given to Starred Question No 343 on the 12th August 1959 and state

(a) whether the scheme for the training of Sarpanches and up-sarpanches has been finalised and

(b) if so, the details thereof?

The Minister of Community Development and Co-operation (Shri S. K. Dey): (a) Yes Sir

(b) A statement showing the broad outlines of the scheme is laid on the Table of the Lok Sabha [See Appendix I, annexure No 25]

State Health, Education Bureaus

75. { Shri Ram Krishan Gupta:
Shri M. R. Krishna:

Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No 338 on the 7th August, 1959 and state

(a) whether the proposals from the remaining States for the establishment of Health Education Bureaus have been received.

(b) if so, the names of these States,

(c) whether the details of UNICEF assistance have been finalised in consultation with UNICEF and State Governments; and

(d) if so, what are they?

The Minister of Health (Shri Kar-markar): (a) and (b) The Governments of Assam, Punjab and Madhya Pradesh have since intimated that they wish to establish Health Education Bureaus in their States during 1960-61

(c) The UNICEF have tentatively approved assistance for three State Health Education Bureaus at the rate of \$ 6,000 per State during the current financial year

(d) The details of UNICEF assistance are as follows —

1. Jeep Station Wagon
2. Audiovisual and Health Education material
 - (i) Books
 - (ii) Duplicating equipment
 - (iii) Cinematograph equipment.
 - (iv) Tape Recorder.
 - (v) Silk Screen Set

(vi) All purposes machine for cutting models etc.

(vii) 16mm Educational Films.

(viii) Art Material.

Irrigation and Power Potential of Indian Rivers

76. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri C K. Bhattacharya:
Dr. Ram Subhag Singh:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No 354 on the 7th August, 1959 and state:

(a) the further progress made so far in the work of overall study of the irrigation and power potential of the remaining river zones and sub-zones; and

(b) when it will be completed?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b) A statement containing the requisite information is placed on the Table. [See Appendix I, annexure No 26]

Ford Foundation Team on Food Production

77. { Shri Ram Krishan Gupta:
Shri Panigrahi:
Shri Bibhuti Mishra:
Shri Damani:
Shri Oza:
Shri Sarju Pandey:
Dr. Ram Subhag Singh:
Shri Goray:
Shri Kalka Singh:

Will the Minister of Food and Agriculture be pleased to refer to the reply given to Starred Question No 84 on the 4th August, 1959 and state.

(a) whether Government have since considered the recommendations contained in the report of the Ford Foundation Team on food production;

(b) if so, the result of considerations; and

(c) the nature of steps taken or proposed to be taken to implement them?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) and (c). A statement showing the action taken to implement the important recommendations of the Ford Foundation Team on Food Production, is laid on the Table of the Lok Sabha. [See Appendix I, annexure No 27]

Manufacture of Engines, Coaches and Wagons

78. Shri Ram Krishan Gupta: Will the Minister of Railways be pleased to state

(a) how far the targets for the manufacture of engines, coaches and wagons for the Second Five Year Plan period in the public and private sectors have been achieved so far, separately; and

(b) whether any shortfall in the target of manufacture is anticipated?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) A statement is placed on the Table [See Appendix I, annexure No 28].

(b) It is premature to say with certainty but it is expected that by and large the targets will be achieved.

Hospital for the All India Institute of Medical Sciences

79. Shri Ram Krishan Gupta: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 1232 on the 21st August, 1959 and state the nature of progress made so far in the construction of a permanent 250-bed hospital sanctioned for the All India Institute of Medical Sciences, New Delhi?

The Minister of Health (Shri Kishmarkar): Plans and estimates of the hospital are under scrutiny.

Power Research Institute at Bangalore

**80. { Shri Ram Krishan Gupta:
Shri Padam Dev:**

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No 1359 on the 10th September, 1959 and state;

(a) whether Government have since taken any decision regarding the scheme for setting up a Power Research Institute at Bangalore; and

(b) if so, the details thereof?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). No final decision has yet been arrived at

Parking Places for Buses in Delhi

81 Shri Ram Krishan Gupta: Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No 1254 on the 21st August, 1959 and state:

(a) whether Government have since considered the proposals regarding the location of inter-State bus terminus and site for idle parking of heavy vehicles, and

(b) if so, the result thereof?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) and (b). The site for an inter-State bus terminus and stand has been selected and the Municipal Corporation, Delhi, has requested the Land and Development Office of the Ministry of Works, Housing and Supply to transfer this land to them.

Purchase of Ships from Japan

**82. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:**

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question

No. 1349 on the 10th September, 1950 and state the progress made so far in utilising the balance of 3.11 billion yens for purchase of ships from Japan?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): The Great Eastern Shipping Company was allotted yen loan for building two coastal cargo ships but as they failed to utilise it, permission was granted to Scindias to place a repeat order of the vessel already being built by Mitsubishi Shipyard for them. Meanwhile, the Western Shipping Corporation is also exploring the possibility of building an additional coastal tanker if suitable economic employment could be secured.

जन्ता भोजन

८३. पंडित द्वा० ना० तिवारी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि .

(क) मध्य रेलवे के कई स्टेशनों पर ६२ नये पैसे की दर पर भोजन देने की जो योजना चालू की गई है उस का जनता ने कैसा स्वागत किया है ;

(ख) प्रत्येक भोजनालय में प्रतिदिन भोजन कितने भोजन विक्रय जाते हैं और इस से रेलवे को क्या लाभ भ्रयवा हानि होती है ,

(ग) रेलवे भोजन प्रबन्ध योजना के अन्तर्गत ८८ नये पैसे की दर से दिये जाने वाले भोजन में तथा ६२ नये पैसे वाले भोजन में क्या अन्तर है, और इस अन्तर के क्या कारण हैं ; और

(घ) क्या इस योजना को लागत कोषना एवं विस्तार की रूप-रेखा देने वाला एक विवरण सभा पटल पर रखा जायेगा ?

रेलवे उपमंत्री (श्री शाहनवाज खां):
(क) से (घ) : एक बयान सभा पटल पर रखा जाता है [बैलिये परिशिष्ट १, अनु-बन्ध सख्या २६]

कुलपहाड़ स्टेशन पर मालगोदाम

८४. { श्री म० ला० द्विवेदी:
पंडित द्वा० ना० तिवारी :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि .

(क) मध्य रेलवे के भारतीय-आदिभूपुर सेशन पर कुलपहाड़ स्टेशन पर गत ९ वर्षों में प्रथम १९५० से लेकर १९५८ तक कुल कितना माल लादा और उतारा गया ;

(ख) क्या स्टेशन पर लादे और उतारे जाने वाले खाद्यान्न तथा अन्य सामान को बरसात में भ्रयवा अन्य प्राकृतिक विपत्तियों से क्षति होने की सम्भावना रहती है ;

(ग) क्या यह सच है कि जिन स्टेशनों पर इस स्टेशन की प्रवेशा कम माल लादा और उतारा जाता है और जहां माल का प्रवागमन भी कम है वहां मालगोदाम बनाये गये हैं ,

(घ) इस स्टेशन पर मालगोदाम के निर्माण को क्यों टाला जा रहा है , और

(ङ) वहां कब तक मालगोदाम बनने की सम्भावना है ,

रेलवे उपमंत्री (श्री शाहनवाज खां) :

(क) एक बयान सभा पटल पर रखा गया है जिसमें सूचना दी गई है। [बैलिये परिशिष्ट १, अनुबन्ध सख्या ३०]

(ख) जी नहीं, क्योंकि स्टेशनों पर माल की पूरी हिकाजत के लिए पहले से प्राविक मीजुद हैं।

(ग) और (घ). एक कार्यक्रम के अन्तर्गत पर स्टेशनों पर मालगोदाम बनाये जाते हैं। ऐसा करते समय इस बात का ध्यान रखा जाता है कि प्रत्येक स्टेशन पर कितना और किस किस का माल आता-जाता

है और दूसरे स्टेशन की तुलना में उस स्टेशन का महत्व क्या है। इस स्टेशन पर मालगोदाम बनाने का काम अभी तक इमीलिए शुरू नहीं किया जा सका क्योंकि दूसरे स्टेशनो पर ज्यादा जरूरी काम किये जा रहे थे।

(घ) १९६०-६१ के निर्माण-कार्यक्रम में कुलपहाड स्टेशन पर एक माल गोदाम बनाने के सवाल पर विचार किया जा रहा है।

R.M.S Reorganisation Committee

85 { Shri S C Samanta:
Shri Subodh Hansda:

Will the Minister of Transport and Communications be pleased to state

(a) the steps proposed to be taken after the scrutiny of the report of the R M S Reorganisation Committee,

(b) whether any complaints have been received on the subject,

(c) if so, from which quarters; and

(d) whether those complaints have been examined?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) The report is still under examination

(b) and (c) Some representations have been received against certain recommendations of the Committee but generally the basic principles have not evoked much criticism

(d) Yes.

सफरबंग-कुतुबमीनार सड़क पर
रोजनी

८६. { श्री भक्त दर्शन:
श्री नवल प्रभाकर:
श्री बी० चं० शर्मा:

क्या स्वास्थ्य मंत्री १२ अगस्त, १९५९ के तारकित प्रश्न संख्या ३७७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) नई दिल्ली में संकरबंग हवाई अड्डे से कुतुब मीनार तक की सड़क पर बिजली की रोजनी करने की दिशा में इस बीच क्या प्रगति हुई है; और

(ख) इस कार्य के कब तक पूरा हो जाने की आशा है?

स्वास्थ्य मंत्री (श्री करनकर):

(क) यूसुफराय से हीजलाम तक के भाग में सड़क पर बिजली की रोजनी करने का काम दिल्ली नगर निगम लगभग पन्द्रह दिन में शुरू करेगा। हीजलाम से कुतुब मीनार तक के भाग में यह काम बाद में शुरू किया जायेगा।

खुदक नाले से यूसुफराय तक के भाग में सड़क पर बिजली की रोजनी करने का कार्य नई दिल्ली नगर पालिका ने अभी शुरू नहीं किया है और उनसे कह दिया गया है कि वे इस कार्य को प्राथमिकता के आधार पर शुरू कर दें।

(ख) आशा है कि नगर निगम की मीमा के अन्दर यूसुफराय से हीजलाम तक का कार्य मार्च, १९६० के अन्त तक पूरा हो जायेगा।

G.P.O Building at Kanpur

87. { Shri S M Banerjee:
Shri Panigrahi:

Will the Minister of Transport and Communications be pleased to state

(a) whether new building of General Post Office at Kanpur has since been constructed;

(b) if not, the reasons for this delay, and

(c) steps taken by Government to expedite construction?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a) to (c) The proposal of construction of a combined building to house

Head Post office and Central Telegraph Office as previously planned has been modified after further consideration. It is now proposed to construct a building to accommodate Head Post Office and other small offices, including some administrative offices. Accommodation for a small Departmental Telegraph Office is also to be provided in this building. Central Telegraph Office will remain where it is and later a suitable building may be put up at the same site. The revised project is being processed for sanction. The work will be taken on hand after the revised proposal is sanctioned by competent authority and necessary preliminaries are finalized by the C.P.W.D. It is hoped to complete other formalities as expeditiously as possible so that the work can commence with the least possible delay.

Railway Bridge over the Ken River

88 Shri Vajpayee: Will the Minister of Railways be pleased to state.

(a) whether girders on the Central Railway bridge spanning Ken river some 100 miles from Jhansi, require immediate replacement in order to render the bridge capable of bearing heavy traffic; and

(b) if so, the steps taken in this regard?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) The work of replacement of old girders with new ones is in progress. Out of 12 spans of 100 feet, 11 spans have been already replaced, and the remaining span will be replaced shortly. The re-girding of the one 250 feet span will be taken in hand when the new girders, which have been ordered on trade, are received.

हिमाचल प्रदेश में जन सर्वेक्षण

८९. { श्री पद्म देव :
श्री म० बा० सिंह :

क्या आज तथा कृषि मंत्री यह बताने की कृपा करेंगे कि हिमाचल प्रदेश में जन सर्वेक्षण कार्य के बारे में अब तक क्या प्रगति हुई है ?

कृषि उपमंत्री (श्री मो० बं० कुण्डन्पा) : प्रगस्त १९५९ तक, सीमा रिकार्ड तैयार करने के प्रतिनिष्पत्ति, ५४ वर्ग मील से अधिक का सर्वेक्षण कर लिया गया है और ७०० बीघा स्तून बनाये जा चुके हैं।

हिमाचल प्रदेश सहकारी बैंक (लिमिटेड)

९०. { श्री पद्म देव :
श्री राम कुण्ड गुप्त :

क्या सामुदायिक विकास और सहकार मंत्री ५ मई, १९५८ के अन्तर्गत प्रस्तुत मस्यौदा ३०६३ से उत्पन्न होने वाले भाषवामन को कार्यान्वित करने के लिए ५ मिनम्बर, १९५८ को मभा पटल पर रखे गये अनुपूरक विवरण मस्यौदा ७ क्रम मस्यौदा २० के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) १९५६-५७ में हिमाचल प्रदेश राज्य सहकारी बैंक के कारोबार में मन्दी के क्या कारण हैं ; और

(ख) १९५७-५८ में उपरोक्त बैंक के कारोबार का क्या व्योम रहा है ?

सामुदायिक विकास तथा सहकार उपमंत्री (श्री ब० ल० मूर्ति) : (क) और (ख) इस सम्बन्ध में जानकारी की जा रही है और प्राप्त होने पर सदन-पटल पर रख दी जायगी।

हिमाचल प्रदेश में चरागाह

६१. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या स्वास्थ्य तथा कृषि मंत्री यह बनाने की कृपा करेंगे कि हिमाचल प्रदेश में चरागाहों का किन-किन स्थानों पर और किम प्रकार सुधार किया गया है ?

कृषि-उपमंत्री (श्री मो० बें० कृष्णप्पा) :

द्विबीजन का नाम	किये गये सुधारों की किस्म
चम्बा	वनरोपण
चुराह	वनरोपण
मन्डी	रिक्त स्थानों पर वनरोपण
सूबेत	वनरोपण
नाहन	वनरोपण तथा देखभाल
राजगढ़	चराने के लिए मना करना तथा देखभाल
जुब्बल	चराने के लिये मना करना तथा देखभाल
अपर बुशहर शिमला	वनरोपण तथा बाड़ लगाना वनरोपण तथा बाड़ लगाना

हिमाचल प्रदेश में जड़ी बूटियाँ

६२. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या स्वास्थ्य मंत्री ४ अगस्त, १९५९ के अतागकित प्रश्न मन्था १४० के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) जबकि हिमाचल प्रदेश जड़ी-बूटियों का भण्डार है तब क्या कारण है कि हिमाचल प्रदेश अपनी औषधि-निर्माण-शालाओं के लिए अधिकतर औषधियाँ बाहर से मंगाला है ;

(ख) क्या सरकार ने विधि के अर्धीन औषधियाँ संग्रह करने की कोई योजना तैयार की है ; और

(ग) यदि नहीं, तो उससे क्या करण हैं ।

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) अपनी तदः हिमाचल प्रदेश में कच्ची जड़ी बूटियों की उपलब्धि के बारे में कोई वैज्ञानिक सर्वेक्षण नहीं किया गया है । चूँकि स्थानीय व्यापारियों द्वारा सगृहीत औषधियाँ पर्याप्त तथा अच्छी किस्म की नहीं हैं इसलिए कुछ औषधियाँ अन्विचार्यन्तः बाहर से मंगानी पडती हैं ।

(ख) और (ग). स्वदेशी एव अन्त्य चिकित्सा पद्धतियों में अनुसन्धान की एक योजना हिमाचल प्रदेश के वन विभाग की सहायता में शीघ्र ही चालू की जा रही है । जब यह योजना चालू हो जायगी तो औषधियों के भण्डार एवं भण्डार के प्रश्न पर भी विचार किया जायगा ।

हिमाचल प्रदेश में औषधि-निर्माणशालाएं

६३. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या स्वास्थ्य मंत्री यह बनाने की कृपा करेंगे कि .

(क) १९५८-५९ में हिमाचल प्रदेश की माजरा और जोगिन्दर नगर औषधि-निर्माणशालाओं ने हिमाचल प्रदेश की औषधि की आवश्यकताओं को किम हद तक पूरा किया , और

(ख) औषधि की शेष आवश्यकताएँ किम प्रकार पूर्ण की गई ?

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) इन दो औषधि-निर्माणशालाओं ने हिमाचल प्रदेश की लगभग ७५ प्रतिशत आवश्यकताओं को पूरा किया ।

(ख) शेष औषधियों को हिमाचल प्रदेश और उससे बाहर के व्यापारियों से प्रतियोगी दर पर प्राप्त किया गया ।

हिमाचल प्रदेश में मकान बनाने के लिये ऋण

६४. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या सामुदायिक विकास तथा सहकार मंत्री २४ फरवरी, १९५९ के अतारंकित प्रश्न संख्या ८०२ के उत्तर से उत्पन्न होने वाले आश्वासन को कार्यान्वित करने के लिए २४ अप्रैल, १९५९ को सभा पटल पर रखे गये धन-पूरक विवरण संख्या २ के क्रम संख्या २ के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिमाचल प्रदेश में कई जगहों पर लोगों ने नये मकान न बना कर उनकी जगह पुराने मकान दिखा कर मकान बनाने के लिए दिये गये ऋणों का दुरुपयोग किया है ; और

(ख) सरकार ने इस विषय में किस के द्वारा जांच करवाई है ?

सामुदायिक विकास तथा सहकार मंत्री (श्री सु० कृ० डे) : (क) ऐसा कोई मामला सरकार की निगाह में नहीं आया है ।

(ख) प्रश्न नहीं उठता ।

कमलाई (हिमाचल प्रदेश) में कुक्कुटपालन केन्द्र

६५. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५८-५९ में हिमाचल प्रदेश में कमलाई में कुक्कुट पालन केन्द्र पर कितनी धनराशि खर्च की गई ; और

(ख) उसी वर्ष में उक्त केन्द्र से लोगों को कितने मुर्गे और मुंगिया दिये गये तथा उससे कितनी घाघ हुई ?

कृषि उपमंत्री (श्री मो० बें० कृष्णप्पा) :
(क) और (ख). आवश्यक जानकारी इकट्ठी

की जा रही है और मिलने पर सभा की टेबिल पर रख दी जायेगी ।

कालका-शिमला लाइन के स्टेशनों पर बिजली लगाना

६६. { श्री पद्म देव :
श्री राम कृष्ण गुप्त :

क्या रेलवे मंत्री १७ अगस्त, १९५९ के अतारंकित प्रश्न संख्या ८९५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) कालका-शिमला सेक्शन के धरमपुर, कुमार हट्टी, सोलन और जुतीष स्टेशनों पर बिजली लगाने के लिए कोई कार्यवाही की गई है ; और

(ख) यदि नहीं, तो वह कब की जायेगी ?

रेलवे उपमंत्री (श्री शाहनवाज खां) :

(क) और (ख).

स्टेशन का स्थिति नाम

- | | |
|------------------|---|
| १. धरमपुर | ०८-१०-१९५९ को बिजली लगायी गयी । |
| २. कुमार हट्टी । | १३-८-१९५९ को बिजली लगायी गयी । |
| ३. सोलन | २१-७-१९५५ को बिजली लगायी गयी । |
| ४. जुतीष | बिजली लगाने का काम हो रहा है और आशा है कि मार्च, १९६० तक बिजली आ जायेगी । |

हिमाचल प्रदेश में बंध

६७. { श्री पद्म देव :
श्री रामकृष्ण गुप्त :

क्या स्वास्थ्य मंत्री १७ अगस्त, १९५९ के अतारंकित प्रश्न ९७३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि हिमाचल

प्रदेश में पूर्वी पञ्जाब आयुर्वेदिक तथा यूनानी चिकित्सक एक्ट, १९४६ को लागू करने का प्रस्ताव सम्भवतः कब तक कार्यान्वित होगा ?

स्वास्थ्य मंत्री (श्री करमरकर)

पूर्वी पञ्जाब आयुर्वेदिक तथा यूनानी चिकित्सक एक्ट, १९४६ को हिमाचल प्रदेश में लागू करने के प्रस्ताव पर सम्भवतः नवम्बर १९५६ में होने वाली हिमाचल प्रदेश सलाहकार समिति की आगामी बैठक में विचार किया जायेगा। सलाहकार समिति की स्वीकृति मिलने ही इस प्रस्ताव को कार्यान्वित करने के लिए आवश्यक कार्यवाही की जायेगी।

T.B Clinic at Imphal

98. Shri L. Achaw Singh Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No 402 on the 7th August, 1959 and state

(a) whether there is any provision for building a full-fledged TB Clinic at Imphal during 1959-60, and

(b) if so, when the construction of the building will be completed?

The Minister of Health (Shri Karmarkar): (a) and (b) There is no provision for building a full-fledged TB Clinic at Imphal during 1959-60

Railway Stores

99. Shri Vidya Charan Shukla: Will the Minister of Railways be pleased to state

(a) the progress made on the proposal relating to Railway Ministry undertaking quantity budgeting of the railways' requirements of stores and

(b) whether the booklet on the rough estimate of future requirements of imported railway stores, proposed to be issued to Indian industrialists, has been finalised?

The Deputy Minister of Railways (Shri Shahnawas Khan): (a) Quantity budgeting of Railways' requirements already exists on the Railways

(b) It has been published and copies are placed on the Table of the House

New Post Offices in Kerala

100. Shri Warior: Will the Minister of Transport and Communications be pleased to state

(a) how many petitions were received by the P & T, Department from Kerala State during 1958-59 for opening new post offices,

(b) how many of them were granted and new post offices opened and

(c) the places where post offices will be established during the current financial year?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) 269

(b) 137

(c) A statement is laid on the Table of the Lok Sabha [See Appendix I, annexure No 31]

Co-operative Development

101. Shri Warior: Will the Minister of Community Development and Co-operation be pleased to refer to the reply given to Unstarred Question No 624 on the 12th August 1959 and state

(a) whether Government have received the supplementary plans for implementing the enhanced targets of Co-operative development for the remaining part of 1959-60 from the State of Kerala,

(b) whether it had been discussed with the State Government, and

(c) if so, the final decisions there on?

The Deputy Minister of Community Development and Co-operation (Shri B S Murthy): (a) and (b) Yes

(c) A statement indicating the supplementary plans as proposed by the State and as finalised after discussions is placed on the Table [See Appendix I, annexure No 32]

Taxi Meter Testing Machine

102. { Shri Sarju Pandey:
Dr. Ram Subbag Singh:

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

(a) whether it is a fact that a brake and taxi meter testing machine has been lying idle in the office of Transport Department, Delhi on Rajpur Road for the last five years;

(b) if so, the name of the country from which that machine was imported;

(c) when it was imported, and

(d) the total amount of money spent thereon?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) The taxi meter testing machine has been installed in one of the rooms of the Office of the State Transport Authority, Delhi, and is used for testing used taxi meters which are fitted to new taxis. The brake testing machine has not so far been installed for use as it has not been possible to acquire land for the purpose of inspection of transport vehicles

(b) and (c) The taxi meter testing machine and the brake testing machine were purchased in 1954 and 1955 respectively from firms at Bombay. It is understood that the brake testing machine had been imported by the firm from abroad but the name of the country from which it was imported is not known

(d) The total price of both the machines is Rs. 15,663

सामुदायिक विकास कार्य

१०३ श्री सरजू पाण्डे क्या सामुदायिक विकास तथा सहकार मंत्री यह बनाने की कृपा करेंगे कि भारत सरकार ने किन-किन देशों को सामुदायिक विकास कार्य के सम्बन्ध में परामर्श दिया है।

सामुदायिक विकास तथा सहकार मंत्री (श्री यु० यु० डे) : इन्डोनेशिया, ईरान, नेपाल और इथियोपिया।

Postal Circle for Mysore State

104. { Shri Kunhan:
Shri T. E. Vittal Rao:
Shri Bhakt Darshan:
Shri Mohammed Imam:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Starred Question No 503 on the 17th August, 1959 and state:

(a) whether the details with regard to the formation of a separate Postal Circle for Mysore State has since been worked out; and

(b) if so, the divisions of the present Hyderabad Circle which will be merged with the proposed Mysore Circle?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) The details are being finalised

(b) Gulbarga Postal Division, a part of Nanded (formerly called Bidar) postal Division and a part of Hyderabad Telegraph Engineering Sub-Division

Food Production

105 Shri Khimji: Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that a Deputation of the Federation of All India Foodgrains Dealers' Association met him on or about the 15th September, 1959 in Bombay and submitted a Memorandum containing some suggestions with regard to the increase in the production and distribution of foodgrains; and

(b) if so, what were the suggestions and how many of them have been accepted by Government?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) and (b) Yes, Sir. The Association made the following suggestions:—

- (i) production and not distribution was the crux of the food problem and that concerted efforts should be made to increase food production;
- (ii) buffer stocks should be built up,
- (iii) the zones should be re-arranged,
- (iv) minimum prices for food-grains should be fixed for the cultivator, and
- (v) procurement prices should be higher than the present Government purchase prices

The suggestions regarding increase in production and the building up of buffer stocks are in consonance with the policy already being followed by the Government. The question of rearrangement of zones is under consideration at present. In the context of the present high prices, the fixation of minimum prices for cultivators by the Government in all the States does not appear to be immediately necessary. The Government however, are carefully watching the position to ensure that the interests of cultivators are adequately safeguarded. The present Government purchase prices have been fixed keeping in view the interests of both the cultivators and the consumers.

Dislocation of Traffic on Palanpur Gandhidham Section

106. Shri Khimji: Will the Minister of Railways be pleased to state

(a) whether it is a fact that the traffic is frequently dislocated during monsoon season every year on account of breaches on the Palanpur-Gandhidham Section of the Western Railway;

(b) how many times such breaches occurred during the last monsoon season during the period from 1st July to 30th September, 1959 and as a result

thereof for how many days the traffic was suspended; and

(c) the causes of such frequent breaches on this Section resulting in dislocation of traffic?

The Deputy Minister of Railways (Shri S V Ramaswamy): (a) No, Sir. The traffic was, however, dislocated during the monsoons of 1953, 55, 56, 58 & 59 due to breaches on this section. Since it was opened to traffic, in October, 1952

(b) Breaches occurred six times as a result of which rail traffic was suspended for 20 days, in all

(c) The main cause of the breaches was the heavy rainfall which was abnormal during the 1956 and 1959 monsoons. Moreover, the soil in this area is very fine grained and non-cohesive. The banks, therefore, are liable to easy erosion and washaways. The question of taking permanent remedial measures is under active consideration of the Railway in consultation with the Railways' Research Centre at Lucknow.

Agricultural Research Station at Solan

107. Shri Nek Ram Negi: Will the Minister of Food and Agriculture be pleased to state.

(a) whether it is a fact that the Himachal Pradesh Administration has established a new Agricultural Research Station at Solan

(b) if so, what was the price per acre paid for the land acquired for the purpose,

(c) whether the Administration have made any provision for the buildings during the current financial year, and

(d) when the construction of buildings for the laboratories will be completed?

The Deputy Minister of Agriculture (Shri M V Krishnappa): (a) Yes, Sir

(b) Rs 4,000 per acre for cultivated land and Rs 1,500 per acre for Ghasni land.

(c) A provision of Rs 1,000 exists in the current financial year budget and a further provision of Rs 50,000 has been proposed for the next financial year 1960-61.

(d) In about 2-3 years

Flower Tubs for Stations on Eastern Railway

106. Shri Sublman Ghose: Will the Minister of Railways be pleased to state

(a) the amount of money spent for purchasing flower tubs for decorating the stations on the Eastern Railway during 1959,

(b) the names of the stations and money spent Division-wise,

(c) whether it is a fact that for Burdwan Station, Howrah Division, a thousand flower tubs have been purchased or ordered to be purchased, and

(d) whether it is also a fact that in Howrah Station, the floorings are being dismantled for placing flower tubs or for planting flower plants?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) An amount of Rs. 25 only was spent for purchasing flower tubs for decorating stations on the Eastern Railway during 1959

(b) The names of the stations and the money spent for providing the flower tubs, Division-wise, are given below:

Name of the Division	Name of the stations	Total amount spent (in rupees)
Howrah	(1) Howrah	} 2,555 00
	(2) Lillooah	
	(3) Burdwan	
	(4) Ramporehat	
	(5) Azimganj	
	(6) Sahibganj	
	(7) Jamalpur	
Sealdah	(1) Sealdah	25 00
Asansol	(1) Asansol	} 25 00
	(2) Dhanbad	

(c) No, Sir.

(d) No, Sir.

Purna Project in Bombay State

109. Shri Pangarkar: Will the Minister of Irrigation and Power be pleased to state the present stage of the Purna Project of Bombay State?

The Deputy Minister of Irrigation and Power (Shri Hathi): The Purna project has not so far been approved by the Planning Commission. However, the State Government have commenced work on the Project and the following progress has been reported by them till the end of June, 1959 —

Yeldari Dam—Work on coffer dam and approach road is completed. Work on earth dam and on excavation for foundation of spillway and gravity dam is in progress.

S deshuwar Dam—Work on coffer dam is completed. Work on earth dam and on excavation for foundation of spillway portion is in progress.

Canal Work—Excavation of left canal in miles 2 to 13 is in progress.

Kakrapara Project

110 Shri Pangarkar. Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No 282 on the 18th February, 1959 and state the present stage of the Kakrapara Project (Bombay State)?"

The Deputy Minister of Irrigation and Power (Shri Hathi): The total expenditure reported to have been incurred on the Kakrapara Project up to the end of August 1959 is Rs. 11 27 crores, which represents about 60 per cent of the total revised estimated cost of the project. The weir was completed in 1953. Progress of earth work and masonry works on the

Canal system upto the end of August 1959 is as follows:—

(A) Earth-work:	Progress
(i) Right bank main canal and Branches	92 ½%
(ii) Left Bank main canal and Branches	81.7%
(B) Masonry Structures	
(i) Main canal and branches	71 0%
(i) Distributaries and branches	45%

Maximum area irrigated so far is about 31,700 acres.

Railway Bridge near Raigarh

111. **Shri S. A. Mehdi:** Will the Minister of Railways be pleased to state:

(a) whether the rail bridge near Raigarh sank down on the 6th September, 1959 and many trains had to return,

(b) why no notice was taken about the collapse of the bridge earlier, and

(c) whether the bridge has since been repaired?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) No, Sir

(b) and (c) Do not arise

Deraiment of Wagons near Bilaspur

112. **Shri S. A. Mehdi:** Will the Minister of Railways be pleased to state:

(a) whether five wagons of a goods train were derailed between Daghora and Jamga stations near Bilaspur in September, 1959;

(b) if so, the details of the accident, and

(c) the extent of damage to railway track, property and goods, if any?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) to (c) On 8-9-1959 at about 17.35 hours while Up Bhilai Special Goods train was running between Daghora and Jamga Stations on the Jharsuguda-Bilaspur section of South Eastern Railway, 8

vehicles of the train derailed There were no casualties on account of the accident

The approximate cost of damages to the permanent way and rolling stock amounted to Rs 14,250 and 3,000 respectively There was no damage to public property.

The accident has been attributed to the sinkage of track on account of heavy rain

Sheds on Railway Stations

113. **Shri Hem Raj:** Will the Minister of Railways be pleased to state:

(a) whether, it is a fact that no covered sheds exist on the railway stations of the Kangra Valley Section of the Northern Railway, and

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

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Although there are no coverings provided over the platforms on the stations of the Kangra Valley Section, waiting halls and verandahs which directly open to the platforms, already exist at important stations where the passengers can wait for the trains

(b) Does not arise

Supply of Sugar to Madras

114. **Shri Subbiah Ambalam:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether Madras Government have requested the Centre for the supply of North Indian Sugar for the month of November, 1959, and

(b) if so, the quantity asked for and supplied?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) No, Sir, but the Central Government have allotted a quota of 3,000 tons of sugar to Madras State from North Indian Sugar Factories for November, 1959 as the production of South Indian

Sugar Factories was not adequate to meet the entire requirements

(b) Does not arise

Sharing of Waters of the Godavari

115. Shri Subbiah Ambalam: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Andhra Pradesh State Government have agreed to share the surplus waters of the Godavari with Madras, and

(b) if so, what steps the Centre have taken to prepare a comprehensive scheme in consultation with Andhra Pradesh and Madras Governments?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b) No decision has yet been taken regarding the sharing of the surplus waters of the Godavari between the States of Andhra Pradesh and Madras. The entire question of re-allocation of waters of Krishna and Godavari is at present under the consideration of the Government of India.

Change in the Name of Nabadwipdham Station

116. Shrimati Lia Palchoudhuri: Will the Minister of Railways be pleased to state

(a) whether it is a fact that the name of Nabadwipdham Railway Station on the Eastern Railway in the Sealdah Division has been changed to Nabadwip, and

(b) if so, the reasons for the change?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b) Yes. The change in the name of the Railway Station 'Nabadwipdham' to 'Nabadwip' was indicated by the Government of West Bengal and as the Railway administrations are guided by the views of the State Government in this matter, the suggestion of the State Government was accepted.

Training of Nurses and Lady Health Visitors in Delhi Hospitals

117. Shri Chuni Lal: Will the Minister of Health be pleased to state:

(a) the facilities available for the training of nurses and lady health visitors in the Hospitals in Delhi and New Delhi, and

(b) the qualifications required for young women to be admitted to these courses?

The Minister of Health (Shri Kar-markar): (a) Facilities for the training of nurses are available at (1) the College of Nursing, New Delhi, (2) the Lady Hardinge Medical College Hospital, New Delhi, (3) the Irwin Hospital, New Delhi, (4) the Sir Ganga Ram Hospital, New Delhi, (5) the Holy Family Hospital, Okhla, New Delhi and (6) the Victoria Zenana Hospital, Delhi. Facilities for the training of Lady Health Visitors are available at the Lady Reading Health School, Delhi.

(b) A candidate for admission to the College of Nursing, New Delhi for the BSc (Hons) degree course should have passed the Intermediate or Higher Secondary Examination of a recognised University and should have attained the age of 16 years. The candidates for admission to the course leading to a Master's Degree in Nursing should be BSc (Hons) in Nursing or BSc Nursing with 60 per cent marks in the aggregate and should have at least three years' experience in a teaching hospital or Public Health Service.

The candidates for admission to the General Nursing Course should have passed the Matriculation or its equivalent examination and should have attained the age of 17 years.

The courses for the Lady Health Visitors at the Lady Reading Health School are of two types: (1) Regular Health Visitors Course of 1½ years duration; and (2) the Integrated Health Visitors Course of 2½ years duration.

Candidates holding a diploma in Senior Midwifery only are admitted to

the first course. Candidates who have had three years training in General Nursing are, however, given three months exemption at the beginning of the course.

Candidates who have attained the age of 18 years and have passed the Matriculation Examination of a recognised University are eligible for admission to the second course.

Mahanadi Valley Development Scheme

118. Shri Sanganna: Will the Minister of Irrigation and Power be pleased to refer to Starred Question No. 1418 asked on the 20th March, 1959 in respect of Hirakud Dam Project and state:

(a) whether the scheme for the Mahanadi Valley Development has since been received; and

(b) if so, the action taken thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The reply is in the negative.

(b) Does not arise.

Telegraph Service in Calcutta

119. Shri S. A. Mehdi: Will the Minister of Transport and Communications be pleased to state:

(a) whether the services in Central Telegraphs Office, Calcutta were dislocated on the 5th September, 1959 during the disturbances; and

(b) if so, the total loss suffered by the Government in this connection?

The Minister of Transport and Communications (Dr. P. Subbarayan):

(a) Yes, there was some dislocation.

(b) No loss was suffered.

भारतमेंकी स्टेशन पर दुर्घटनायें

१२०. { श्री याचक:
श्री अर्जुन सिंह भदौरिया:

क्या रेलवे मंत्री यह बताने की कृपा

करेंगे कि :

(*) इसमें अस्थायी प्रकल्प भी शामिल हैं ।

200(LA) LHD-4

(क) उत्तर रेलवे के भारतमेंकी स्टेशन पर १९५९ में अब तक कुल कितनी दुर्घटनायें हुईं;

(ख) इन दुर्घटनायों के कारण क्या वे ; और

(ग) उन कारणों के दूर करने के लिए क्या कोई उपाय किने गये हैं ?

रेलवे उपमंत्री (श्री साहूनाबाब जी):

(क) जनवरी, ५९ से अक्टूबर, ५९ तक की अवधि में भारतमेंकी स्टेशन पर कोई गाड़ी-दुर्घटना नहीं हुई ।

(ख) सवाल नहीं उठता ।

(ग) दुर्घटनायों की रोकथाम के लिए रेलवे की ओर से आमतौर पर जो उपाय किने जाते हैं, वे जारी हैं ।

गोरखपुर रेलवे कर्मचारी

१२१. { श्री याचक:
श्री अर्जुन सिंह भदौरिया:

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे पर गोरखपुर में रेलवे कर्मचारियों की श्रेणीवार संख्या कितनी है ;

(ख) उनमें से कितने लोगों को रहने के लिए मकान दिये गये हैं ; और

(ग) बाकी लोगों को मकान देने के लिए क्या कार्यवाही की जा रही है ?

रेलवे उपमंत्री (श्री साहूनाबाब जी):

(क)		
श्रेणी I		८३*
श्रेणी II		८५
श्रेणी III		११,२५८
श्रेणी IV		६,०२५

(ख)		
श्रेणी I		७२*
श्रेणी II		७५
श्रेणी III		१,७०८
श्रेणी IV		१,०६९

(ग) दूसरी पंचवर्षीय आयोजना में मोरलपुर में सभी विभागों के लिए ७०७ मकान बनाने की व्यवस्था की गयी है जिनमें से ५१६ मकान बन चुके हैं। इसके अलावा ४७२ आदिमियों के लिए ६ बैरक भी बनाये गये हैं।

Road Accidents in Himachal Pradesh

122. Shri Daljit Singh: Will the Minister of Transport and Communications be pleased to state:

(a) the total number of road accidents in Himachal Pradesh during 1958 so far;

(b) the number of persons killed or injured;

(c) whether the families of the victims have been paid compensation; and

(d) the measures adopted to prevent road accidents in Himachal Pradesh?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) to (d). A statement giving the information required is placed on the Table [See Appendix I, annexure No. 33.]

Delhi Colonies

123. Shri Rameshwar Tantia: Will the Minister of Health be pleased to state:

(a) the names of colonies in Delhi which though approved by the Delhi Development Authority have not yet been developed by the colonizers; and

(b) if so, the obstacles in the development of these colonies?

The Minister of Health (Shri Kar-markar): (a) and (b). Necessary information is being collected and will be laid on the table of the Lok Sabha as soon as possible.

Contract for Welding Joints of Railway Lines

124. Shri Rameshwar Tantia: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a Kanpur firm has been given a contract to weld joints in the railway lines;

(b) if so, the terms of this contract; and

(c) the zones where this job is being undertaken?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes, Sir.

(b) Separate contracts have been entered into by Railways. Generally, the Railways supply the plant, equipment and labour and the contractor supplies the welding material and technical supervision. The rate is about Rs. 18 for an M. G. joint and about Rs. 24 for a B. G. joint.

(c) The job has been undertaken on all the zones of the Indian Railways.

Leprosy

125. Shri Vasudevan Nair: Will the Minister of Health be pleased to state:

(a) the financial assistance given in the year 1958-59 for the prevention and cure of Leprosy; and

(b) whether Government have given any grant or financial aid during 1958-59 for the Leprosorium at Nooranad in Kerala?

The Minister of Health (Shri Kar-markar): (a) A sum of Rs. 20,73,310 was allocated to State Governments during 1958-59 for the leprosy control scheme. A grant of Rs. 4,15,689 was paid to the Central Leprosy Training and Research Institute, Tirumani and grants amounting to Rs. 6,45,700 were paid to Voluntary Organisations.

(b) No Central assistance was paid to the Leprosorium at Nooranad in Kerala during 1958-59.

Tinned Fish and Pork

126. { Shri Vasudevan Nair:
Shri V. P. Nayar:

Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity of tinned pork and pork products and canned and frozen fish produced in India during the year 1958-59; and

(b) the steps, if any, taken to organise the increased production of these items of food?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) Accurate information is not available.

(b) (i) A Development Council for Food Processing Industries has been set up by the Government of India to look into the problems of the Food Processing Industries including Meat Products and Tinned Fish. The Council, *inter alia*, will recommend steps to be taken to organise the increased production of these industries.

(ii) Three Regional Pig Breeding Stations-cum Bacon factories are to be set up during the 2nd Five Year Plan. Two such factories are likely to be set up during the current financial year.

Railway High Schools

127. Shri Damar: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that about a dozen Railway High Schools on all Railways have been upgraded to the pattern of a multi-purpose or Higher Secondary standard as part of Railway Board's policy and qualified teachers and Headmasters have been fixed in the upgraded Central Pay Commission Scales of pay from the date they began to teach IX Class of Higher Secondary Course spread over three years; and

(b) whether it is a fact that all the existing qualified post-graduate

teachers in Railway Higher Secondary Schools are proposed to be upgraded in Central Pay Commission Scales?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Eight Railway High Schools on different Railways have been converted into Multi-purpose schools or upgraded to Higher Secondary Schools, or are in the process of such conversion.

The pay scales of teachers in Railway Multi-purpose Schools are under consideration and are expected to be finalised shortly. The scales of pay of teachers in Railway Higher Secondary Schools are shown in the statement placed on the Table. [See Appendix I, annexure No. 34]. From such dates as the new syllabi|revised courses are introduced these scales of pay are admissible. Considering however that the change-over to the new syllabi|revised courses will be spread over a period of three years in respect of each school, the posts as required to be upgraded including that of the Headmaster are to be allotted the new scales of pay at appropriate stages.

(b) Within each group of promotion for teaching staff, as fixed by the Railway Administrations, the claims of existing qualified post-graduate teachers for upgradation are to be considered.

Tourists in Kashmir

128. Shrimati Ila Palchoudhuri: Will the Minister of Transport and Communications be pleased to state:

(a) the number of foreign and home tourists who visited Kashmir during 1959 upto the end of October;

(b) how these figures compare with the number for the corresponding period during 1958; and

(c) the amount of foreign exchange earned through tourism during the same periods?

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): (a) Number of Indian and Foreign tourists who visited Kashmir upto 20th October, 1959 are given below:

Year	Indians	Foreigners
1959 (upto 20th Oct.)	55,240	9,606

(b) The figures for the corresponding period during 1958 are as follows:—

	Indians	Foreigners
1958 (upto 20th Oct.)	48,489	5,931

(c) Figures for foreign exchange earned by the country as a whole through tourism are assessed by the Reserve Bank of India at the close of each Calendar year but the earnings for part of the year or through tourism in Kashmir alone are not assessed and therefore are not available.

Release of Sugar

129. Shri Ram Krishan Gupta: Will the Minister of Food and Agriculture be pleased to state:

(a) the total quantity of sugar released so far for sale during 1959-60; and

(b) the total quantity of sugar to be released during the remaining period of 1959-60?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) 1,75,000 tons has been released in November, 1959 from which month the 1959-60 sugar year commenced,

(b) Releases during the remaining period of 1959-60 sugar year will depend on the production during the current crushing season.

12 hrs.

RE: MOTION FOR ADJOURNMENT

WITHDRAWAL OF INDIAN BORDER POLICE FROM BARA HOTI

Shri Vajpayee (Balrampur): My adjournment motion on the reported

withdrawal of the Indian border police from Bara Hoti has not been admitted on the ground that the matter can be raised in the discussion on the 25th instant. I am prepared to wait, but I am afraid that the Chinese may not like to wait till the 25th. This House is entitled to know why the border police is being withdrawn from Bara Hoti and why Government have not made sufficient arrangements for our troops to stay there during the winter season.

Mr. Speaker: All that will be discussed.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): There has been for some time past an agreement with the Chinese Government in regard to Bara Hoti, that is, that Bara Hoti being a disputed area, no party should send any armed troops there. No armed troops have been sent there accordingly. Civil personnel have gone; this year, our civil personnel went there. They went there on the 27th of May this year, and they withdrew six weeks ago; there is no question of withdrawing them now. They withdrew on the 13th September, conditions becoming very difficult. The Chinese sent as their representative, I suppose, of civil personnel, a Tibetan official, but no Chinese came this summer there at all so that we are functioning in terms of that agreement which said that no attempt will be made by either party to change the status of this Bara Hoti area unilaterally.

There are, of course, quite considerable difficulties about either the Chinese or the Indians remaining there during this period. It was the high Himalayas from this side, and in view of that, we may, and we shall naturally consider afresh whether we should erect any permanent structures there which are capable of withstanding climatic conditions. For the present, we have abided by the treaty or arrangement arrived at with the

Chinese, and in so far as we know, they are abiding by it too.

Dr. Ram Subhag Singh (Sasaram): I think during the last session of the Parliament, the Prime Minister had said that—so far as I can recollect—our patrol personnel were sitting in Bara Hoti. At that time, he did not have any idea that the Chinese military was also stationed there. But today's papers indicate that the Chinese are also there. I do not know whether when the statement was made at that time, it was also envisaged that the Chinese were there. I want to know under what circumstances they came.

Shri Jawaharlal Nehru: I have not understood the hon. Member's question. What does he mean by 'last time'? When?

Dr. Ram Subhag Singh: During the last session of the Lok Sabha.

Shri Jawaharlal Nehru: What was said then?

Dr. Ram Subhag Singh: At that time, the Prime Minister had said that our Police were sitting there in Bara Hoti.

Shri Asoka Mehta (Muzaffarpur): May I invite the Prime Minister's attention to his letter to the Prime Minister of China dated the 22nd March? There, he has said:

"I learn that a material change in the situation has since been effected by the despatch of Chinese civil and military detachments, equipped with arms, to camp in the area, after our own civil party had withdrawn at the beginning of last winter. If the reports that we have received about an armed Chinese party camping and erecting permanent structures in Hoti during winter are correct, it would seem that unilateral action, not in accordance with custom, was being taken in assertion of your claim to the disputed area."

Shri Jawaharlal Nehru: Which page does the hon. Member refer to?

Shri Asoka Mehta: Page 57 of the White Paper.

We would like to know what has happened to this. This was the position which our Prime Minister had raised with the Prime Minister of China.

Dr. Ram Subhag Singh: Here, the reply was given that no Chinese were there.

Shri Jawaharlal Nehru: I believe the hon. Member is referring to White Paper No. 1.

Shri Asoka Mehta: I am referring to page 57 of White Paper No. 1.

Shri Jawaharlal Nehru: This relates, I take it—I am sorry I cannot read the whole thing in a minute—to the previous year, that is, the 1958 summer. That is true. In 1958, there were long talks between representatives of the Chinese Government and the Government of India in Delhi about this Bara Hoti area. They lasted for many weeks. The result of the talks was that they did not lead to any settlement; they were postponed, but this was agreed that there should be no unilateral change made there through armed possession and no armed forces should be sent by either party, but only civil personnel.

As a matter of fact, the hon. Member will find somewhere in White Paper No. II, a protest by China on the 7th September last, that is, 1959, protesting against our personnel being at Bara Hoti. We pointed out that they were civil personnel, in reply. I do not think there is any contradiction in what I have said.

Shri Asoka Mehta: Our difficulty is this that the Chinese forces advance at some places, and then in the name of *status quo*, they want to continue there. This has been happening at a number of places, as we know across our frontier. What is the position at Bara Hoti? Did they entrench themselves there last year,

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and if they have entrenched, have they moved out of that?

Shri Jawaharlal Nehru: Bara Hoti is a place which has been in some kind of a dispute for a long time past, even before the Chinese came into the picture. It is a very small area, which is used for pasturage purposes during a few months in the year; otherwise it is almost unapproachable. In this place, the Chinese used to send a kind of a police party or a small party, and the UP Government also sent their police party. For two or three years running, both these parties sat there simultaneously facing each other in that little bit of an area, and it was then that it was decided that Armed Forces should not be sent there and that this should be settled by negotiation and not by unilateral action.

When we made that protest, it was that some of their police party had come earlier and sat there.

Shri Tyagi (Dehra Dun): After the protest, did they withdraw?

Shri Jawaharlal Nehru: In 1958, they withdrew and they did not send any party in 1959, that is, this year.

Shri Goray (Poona): What is the present position?

Shri Jawaharlal Nehru: The present position is that there is nobody, no armed personnel, Chinese or Indian, anywhere near that place.

Shri Vajpayee: Why has Bara Hoti been treated in an isolated manner? When the Chinese have not vacated their aggression on other territories, why should we refrain from sending our men to the place which belongs to us from time immemorial?

Shri Tyagi: Should we leave it to them until the whole thing is decided? (Interruptions).

Shri Vajpayee: What is the guarantee that they will not do in this place what they did in Ladakh?

Shri Jawaharlal Nehru: I am sorry I am not personally acquainted, as the hon. Member appears to be with 'time immemorial'. But I deal with historical periods. As regards this particular place, it is a minor dispute with the old Government of Tibet. About this little area, it has been going on. We think our case is a good one and, therefore, we hold by it. But it has been a disputed area and long before the other incursions of the Chinese took place, this matter was being argued.

Shri Ranga (Tenali): The Prime Minister referred to 'long before'. Since when? After the People's Government came or before that?

Shri Jawaharlal Nehru: Before that, it was carried on with the Tibetan Government. I mean there were no conflicts, but there were complaints by us to them and by them to us. They used to send their tax-collector who used to collect grazing fees and other fees. This has happened in several parts of the border for the last half a century—certainly before the change in Government in China, even in the brief period in 1947-48-49. Then we had to deal with these problems in two or three places in the border, small problems relatively. There they were.

So it was a continuation of that. As I said, this was an isolated thing and we treated this—and there were two other places—as matters in dispute which had to be settled by negotiation. It had nothing to do with the major events that happened since then. In continuation of that, last year a Chinese representative came to India to discuss this matter. He did discuss it for a long time. It is true that the discussion did not lead to a successful conclusion. It was postponed further. There the matter stood. But it was decided, and agreed to, that neither party should send armed personnel to that little area, and that has been adhered to. In fact, as I said, we thought that the year before they had sent some armed personnel.

We protested against it. Later they took them away. This year they have not sent anybody. We sent civil personnel there which in the ordinary course has come away when conditions became too bad for it.

Shri Braj Raj Singh (Firozabad): We were given to understand that all the border, extending to 2500 miles, was being put under the control of the military. Now we learn that Bara Hoti is being excepted. May I know whether any other important place is also being excepted? As a matter of fact, the Army was being put in charge only for the reason that there were some special circumstances—because there were Chinese incursions. Prior to that, there was no Army control of the whole of the border. Why has this unilateral action been taken in respect of Bara Hoti?

Shri Surendranath Dwivedy (Kendrapara): Why has the Defence Minister left his seat and why is he standing near the wall?

Shri Jawaharlal Nehru: One question at a time.

The military are in charge of the entire border, but the actual people there are still the police under the military. They function under the military. For instance, in the Assam border or the NEFA border, it is the Assam Rifles who are in charge, but they are under the direction of the military. In the Uttar Pradesh, Himachal Pradesh and Punjab borders, there are the police under the direction of the military. That is, the military direct them, change them; they can send their own people or keep the police, as they choose. The direction and command is that of the military, but the police are there in all these places. In some places, in Ladakh, the military actually are here at the check-posts.

▶ **Shri Asoka Mehta rose—**

Mr. Speaker: Can we not have a discussion on this later?

Shri Asoka Mehta: The trouble is that the facts are not being placed before us in a clear fashion.

Mr. Speaker: Are we going to have a discussion on this now? We have already spent about 15—20 minutes on this.

Shri Nath Pai (Rajapur): The matter is very important.

Mr. Speaker: I have no objection. All that I said when I withheld consent to the adjournment motion was that we would have a discussion of this matter. We have set apart the 25th November for this purpose. The hon. Member was referring to a White Paper which the hon. Prime Minister placed before this House. The hon. Prime Minister has given the answer. If the hon. Member now wants further elucidation, why should he not wait till the 25th?

Shri Nath Pai: Many events are taking place which we are not controlling.

Shri Asoka Mehta: It is only regarding a little spot about which we want fuller information.

Mr. Speaker: That is exactly what the Prime Minister said. It is after all one little spot. We are not going to discuss this matter just now.

Shri Asoka Mehta: We are not discussing it; we are trying to ascertain facts.

The Prime Minister asked me to look up the Note of 7th September, which was given to the Counsellor of India by the Ministry of Foreign Affairs of China, and the reply that was given by us on the 13th September. In their Note of 7th September, the Government of China say:

“It must be pointed out that the above-mentioned actions of the Indian official personnel are obviously deliberate attempts to change the *status quo* of the

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Wuje area and constitute an infringement of China's sovereignty and territorial integrity.....".

Over and over again, this has been their insistence, that we are infringing their territorial integrity. Now, we have said: 'That is not so. You are wrong'. But they have nowhere accepted it. They have said that the *status quo* is to be maintained. *Status quo* would mean that this has been our territory, according to us, whatever be the claims they may have. Have they accepted that position? To every protest that we send, there is no reply. Every time we have protested, the Chinese Government have ignored our protest. Whenever they have protested, we have tried to make amends; we have tried to rectify our position. We want to know where precisely the Government of China stand on this position.

Shri Jawaharlal Nehru: I do not know what is the confusion in regard to this particular matter. It is quite clear. It does not matter what they have said in a particular document.

Shri Asoka Mehta: It matters very much.

Shri Jawaharlal Nehru: I beg the hon. Member's pardon. The facts are there. Just as they claim, we have continued to stick to our claim and we shall hold to that throughout. It is an identical position in this particular matter—I am not talking about others—and there is no difference. We think our claim is a very good one and we intend to hold by it. Nevertheless, we have decided long ago—many years ago—as I said repeatedly, that this is being treated as a matter in dispute—I am referring to the Bara Hoti area—which should be settled by consultation. We decided about two years ago that neither party should send armed forces there. We have held by it, and apart from one or two doubtful incidents in the past two years, they

have held by it. There the matter stands.

Shri Tyagi: I wish to make a suggestion. In respect of the border area disputes, questions of a nature which seek to elicit information about the location and deployment of the armed forces may, be convention, be not asked of the Minister. If they are asked at all, I think it is in the interest of the security of the border that the Prime Minister should not reply to such questions in a manner.....

Several Hon. Members: No, no.

Shri Tyagi: The deployment of the armed forces is a matter which should be kept secret.

Shri Nath Pai: What secrecy?

Shri Jawaharlal Nehru: What the hon. Member, Shri Tyagi, said is, in spite of the protest of Opposition Members, the obvious rule followed in every country.

Shri Braj Raj Singh: Nobody is asking for it.

Shri Vajpayee: Nobody has asked for secrets to be disclosed.

Shri Jawaharlal Nehru: I am not saying that the hon. Member asked. I am saying that what Shri Tyagi said is the obvious rule followed everywhere, especially in a moment of crisis.

Shri Vajpayee: We never asked for any information that will not be in the public interest to give. There is no need for making a suggestion like that.

Shri Jawaharlal Nehru: The hon. Member need not think that he is being attacked in any way. Nobody is attacking the hon. Member. Shri Tyagi made a suggestion that we might be treading delicate ground if repeatedly questions are asked about these matters. So far as these matters are concerned, we have put the army

authorities completely in charge and we abide by their advice, as our specialist-advisers, in this matter.

जी भक्त दर्शन (गढ़वाल) : अध्यक्ष महोदय, मुझे भी एक प्रश्न पूछने की इजाजत दी जाय ।

अध्यक्ष महोदय : जी नहीं ।

12.21 hrs.

PAPERS LAID ON THE TABLE

Flood Control Programme

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): Sir, I beg to lay on the Table a copy of statement on the Flood Control Programme and the flood situation in the country [Placed in Library. See No. LT]1658] 59]

Shrimati Renu Chakravartty (Basirhat): May we ask whether we are going to have a debate on this particular statement? We do not know whether the statement also includes the enquiry committee's report regarding the DVC

Mr. Speaker: Does it include the report regarding the DVC?

Hafiz Mohammad Ibrahim: That is a separate question I think it is already fixed for some discussion here

Mr. Speaker: The hon Minister is not by himself anxious to have debate but if other hon Members want it, they know how to move the Chair

Shri Tangamani (Madurai): Sir, yesterday when adjournment motions were given notice of, you were pleased to state that a statement was going to be made today. We have definitely stated that the defective construction of the D.V.C contributed to the floods. That is why we are anxious to know whether there is any reference to that in that case we will pursue that matter.

Shrimati Renu Chakravartty: There was also a report in 1956 when there were floods. That has not been made available to us. There have been certain surveys, etc in that area. I want to know whether we could at least have that report so that any debate on the flood situation would be of much greater avail

The Deputy Minister of Irrigation and Power (Shri Hathi): Perhaps the hon Member is referring to a committee which was being appointed by the West Bengal Government. There was an integrated plan for the flood-affected area. That report will take time. But if the hon Member wants the report of the Kungar Committee I think that report is not yet ready.

Shrimati Renu Chakravartty: There are two reports: one on 1956 floods and the relation the DVC had in controlling the floods. That is already there, it relates to the 1956 floods. There is another one which the hon Minister mentioned. We want that at least the 1956 report should be made available to us

Shri Hathi: Whatever we have will be made available but the other report is yet to come

Mr. Speaker: A copy of whatever had already been made available may be placed in the library. If possible, two or three copies may be placed there

AMENDMENTS TO INDIAN TELEGRAPH RULES

The Minister of Transport and Communications (Dr. P. Subbarayan): Sir, I beg to re-lay on the Table, under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885, a copy of Notification No G.S.R 968, dated the 22nd August, 1959, making certain further amendments to the Indian Telegraph Rules, 1951 [Placed in Library. See No LT-1596]59.]

NOTIFICATIONS ISSUED UNDER ESSENTIAL
COMMODITIES ACT

The Minister of Agriculture (Dr. P. S. Deshmukh): Sir, I beg to lay on the Table under sub-section (6) of Section 4 of the Essential Commodities Act, 1955, a copy of each of Notifications Nos. G.S.R. 1085 and G.S.R. 1086, dated the 26th September, 1959. [Placed in Library. See No. LT-1660|59.]

AMENDMENTS TO INDIAN TELEGRAPH
RULES

Mr. Speaker: Dr. Subbarayan may lay the other notification also.

Dr. P. Subbarayan: I am not laying it as I am withdrawing it.

Mr. Speaker: Then is it not to be laid on the Table of the House?

Dr. P. Subbarayan: We are redrafting the rules and they will be laid on the Table of the House when they are redrafted properly.

Shri Braj Raj Singh (Firozabad): Then this item should not have been included in the agenda.

Mr. Speaker: Am I to understand that the notification has to be corrected?

Dr. P. Subbarayan: The notification has got to be corrected and it will be laid on the Table as corrected later on.

Shri Braj Raj Singh: How was it then that it was included in the agenda?

Mr. Speaker: Any notification has to be placed on the Table of the House so long as it stands. If a correction is made, the corrected copy or the amendment will be placed on the Table of the House. Both have to be laid on the Table of the House.

Dr. P. Subbarayan: In accordance with your instructions, I beg to lay on the Table of the House, under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885, a copy of Notification No. G.S.R. 991, dated the 29th August, 1959, making certain further

amendments to the Indian Telegraph Rules, 1951. [Placed in Library. See No. LT-1659|59.]

ANNUAL REPORT OF THE KULU VALLEY
TRANSPORT COMPANY LIMITED

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): Sir, 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 Kulu Valley Transport Company Limited along with the Audit Report for the year 1956-57. [Placed in Library. See No. LT-1661|59.]

RAILWAY PROTECTION FORCE RULES

The Deputy Minister of Railways (Shri Shahnawaz Khan): Sir, I beg to re-lay on the Table, under sub-section (3) of Section 21 of the Railway Protection Force Act, 1957, a copy of the Railway Protection Force Rules, 1959 published in Notification No. G.S.R. 1051, dated the 10th September, 1959 [Placed in Library. See No. LT-1625|59.]

12.26 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCEPROCLAMATION OF A STATE OF EMERGENCY
IN CALCUTTA PORT

Shri Vajpayee (Balrampur): Sir, under Rule 197, I beg to call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and I request that he may make a statement thereon:

"Proclamation of a state of emergency in Calcutta Port."

The Deputy Minister of Labour (Shri Abid Ali): Hitherto, food ships bound for Calcutta Port used to be lightened at Madras or Vizagapatnam as very deep navigation is not possible in Hooghly river. As an experimental

measure, the unloading of cargo which was being done at Madras and Vizagapatnam is being done at Haldia Anchorage which is situated about 56 nautical miles from Calcutta. The present arrangements are limited to current fair weather season ending February, 1960.

Haldia not being within the limits of the Calcutta Port, the provisions of the Dock Labour Scheme cannot be made applicable to the loading and unloading of the ships there. However, according to the terms of an agreement signed by the various interests concerned, on the 29th October, 1959, the present stevedoring arrangement at Haldia will not be renewed after the present fair weather season; arrangements for next fair weather season, beginning from November 1960, will be made after consultation with the labour interests with a view to employing the workers connected with the Calcutta Dock Labour Board and in case any loading is done at Haldia during the present season it will also be entrusted to the same workers.

Some workers misunderstood the above arrangements, and, therefore, objected to it which led to violence. To deal with the situation, the Chairman of the Calcutta Dock Labour Board with the previous approval of the Central Government, declared an emergency in the Port of Calcutta. Subsequently, representatives of the Calcutta Dockers Union met me and on getting clarification of the terms of the agreement, agreed to withdraw their objection. Consequently, normal working has been resumed and the emergency declaration will also be withdrawn if its further continuance is not considered necessary.

Shri Braj Raj Singh: When will this order be withdrawn?

Shri Abid Ali: Whenever its continuance is considered unnecessary.

12.29 hrs.

ARMS BILLS—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri B. N. Datar on the 1st September, 1959, namely:—

“That the Bill to consolidate and amend the law relating to arms and ammunition, as reported by the Joint Committee, be taken into consideration”

Shri Datar was in possession of the House. Originally five hours had been allotted and only 35 minutes remain, we have spent the rest of the time. He has to reply to the debate on general discussion. How long would the hon. Members require for the clause-by-clause consideration?

Shri Braj Raj Singh (Ferozabad): There are so many amendments that we require the whole day.

The Minister of State in the Ministry of Home Affairs (Shri Datar): At most, another two hours would be sufficient. I mean not more than two hours including these 35 minutes that are left.

Shri Naushir Bharucha (East Khandesh): There are 134 amendments.

Mr. Speaker: I shall effect a compromise. We are at 12.30 now and the hon. Minister will conclude at 1 O'clock. Till three O'clock this will go on and we will conclude all these stages by that time and take up the other Bill.

Shri Datar: Mr. Speaker, Sir, we had a fairly detailed debate yesterday, covering over four hours, regarding the principles as also the provisions of the Arms Bill which was considered fully by the Joint Committee.

Mr. Speaker: Order, order. He may first make a formal motion for extension of time.

Shri Datar: Sir I beg to move:

"That the time allotted by the House on the 11th August, 1959, (vide Fortieth Report of the Business Advisory Committee) for consideration and passing of the Arms Bill, 1958 as reported by the Joint Committee be extended from 5 hours to 7 hours."

Mr. Speaker: The Question is:—

"That the time allotted by the House on the 11th August, 1959, (vide Fortieth Report of the Business Advisory Committee) for consideration and passing of the Arms Bill, 1958 as reported by the Joint Committee be extended from 5 hours to 7 hours."

The motion was adopted.

Shri Datar: Sir, I was making a reference to the Report of the Joint Committee. The Joint Committee made a number of improvements in the provisions of the Bill as originally placed before this House. I am happy to note that hon. Members from both the sides, even though they were critical regarding, what they call, the insufficiency of liberalisation, were satisfied with the present Bill as it has emerged from the Joint Committee as a number of very important and salutary improvements have been made by the Joint Committee. Therefore, so far as this question of improvements is concerned, that has been welcomed almost by all the hon. Members who participated in this debate.

Now, I would like, in this particular connection, to mention the name of my hon. friend, Pandit Thakur Das Bhargava, who made certain very valuable suggestions though in other respects he was critical about the provisions of the Arms Bill.

Then, two or three points which were repeatedly made out by hon. Members opposite have been effectively answered by my hon. friends Shri Achar and Shri Raghunir Sahai and,

in particular, by Shri Padam Dev. These were the main points made by a number of hon. Members and, therefore, in respect of them my answer will be as brief as possible.

Before I proceed, Sir, I should like to deal with the general observations made by a number of hon. Members. It was suggested that Gandhiji was highly critical of the provisions of the Arms Act, which he called the "Black Act" or the "Blackest Act". That was perfectly true, because the Act that was then in use and the rules that had been framed by the British Government were of such a nature that it could not but be called as the "Blackest Act". There were a number of provisions there which were galling to the self-respect of India and, secondly, in respect of the implementation of this Act certain highly rigorous and discriminatory steps were taken by the British Government. Therefore, that epithet as was used by Gandhiji was perfectly correct.

After the advent of independence we have to take into account the present position. Just as, on the one hand, we have the achievement of independence to our greatest credit, there is also, on the other hand, very unfortunately, the emergence of certain anti-social elements on India's soil. That also has to be taken into account. That is the reason why I pointed out yesterday that the Government have to take into account, on the one hand, the legitimate desire of the citizens of India to have licences as freely as possible and, on the other hand, the overriding considerations of the security of India and of the peace and safety of the Indian nation.

I would invite the attention of this hon. House to what has been pointed out by a number of very important witnesses who were examined by the Joint Committee. We have certain special conditions in India which are far from satisfactory, and that is the reason why it has become necessary to take certain steps, not for the purpose of removing the liberalisation

but for the purpose of protecting the nation against dangerous activities carried on by a number of anti-social elements. That fact has to be fully noted, and I was happy that at least two hon Members made a reference to this particular difficulty of the Government of India and the State Governments. They stated that at all costs one has to be particular in taking into account the overriding considerations regarding the safety and peace of the country while dealing as liberally as possible with the provisions of the present Arms Bill.

Then, we have also to take into account one more factor which has been unfortunately missed by a number of hon Members. A number of hon Members stated, without any justification, that what we have done is almost to copy the original Arms Act and the Arms Rules. That is far from correct. May I point out in this connection what we have done. We have retained only those matters which are of a purely procedural nature and which are not likely to be misinterpreted by the licensing authority. I may also mention here the fact that the present provisions of the Bill are based to a large extent on the U.K. Firearms Bill and here and there we have taken certain salutary provisions from the other Acts. Thus it will be found that it would not be correct to say that we have merely maintained almost all the provisions of the original Arms Act. Take for example, the very important provision the very liberal provision that we have made. Though this would be called the Arms Act and though under certain exceptional circumstances it would become necessary to regulate the arms in general, I may point out that normally this Bill will apply only to firearms so far as the taking of licences is concerned.

It has been called the Arms Bill because there are likely to be circumstances when it may be necessary to regulate the possession of arms. Such a likelihood, I may point out, may not be necessarily within the bounds of actuality. There are often

times, as it has been pointed out by some witnesses, certain highly intriguing situations, disturbing trends here and there in the States. If, for example, we do not have a provision for an extreme occasion, then the situation is likely to go out of control. That is the reason why the definition of the word "arms" has been retained and a special power has been taken under exceptional circumstances. The House will kindly understand that normally such arms will not be regulated, but only when there is an emergency, as it is called, only when there is the need for the exercise of special power, will these other arms be regulated.

There also the Joint Committee has made an important departure. It has stated that these particular arms in respect of which such a regulation has to be made ought to be specifically pointed out in the notification that the Government would be issuing in this respect. Therefore, it would not be proper to say that the Arms Bill or the Arms Act that would be passed would apply to all arms.

Therefore, without repeating the whole matter I would like to point out here that there are three categories which have to be fully taken into account. One category is, those arms or other things which are likely to be used for domestic or agricultural purposes. They are beyond the purview of the present Act. I would, in this connection, invite the attention of hon Members to the particular provision that we find in the definition given in clause 2(c). There it is said

"'arms' means articles of any description designed or adapted as weapons for offence or defence, and includes fire-arms, sharp-edged and other deadly weapons, and parts of and machinery for manufacturing arms, but does not include articles designed solely for domestic or agricultural uses."

This point has been made clear by us in view of a number of rulings on this point so far as the original Act was

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concerned. Therefore, this is in keeping with the assurance that we had given, that arms used solely for domestic or agricultural uses and weapons incapable of being used otherwise than as toys will be kept beyond the purview of the provisions of the Arms Act.

With regard to air-rifles and other things, reference was made to certain types of weapons which are used as toys. If, for example, this definition had been taken into account, then naturally there would not have been that criticism which we had yesterday about it. The first category is very clear. The arms or weapons which are used for agricultural or domestic purposes are not within the purview of the Arms Bill at all. The second category is that the arms ordinarily will not be within the purview of this Act except under clause 4 where it has been stated very clearly thus:

"If the Government of India is of opinion that having regard to the circumstances prevailing in any area it is necessary or expedient in the public interest,"

the words may kindly be noted—

"...that the acquisition possession or carrying of arms other than fire-arms should also be regulated, it may,...." etc.

Then you will find that a notification has to be issued and the arms of such classes have to be specified. This is the second category.

So far as the third category is concerned, I agree that fire-arms ought to be controlled and there ought to be a licence. Some hon. friends suggested that we have not been going so far as the UK Act. May I point out that in the UK Act there are stronger restrictions. There they have stated that it is a case of certification, it is a case of granting a certificate. If hon. Members go through the provisions of the Arms Act they will find that all that we have done is, we have not

maintained the word "certificate", but we have put in the expression "licence". In other respects, may I point out that we have followed the provisions of the UK Act. There are a number of circumstances and occasions where we have gone a bit further also.

May I point out another very important point of distinction between the Indian law and the UK law? In the UK law, it should be understood very clearly that certificate has to be granted by the chief police officer. Here in India, under the Arms Bill, the licence has to be granted by the district magistrate and in selected cases by the officer below him. Thus, here, it is the magistracy that is the granting or the licensing authority and not the police officer at all. That is one of the most important points of distinction between the English law and the Indian law.

We have also made other provisions in regard to the refusal to grant a licence. When a man is not fit for holding a licence we have got a similar expression in the English law in this respect. Therefore, I would point out that we have tried our best to follow the English law, but even there, we have maintained the position that as far as possible we should try to make a liberal use of the powers that have been granted to the various States.

In this respect, it would be kindly noted that in the UK law, the purchase, possession, bearing, manufacture and the sale of fire-arms are regulated by the Fire-arms Act, and a certificate has to be granted by the chief police officer. Similar provisions of a precautionary nature have been included in their Act. The police officer shall grant a certificate if he is satisfied that the applicant has a good reason for acquiring or having in his possession the fire-arms. We have used almost identical expressions, and said that the

persons can be permitted to keep the arms without danger to public safety and peace. In UK, the certificate shall not be granted to an applicant if the chief police officer believes that it is prohibited under the Act or he is of intemperate habits. The House will kindly note that we have not used these expressions at all, showing the various circumstances under which a disability or a disqualification is likely to follow. The UK Act has used the words "intemperate habits". Here we have not used that expression. But in a particular case, where the intemperance is of a very serious nature, then action can be taken under the general and residuary provisions that have been laid down and are allowed to us. A licence will not be granted to a person who is of unsound mind or is otherwise not fit to be entrusted with fire-arms. I would, therefore, tell hon Members who criticise us, that we have borrowed very largely from the UK Act. It would not be proper to suggest that we have maintained the old Act by garbing the provisions, as some hon friend suggested, with a different saree. That suggestion is entirely incorrect. The Bill has been improved in material particulars and it is on a par with the UK Act except that in view of the realities of the situation in India we have, under exceptional circumstances, made it possible for Government to take action in respect of specified arms.

I need not point out the numerous departures that we have made from the original Arms Act. I would submit that what we have done is fairly satisfactory. My hon friend Pandit Thakur Das Bhargava, rightly suggested that this aspect was not made one of the fundamental rights in the Constitution. This question, I believe, was discussed during the debates of the Constituent Assembly. The Constituent Assembly had put in one expression in article 19(1)(b) where it is stated that it is a fundamental right of citizens to assemble peace-

fully and without arms. So, the question of the misuse of arms and the probably abuse of arms was before the Constituent Assembly and they did not specify among the fundamental rights the right to hold arms. On the other hand, they said

Pandit Thakur Das Bhargava (Hissar) Assembling without arms is all right. But section 96 of the Indian Penal Code is there, relating to property, and assembly connotes more than one person.

Shri Datar: I pointed out to my hon friend that the question of the so-called fundamental right to hold arms must have been discussed in the Constituent Assembly and therefore, they have put in an expression rightly. I agree with the hon friend that the words are there and have to be there.

Then I shall pass on to the other points. My hon friend Pandit Thakur Das Bhargava suggested that we should take some steps as early as possible for making it possible for the people to get arms at modest rates if not at cheap rates. That is a question which has to be examined and the Government of India are taking some steps in that direction. The defence authorities have been trying their best in regard to the production of fire-arms and ammunition for civilian needs. They are looking into this question and are trying to produce to the extent that is possible, and they are also considering the question as to whether some of the arms which are ordinarily necessary for civilian use can or cannot be made available at cheaper rates. They have already established the production of 12 bore guns, etc and they are trying to see if the cost of manufacture can be reduced. It is expected that sufficient ammunition will be produced at a lower cost by about April, 1960. That question is already before the defence authorities and they would try to take this into account consistently with their own overriding requirements so far as the defence of the

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country is concerned. Therefore, what Pandit Thakur Das Bhargava has pointed out has been receiving the attention of the Government. So far as prices are concerned, we have to take into account the whole price structure. The question cannot be considered in the light of arms and ammunition only. It has to be taken into account against the background of the rise in the price structure as a whole. Let us hope that the arms and ammunitions required for civilian use will be available as early as possible and at fairly reduced rates

I would pass on to some other points made by some hon. Members. It was suggested that the right of appeal should be given to a judicial authority. I can understand that suggestion when the matter has to be decided in a judicial manner. But there are certain fundamental principles of natural justice which have to be followed. Here, for example, we have got the overriding requirements of law and order and so, the appellate authority has to be one who knows the administrative machinery through which the licence is granted. Two hon. Members rightly pointed out that this is not a matter of adjudication of private right. Now, we have got a number of offences. Naturally, in those cases, under the Criminal Procedure Code he will be entitled to appeal before judicial authorities. But here the question is about grant or refusal of licence. The propriety of the order passed by the District Magistrate has to be considered in the context of the law and order situation and public interest. These have been specifically mentioned. So, it is but right to have these powers conferred on an administrative authority.

A point was raised by some hon. Members that it ought to be possible at lower levels to grant licences for arms and ammunition, as otherwise, it is very difficult for the people to approach the District Magistrate or the higher appellate authority, viz.,

the Commissioner. May I point out that in respect of those arms which are required especially by the villagers, in certain cases provision has been made for the grant of such licences at lower levels, even at the level of tehsildars in some cases. It would not be proper to go on delegating the power in all cases to lower authorities, because it carries certain very important consequences. So, the District Magistrate is the person who ought ordinarily to be the licensing authority.

Generally whenever the licensing authority refuses a licence, the reasons for the refusal are normally given. But there might be circumstances where in public interest, it would not be proper for the licensing authority to give reasons. All the same, the appellate authority will naturally find out whether the District Magistrate has exercised his discretion properly. Only in select cases will reasons not be made public. When an aggrieved party takes the matter to appeal, it will be the duty of the appellate authority to go into all the circumstances and find out whether the discretion by way of refusal has been properly or improperly exercised.

Oftentimes hon. Members have complained that some time-limit should be laid down for the disposal of applications. I agree there ought to be a speedy disposal of all applications, but it would not be proper and it is likely to be futile to lay down a period of one month in all cases, because it is our desire that it is not necessary to take one month to dispose of every case, it ought to be disposed of earlier. That is the reason why it is not proper to mention a particular period. I am quite confident that in view of the principle underlying the new Act, the licensing authorities will be extremely careful. If there are delays, they have to explain the reasons.

Certain other complaints were made about illegal gratification. It is com-

thing which has to be cured by the public and the authorities. Wherever it is found that the authorities are guilty of such malpractices, Government take strong steps against them. But in such cases if the applicants desire to follow the usual and rather slippery course of passing on money, that is a matter which has to be taken into account by the society as a whole, because there can be no illegal gratification or corruption unless there are two parties. Unfortunately, we have got a facile desire to get whatever we like as early and expeditiously as possible. That tendency ought to be cured and I request those hon Members who made general observations that in all these cases corruption is there as a matter of course to see to it that either no illegal gratification is offered at all by the applicant or whenever it is offered, to come forward and report such incidents either to the State Governments or to us if necessary. We have got special machinery for that. In all the States also, there is a similar machinery. So, it would not be proper to induce in the minds of the public the feeling that corruption is absolutely necessary if one were to get a licence as early as possible. We should also consider that the public are responsible for the spread of corruption. If they refuse to be tempted by this, naturally it would be difficult for the officers to indulge in this. That is why I desire that we should not take that facility in the manner in which such corruption is alleged to be spreading everywhere. It is our duty to put a stop to such corruption and I would invite the co-operation of hon Members and also the public to come to the aid of Government and stop corruption at all levels, whatever might be the amount.

Some hon Members pleaded for general exemption for air-rifles, pistols, etc. There are some which are purely toys and there are others which cannot be called toys and which are likely to lead to dangerous results. It is only in the case of the latter that Government take steps to

include them for the purpose of licensing. If they are mere toys, there would be no attempt to do that.

Then, my hon friend from Coorg, Shri Achar, has suggested that something should be done, so far as certain classes of Coorgis are concerned. We are aware that the Coorgis are a great martial race and it is also historically true that for a century they were exempted from the provisions of the Arms Act. Now all that we have done is to extend the exemption to all other classes in all other States. All the same, when the question of their exemption is taken into account as a category Government will surely consider the position with such sympathy as it deserves.

13 hrs.

I believe I have replied to almost all the points and I would only submit lastly that we have tried our best to see that the provisions of this Act are as liberal as possible. I need not reply to my hon friend, Shri Raghur Sahai's contention that the members of the panchayat should be, as he calls, certifying authorities. Another hon Member, Shri Padam Dev, rightly pointed out that this may lead to abuse of the exercise of power.

Shri Raghur Sahai (Budaun):
They may be consulted.

Shri Datar: But consultation also becomes a very serious matter. We all desire that we should develop the panchayats, should democratise the panchayats, as early as possible, but till such time as we do that, the panchayats should not be used even for the purpose of making recommendations. Shri Padam Dev rightly pointed out in this respect the dangers and said that the panchayats should not be invested even with the power of making a recommendation because, as he pointed out, it is likely that such powers may or may not be used properly. I have nothing to say against the panchayats, because we are anxious to develop the democracy.

[Shri Datar]

of the panchayats as much as possible All the same, for the time being, let it be left to the licensing authorities to find out whether the man is really fit to hold a licence for which he has made an application.

Then some hon Members suggested that a mere affidavit should be enough But an affidavit, as we know, is an admission in one's own favour and it will take a long time to find out whether the contentions or the allegations in the affidavit are really true Under those circumstances, it should be left to the discretion of the licensing authorities to use their discretion properly and to call for such information and through such channels as they consider proper Then, even in the case of a wrong exercise of the power vested by the Arms Act in the licensing authority, we have got an appellate authority As you know, the appellate authority has been specially provided for the purpose of avoiding all hardships and all acts of injustice or iniquity, if at all they occur anywhere else I believe I have dealt with all the points, and I am quite confident that the House will agree to the provisions of this Bill

Shri Mohan Swarup (Pilibhit) What is your opinion about short-time licences?

Shri Datar: I find there are a number of amendments on this subject We have tried to go to the extreme limit in this respect and so I would request the hon Member not to press the Government to go farther than what we have done, taking all the circumstances into account

Shri Mohan Swarup: What is your definition of "sufficient property"? Will you please elucidate that point?

Shri Datar: I have already pointed out that even a beggar is likely to have some property, worth a pie or a naya Paisa. You cannot find a man who has no property at all The question was considered in the Joint Com-

mittee as to whether the word "sufficient" should be there. "Sufficient property", as you will find, is a legal expression In the absence of that, a man may have some property, but it may not be sufficient property Under the old rules, you will find that a man may have some property, but that property will not be considered sufficient as to entitle him to hold a licence under the old Act We have removed that altogether. Non-sufficiency of property will not be a ground for refusing a licence,—that is what I have pointed out is a great departure that we have originally made, and the Joint Committee, after considering all aspects of the case have agreed that *the word should be retained as it is*

Shri Mohan Swarup: The Joint Committee has recommended that if a man carries arms, in trunk or in cloth, then it will not be unlawful in a reserved area Are Government going to make certain amendments in that direction in the Bill?

Shri Datar: So far as the amendments suggested by the Joint Committee are concerned, we have accepted them all They have made certain suggestions for examination which will duly be examined

Raja Mahendra Pratap (Mathura): May I ask one question to the hon Minister? You are speaking of anti-social elements. What are you doing to teach them morality?

Shri Datar: We are trying to keep all anti-social elements, in whichever quarters they are, under control But I would like to point out to my hon. friend that if these people are allowed to have or to get into their hands certain types of arms, then they are likely to create a situation which would be more embarrassing than what it already is

Raja Mahendra Pratap: You begin at the wrong end You just go on making laws. Instead of making laws, if you teach these children who appear to be anti-social, that would be much

better than just loading the public with more laws.

Shri Datar: We are not loading at all. May I point out

Mr. Speaker: It is a suggestion for action

Shri P. E. Patel (Mehsana) When the anti-social elements, like dacoits, are captured or arrested and you find them possessing arms, do you find them with licences or without licences? If they are holding arms without licences, how is this Act going to check their movements?

Shri Datar: So far as the anti-social elements are concerned, may I point out that we have got a number of Acts to deal with them? But the danger is that if, for example, the arms are likely to go into their hands, the situation would become more uncontrollable and more embarrassing than what it is. May I point out to my hon friend one instance? I had been moving in one State, I shall not mention that State, nor the area. While going in that area along with the Home Minister of that State, I was surprised that within a distance of about 35 miles I received applications at every village that I passed by that arms should be given freely. Then I made enquiries and the Home Minister told me rightly that these applications were not *bona fide* at all and that if, for example, these people were given arms without making a proper enquiry, they were likely to go underground and these arms would be used for purposes which are nefarious and dangerous to the society.

Shri Achar (Mangalore) Regarding Coorg, the Minister was kind enough to give an assurance that it would be considered very sympathetically. My only request is this. Cannot Government at least give an assurance that the *status quo* will continue, because nothing has been proved against them. Previously, they were entitled to hold certain arms. My only question is whether the Minister cannot give an

assurance that the *status quo* will be continued; nothing more than that. Why merely say that will be sympathetically considered?

Shri Datar: Why *status quo*? Let them have more privileges under the new Act.

Shri Achar: I am only asking for the existing privileges.

Shri Datar: I should like the hon. Member to take the people of Coorg to a higher level whereby under the Act they will be entitled to the use of not only one type of arms to which they have been accustomed but others also. All the same I would point out to my hon friend that we are fully aware that exemptions have been granted and we shall try our best to see to it that they are maintained except when there are overriding considerations. That is what the hon. Member will have to take into account. I fully sympathise with his desire and we shall try to do whatever is possible taking his strong plea into account.

Mr. Speaker: The question is

"That the Bill to consolidate and amend the law relating to arms and ammunition, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

Mr. Speaker: We will now take up the clause-by-clause consideration of the Bill. Clause 2. Government has got one amendment to it.

Shri Datar: There are a number of amendments. I should like to know which of them are being pressed.

Mr. Speaker: I am talking of the Government amendment.

Shri Datar: Government's amendment is only one.

Mr. Speaker: Let him move it.

Clause 2 — (Definitions and interpretation).

Shri Datar: Sir, I beg to move

Page 3,—

After line 27, add—

“(3) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force in that area

(4) Any reference in this Act to any officer or authority shall, in relation to any area in which there is no officer or authority with the same designation, be construed as a reference to such officer or authority as may be specified by the Central Government by notification in the Official Gazette” (12)

This amendment has been moved by Government only for the purpose of making the application of the law effective because in some areas, in the NEFA area for example, there are different officers who are called by different designations but they have the power of a district magistrate. Then in certain States, like Jammu & Kashmir, they have got their own laws and the desire is to have this reference as effective as possible

Pandit Thakur Das Bhargava: I would like to move amendments No 78, 79.

Mr. Speaker: I will dispose of this amendment first

The question is

Page 3,—

after line 27, add—

“(3) Any reference in this Act to any law which is not in force in any area shall, in relation to that area, be construed as a re-

ference to the corresponding law, if any, in force in that area.

(4) Any reference in this Act to any officer or authority shall, in relation to any area in which there is no officer or authority with the same designation, be construed as a reference to such officer or authority as may be specified by the Central Government by notification in the Official Gazette” (12)

The motion was adopted

Mr. Speaker: May I know from hon Members the numbers of the amendments that they want to move.

Shri P. R. Patel: Nos 61, 62, 63 and 64 to clause 2. Then No 65 to clause 3

Mr. Speaker: No, not to clause 3 at this stage

Shri U. L. Patil (Dhulia): No 1

Shri U. C. Patnaik (Ganjam): Amendments Nos 14, 15 and 16

Shri Sinhasan Singh (Gorakhpur): Amendment No 125

Pandit Thakur Das Bhargava: Amendments Nos 78 to 82

Mr. Speaker: 78 and 82 or 78 to 82?

Pandit Thakur Das Bhargava: 78 to 82, both inclusive

Mr. Speaker: Amendment No. 81 is the same as No 63

Shri Radha Raman (Chandni Chowk): Amendments Nos 119, 120 and 122

Mr. Speaker: Are they to clause 2?

Shri Radha Raman: I am sorry, Sir.

Mr. Speaker: There are none others. All these amendments will be treated as moved

Shri P. B. Patel: Sir, I beg to move:

Page 1, line 13,—

after "firearm" insert "except a muzzle-loading gun" (61)

Page 2, line 16,—

after "firearms" insert "except a muzzle-loading gun" (62)

Page 2, line 19,—

omit "solely" (63)

Page 2, line 27,—

after "energy" insert "except a muzzle-loading gun" (64)

Shri U. L. Patil: Sir, I beg to move:

Page 2, line 17,—

omit "sharp-edged and other deadly weapons" (1)

Shri U. C. Patnalk: Sir, I beg to move

Page 2,—

omit lines 15 to 21 (14)

Page 2, line 27,—

after "other" insert "prescribed" (15)

Page 2, line 37,—

add at the end—

"but shall not include air-rifles, air-guns, air-pistols and the like" (16)

Pandit Thakur Das Bhargava: Sir, I beg to move:

Page 2, line 16,—

omit "or defence" (79)

Page 2, line 17,—

omit "and parts of". (80)

Page 2, lines 19 to 21,—

for "or agricultural uses and weapons incapable of being used otherwise than as toys or of being converted into serviceable weapons" substitute,—

"or agricultural and other uses". (82)

Mr. Speaker: These amendments are before the House

Pandit Thakur Das Bhargava: Sir, in moving these amendments my idea is that since the Government itself has been pleased to say that it does not want to use the provisions relating to the arms as such rather frequently or in a manner which may be complained of by the people in general, the nature of these arms may be restricted as also such parts of definition (c) may be amended so that the whole thing may become innocuous. My first amendment, No 72, relates to the omission of lines 15 to 21 so that it may purely be firearms Act and the word 'arms' may be taken away from it. Even if that is not acceded to, because I agree that to a certain extent in certain circumstances it may be necessary for the Government to have recourse to these provisions, I want that the provisions may be made as innocuous as possible. Therefore I submit that the words 'designed or adapted as weapons for offence or defence' be taken away from it. So far as defence is concerned, I do not think it is the view of the Government that even there are weapons which can be used for defence also. They should also be brought within this definition. Similarly, I can understand if the whole arm is objected to, but I cannot understand why parts of arms which are not in themselves arms need be objected to. They cannot be used as arms as such. They are only parts of the machinery or parts of the arms and are therefore ineffectual by themselves. Therefore it is not necessary to bring them within the definition of arms.

[Pandit Thakur Das Bhargava]

So far as the question of domestic or agricultural arms is concerned, which are useful for these purposes, the hon Minister has himself pointed out that they are excepted. But I object to the word 'solely' used in this clause. There are arms and arms which can both be used for agricultural purposes as well as for purposes of defence or offence. What is the difference between the two? *Kulhada*, for instance, is generally used as a spear etc. is used. They are used for agricultural purposes. They are used for cutting of wood for cutting even *datuns* etc. They are used for both the purposes. It will be very difficult for any person to prove that a particular weapon is solely meant for agriculture or is solely meant for domestic use. I therefore want that the word 'solely' may be taken away from it so that all those exceptions which is the hon Minister has in mind may be available to persons who claim that they are used for domestic or agricultural purposes. There is no such line of demarcation between the two at present. Therefore it is better to take away the word 'solely'. After all what we are concerned with is that they may not be used for the purpose of offence. Those weapons which are used for agricultural or domestic purposes mainly, I should say but not solely may be brought here. Therefore my humble submission is that these amendments may be accepted so that the purpose of the hon Minister himself may be effectually implemented and may not remain a pious wish only. If in the present definition every kind of weapon is included whether it is used for agricultural or for domestic purpose, then what is the use of making these exceptions? I would therefore beg of the hon Home Minister kindly to look at it from the point of view that I have suggested.

Shri P. B. Patel: In support of my amendments I only want to submit one thing. In clause 2, sub-clause (c) the word 'solely' is used for domestic and agricultural uses. I am support-

ing my hon friend in this respect because my amendment is also to that effect. I do not understand the words 'solely for domestic uses'. A pick-up can be used for domestic purposes, for cooking. At the same time, it can be used as a weapon for striking. Take a wooden rod. It can be used for domestic purposes. It can well be used for striking a man and it can fracture the skull. The word 'solely' is mis-used. I think, if we drop the word 'solely', there will be no difficulty.

So also agricultural implements *A dharia* can be used as a weapon of defence and attack also. If such a notification is issued, even all implements used in agriculture may be restricted and things used in cooking also may be restricted by such a notification. I would humbly submit that the word 'solely' is not properly used. Rather, it is absolutely not necessary. What we desire is to exempt domestic and agricultural implements. That, we can do by dropping the word 'solely'. If we read the original Act, the word 'solely' was not there. Our predecessors, the Britishers, were rather more liberal than what we are, because they did not think of these things. I would rather humbly submit that the word 'solely' may be dropped.

As regards muzzle-loading gun, also, my case is there. I am sure my hon friend the Minister will not agree with me. I am rather pained to say it. In these days of democracy, he is not prepared to trust the people to the extent that the former States trusted their people. I was a resident of the Baroda State, before Independence. There, everybody can keep a muzzle-loading gun. He can possess, it, carry it and use it and no licence was necessary. There were so many Native States in our country which exempted the muzzle-loading gun from the operation of the Arms law. My friend here says that even in the Hyderabad State, no licence was required or was necessary for possessing or carrying a muzzle-loading gun. There were so many States. My

hon. friend Shri Fatehsinh Ghodasar is a small Thakur. He is a Member of this hon. House. He was the Chief of the small state of 27 villages. There was no Arms law. Nobody misused this arm. I can say that I have been a lawyer on the criminal side for so many years. Mis-use of a muzzle-loading gun has been much less than the misuse of other weapons. So many murders have been committed by lathis than by the muzzle-loading guns. In these days of sputniks and atomic weapons, what is the good of restricting muzzle-loading guns? I would submit that a muzzle-loading gun, if allowed, would be a source of defence to the agriculturists on the fields and for the crop. I hope he will agree. But, I think, if he does not agree with me, misfortune is there, nothing else I can say.

Shri U. L. Patil, Sir, my amendment is for the deletion of the words 'sharp-edged and other deadly weapons'. That was when the word 'solely' was there. The amendments that have been put forward by my two learned friends Pandit Thakur Das Bhargava and Shri P. R. Patel make that point clear. These sharp-edged and deadly weapons can be used both for domestic and agricultural purposes. Therefore, if the word 'solely' is taken out, as has been proposed by these amendments, I might not press my amendment.

Shri Sinhasan Singh: My amendment is for the deletion of the whole clause as it is. But, I think, that may not be acceptable to the Government. As my other hon. friends have said, about agricultural implements, it is difficult to define whether they will be used solely for that purpose or they may be used for other purposes also. The wooden plough that we have, has got an iron rod. That can be used for other purposes also. It may not be used solely for agricultural purposes. We have got a kind of thing for digging earth, for domestic purpose. That may be used for other purposes. There are so many things. It will be well nigh difficult

to define. If we pass a law in this way, it will only be placing a weapon in the hands of the police to declare any agricultural implements as things which can be put to other uses for the purpose of harassing the people. What do we find in the old Act which we are going to repeal? There, arms are defined to include firearms, etc. We do not find anything of this kind. That was a much better definition than what we have here today. My request to the Government is, if we want to retain it, have the old one. Why include lathi, danda and chadri in weapons of offence and defence? As my hon. friend Shri P. R. Patel said, in my experience and also in Pandit Thakur Das Bhargava's experience, there are very few cases of murder committed by firearms. Most of them have been committed by a spear or lathi. It is very difficult to define a murderous weapon. A lathi may be a murderous weapon. A firearm may not be murderous. There has hardly been a case.

Therefore, my submission is, if you want it, retain the old definition where lathis are exempted. You will cover even lathis and chadris. My submission is this. If my amendment is not accepted, it should be modified in such a way that it may not be possible anywhere for a danda or lathi being declared as a weapon of offence or defence. Otherwise, harassment will follow. By making this law, we are giving a weapon not to the public, but to the police to harass the people, and we are not doing a service to the country, but a disservice. My submission is that it should be so amended as to make it possible for the agriculturists to use their implements without any fear from any officer or police or patwari at any time, ruling out all possibility of their being declared as weapons of offence if their hands are not greased.

With these remarks, I think that this clause deserves re-consideration and great consideration before a vote is taken and the Government presses for its being passed as it is.

Shri U. C. Patnaik: My amendments relate to sub-clauses (c) and (e). Sub-clause (c) as already pointed out by my hon. friend, is more undesirable and is worse than what was there in the old Arms Act of 1878. The old Arms Act defined certain arms in addition to firearms as coming within its purview. We are not defining any particular arms. But, we are referring to all weapons of offence and defence. Here, I would request the hon. Minister as I had requested him in the Joint Committee, to give us a list of what arms he wants to bring under this sub-clause. Because, we want to know what are the weapons of offence and defence that the hon. Minister wants to bring under this sub-clause. Even now, I challenge and assert that they have not got a list of arms which they want to bring under this sub-clause. With the result, that whenever and wherever they notify under clause 4 prohibiting certain arms other than firearms, the question will be, how are the people to know before hand? People have no idea of what the Government will think of prohibiting under clause 4. Therefore, at least in the Parliament, we are entitled to know what are the arms that the Government would bring under the definition of this sub-clause.

13.29 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

It is a very important point because, whenever and wherever the Government want to issue a notification under clause 4, prohibiting the use of any arms, they are entitled to put down in that notification any kind of arms. In such a contingency imagine the difficulty of a person owning a *kathi*, a knife or an axe or some other weapon which can be converted into a weapon of offence and defence. How is he to dispose of that weapon, or how is he to take a licence for that weapon? That very difficult question will come up whenever Government issue a notification that such and such arms are not to be possessed

or acquired or carried by anybody in a particular locality. It is from that point of view that we want to know if Government are prepared even now, if they want this Bill to be passed in the House, to give us an idea of the types of weapons that they would like to include in sub-clause (c).

Secondly, as regards sub-clause (e), I would submit that air guns, air rifles and other articles are nowhere else treated as fire arms. Even though they pass through a particular thickness, five cardboards, from a near range, they are not treated as firearms, and therefore I would request the Government to think of allowing air guns, air rifles, air pistols and air revolvers free of licence. That will also give our children an opportunity to learn precision shooting.

Shri D. C. Sharma (Gurdaspur): I think the whole of this clause needs to be revised, especially sub-clauses (c), (e) and (h) should undergo drastic revision.

I think the purpose of this clause is three-fold. In the first place this clause wants that people should not inflict grievous hurt upon others and there should be less of this kind of thing between individuals. The second purpose may be that people should not be able to make use of these arms in a case of riot or something like that. The third may be that people should not be able to make use of these arms or purchase these arms in the case of a civil war of a local kind. These are the three purposes.

Now I asked myself: are these purposes going to be served by this clause? I do not think so. It is because so far as murder is concerned, you can make use of domestic or agricultural implements or weapons. I am told by the lawyers who practise on the criminal side in the courts that it is mostly these things that are made use of.

So far as the use of arms is concerned, Government cannot prevent it, for the machinery of Government has failed so far to prevent the smuggling of arms. The more effort the Government is making these days, the greater is the smuggling and the illegal use of arms. Our country has so many borders and there is infiltration from so many places. In Rajasthan they get arms, even in the Amritsar border they get arms, God knows where they get them from. Therefore, so far as illegal possession of arms is concerned, the Government has not been able to stop the rot, and the Government can do nothing.

Then, so far as civil commotions are concerned, I think the Government has not been able to prevent them. For instance, I know of some cities where civil commotion has been on a very very great scale.

An hon Member Kanpur

Shri D C Sharma: I do not want to mention names. Government has not been able to prevent that. The whole apparatus of the CID which our Government has, the whole apparatus of the Police which our Government has was not able to know how the people were preparing themselves for a showdown with the Government. It is a very sad commentary on the Government.

Therefore, I think that the Arms Act which we are going to pass is not going to be a deterrent for smugglers, for the rioters, for those who are going to create civil commotion. It is only going to be a deterrent for those honest persons who want arms in order that they may defend themselves in a time of emergency.

This is the approach which has been taken in this whole clause. I think this approach must be modified, and the only way of modifying this approach is this, that lines 15 to 21 should go, they should go lock, stock and barrel, because in the first place this clause leaves too much discretion to the police, to the magistrate, to the trying authority, to the licensing authority. It deprives the citizen

of a weapon, but it gives the magistracy and the police a weapon which they can command at any time. Therefore, it will be an unequal distribution between the authorities on the one side and the civil population on the other. Therefore, I think this clause should go.

At the same time, I think it is not possible to tabulate all the weapons and firearms that are there. Does the Government of India think that because no new arms are being produced in this country, no new arms will be produced in other countries and does the Government of India think that those arms will not be brought to this country? Therefore, I think that only one thing should be done. Arms means articles which are designed for or adapted for attack in a riot or in a civil commotion. That should be the only definition given and all the other qualifying clauses should be done away with. That is because we want to safeguard as has been said by the hon Minister, the public safety and the public peace of this country, and for that purpose all these things should go. The result of this clause will be that it will lead to endless wrangles in law courts as to whether a weapon is solely or mainly or partly or generally meant for agricultural or domestic purposes. I think all these qualifying clauses are going to have an effect which is not intended by the Minister. Therefore I think the definition of firearms and prohibited ammunition should be reworded, and I believe that the definition that arms are those conventional weapons which are used by the Army should alone be given, and nothing else should be given.

The hon Minister has talked of tanks, torpedoes, this and that as if he thinks the people of India have all the various kinds of weapons. In fact, he has given a hint to them: there are torpedoes, there are submarines, there are all these things also. My feeling is that this whole clause should be reworded.

[Shri D. C. Sharma]

to indicate that arms are only those which are used by the Army in their formations when they are attacking somebody I think this should be the intention before us so that the persons who want to have these arms for defence should not be debarred from the privilege of having them.

Dr. M. S. Aney (Nagpur) May I ask a question?

Mr Deputy-Speaker: I would be coming to the hon Member

Dr M. S. Aney: Are we discussing any particular clause or are we carrying on with the amendments and only those who have amendments to move are allowed to speak?

Mr. Deputy-Speaker: Amendments as well as clause 2

श्री बजरत्न सिंह उपाध्यक्ष महोदय, मैं क्लॉज २ की सब-क्लॉज (सी) का विरोध करने के लिए खड़ा हुआ हूँ और श्री सिंहासन सिंह जी ने तथा दूसरे मित्रों ने जो इसको हटाने के लिए मशौघन दिया है उसका मैं समर्थन करता हूँ ।

इस धार्य्म एक्ट की पूरी स्कीम में ही कुछ ऐसा पता चलता है कि सरकारी पार्टों की भूतकान की जो घोषणायें थी, उन में वह दूर हटती जा रही है, उनमें बिल्कुल उलटी बह जा पडी है । मैं समझता हूँ कि राज्यों की पुलिस पर उसकी विश्वास भास्या हो गई है, इस वास्ते जो भी राय पुलिस अफसरों द्वारा दी जानी है, उनी को आघार मान कर कानून बनाये जाते हैं और यह बात विशेष रूप से इस कानून पर लागू होती है । यह बात इसी से स्पष्ट हो जाती है कि पहले के कानून में जो परिभाषा धार्य्म की थी उससे बिल परिभाषा इसमें कर दी गई है और जो-जो बातें पहली परिभाषा में नहीं थीं उनको इसमें शामिल कर लिया गया

है । जैसा कि दूसरे मित्रों ने कहा है कि डैबली बैपस की यदि आप इसमें फिर से परिभाषा नहीं करते हैं तो उसमें लाठी भी आ जायगी और वह भी गैर कानूनी हो जायगी । हमारा मुल्क बैलगाडी का मुल्क है, उनी तरह से लोग लाठी ले कर बाहर जाते हैं और अब इसके बाद वे लाठी लेकर भी नहीं जा सकेंगे । इसका क्या नतीजा होगा, इस पर विचार होना चाहिए ।

आगे चल कर क्लॉज २० जो इस बिल की है उसमें कहा गया है कि

"Where any person is found carrying or conveying any arms or ammunition whether covered by a licence or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are or is being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any magistrate, any police officer or any other public servant or any person employed or working upon a railway, aircraft "

बिना वारेट के उस गिरफ्तार किया जा सकता है । मान लीजिये कि कोई लाठी ले कर जा रहा है और किसी पुलिस अफसर से और पुलिस अफसर न सही किसी नेबपाल में उत्तर प्रदेश में, या दूसरी स्टेट्स में किसी रवेन्यू अफसर में जो कि गांव में रहता है उसकी रजिस्ट्र है और वह उसको किमी तरह से नहीं फसा सकता है तो इसके अर्धिन वह उसको बिना वारेट पकड लेगा, पकड कर परेशान कर सकेगा जोकि बहुत गलत बात होगी ।

मैं समझता हूँ कि हमेशा ही हमारा कानून इस तरह का बनना चाहिए जिससे कि जो हमारा उद्देश्य है वह तो स्पष्ट हो जाए, वह तो पूरा हो जाए । इस में आप पुलिस अफसर को ही नहीं बल्कि दूसरे जो अफसर भी हैं, जो पब्लिक सर्वेंट्स हैं बिल में

कि आप नए नए पब्लिक सर्वेंट्स जोड़ते जा रहे हैं, उनको भी बहुत ज्यादा ताकत दे रहे हैं ताकि उसको जोकि लाठी भी ले जा रहा है, पकड़ा जा सके। मैं निवेदन करना चाहता हूँ कि आप इस तरह का कानून बनाने की कोशिश न करें जिससे कि आजाद होने से पहले हिन्दुस्तान के कुछ भागों में जो सङ्गलियतें मिली हुई थी वे भी खत्म हो जाएँ। हिन्दुस्तान की बहुत सी देशी रियासतों में जब तक वे हिन्दुस्तान में विलीन नहीं हुई थी हिन्दी और उर्दू में अदालतों में काम चलता था लेकिन अब उनको जबर्जस्ती अंग्रेजी में काम करना पड़ता है और इसी तरह से चन्द रियासतों में कोई इस तरह के कानून थे कि वहाँ पर आम तौर से लोग हथियार ले कर जा सकते थे, उन पर भी यह बात लागू कर दी जाए कि वहाँ के लोग अब लाठी भी ले कर नहीं जा सकते हैं, ठीक नहीं है। अगर कोई लाठी लेकर के वहाँ चलेगा उसको पुलिस अफसर या दूसरा कोई रेवेन्यू अफसर या कोई दूसरा पब्लिक सर्वेंट गिरफ्तार कर सकता है। मेहरबानी करके ऐसा कानून आप न बनायें जिस से जनता को यह भ्रम पड़े कि आजाद होने के बाद भी उनको पीछे की ओर धकेला जा रहा है।

इस कानून के द्वारा आप उन राज्यों में जहाँ पहले कोई लाइसेंस की व्यवस्था नहीं थी, इस व्यवस्था को लागू कर रहे हैं और लाठी इत्यादि ले जाने पर भी रोक लगा रहे हैं। आप की यह घोषणा तो दूर रही कि आजाद होने पर किसी तरह के भी लाइसेंस लेने की जरूरत नहीं रहेगी आप तो और भी कई तरह की रेस्ट्रिक्शंस लगाने जा रहे हैं। अच्छा होता आप उन घोषणा पर अमल करते और कहते कि आम तौर पर जो चाहेगा उसको फायर आर्म्स या हथियार रखने का अधिकार होगा। लेकिन यदि आप यह नहीं कर सकते हैं तो ऐसी बात तो न कीजिये जिसमें कि पचासों दिक्कतें पैदा

आये। इस कानून के सम्बन्ध में मैं कहता हूँ कि अगर आप इसको हटा नहीं सकते हैं तो कम से कम इसमें संशोधन तो करें। डेबली बैपस शब्द में कोई भी चीज आ सकती है और उस चीज की निगाह पर किसी भी आदमी की प्रतिष्ठा को चाहे जब खत्म किया जा सकता है।

आप जानते ही हैं कि हिन्दुस्तान में कई राज्य हैं जो कि डकैतों से घिरे हुए हैं। वहाँ लाइसेंस नहीं मिलते हैं और लोग लाठी से ही अपना काम चलाते हैं। उत्तर प्रदेश, मध्य प्रदेश, राजस्थान आदि ऐसे राज्य हैं कि जहाँ पर दिन दहाड़े डकैतियाँ पड़ जाती हैं, लोगों को मार दिया जाता है, पुलिस वालों की हत्या कर दी जाती है और वहाँ पर भी अगर यह कानून लागू होता है तो यह खतरनाक होगा। आजकल जिस तरह से पुलिस वाले लोगों को फसाना चाहते हैं उसका एक तरीका है। दफा १६ जो वर्तमान कानून की है उसके मातहत चालान करने के लिए पुलिस वालों को पिस्तौल ले जा कर के अपनी तरफ में रखनी पड़ती है और तब उसको फसा लिया जाता है। मैं आपको बतलाना चाहता हूँ कि उत्तर प्रदेश के उन हिस्सों में तथा राजस्थान के और मध्य प्रदेश के उन हिस्सों में जहाँ पर दफा १६ के किसिम चल रहे हैं, अगर आप जांच पड़ताल करें तो पता चलेगा कि ६६ प्रतिशत किसिम में पुलिस की तरफ में पिस्तौल ले जा कर के, जो कि गाव की बनी हुई थी रखी गई और दफा १६ में चालान किया गया और लोगों को सजा हुई. . .

श्री सुशबल राय (खेरी) मालखाने में ऐसे पिस्तौल रखे रहते हैं।

श्री अशरफ सिंह यह बात ठीक है। लेकिन अब तो कोई लाठी ले जा रहा ही तो उसे भी पकड़ा जा सकेगा और बाकी कायबाई कर ली जायेगी।

[श्री बजराम सिंह]

मैं निवेदन करना चाहता हूँ कि इस सब पर पुनर्विचार हो और कम से कम ऐसा तो हो जिस में लोगों को यह दिखाई न दे कि आज की पार्लियामेंट पीछे की ओर हट रही है जबकि दुनिया आगे की ओर बढ़ रही है। मैं आशा करता हूँ कि गृह मंत्री महोदय इस स्टेज पर भी इस पर पुनर्विचार करेंगे और ऐसा नहीं समझ लेंगे कि हिन्दुस्तान की सारी की सारी अक्ल पुलिस के पास चली गई है और दूसरों के पास अक्ल नहीं रह गई है। ऐसा भी सोचें कि थोड़ी बहुत अक्ल हम लोगों में भी है और हम से ज्यादा अक्ल शायद उम पार्टी में है जिसका बहुमत है। आई० जी० की रिपोर्ट हमेशा सही नहीं होती है, उसकी रिपोर्ट गलत भी हो सकती है। इस बात को अगर आप मान लें और अपने दृष्टिकोण में परिवर्तन करें तब कुछ हो सकता है अन्यथा नहीं।

Dr. M. S. Aney: I have only to make a few observations on the definition of the word 'arms'

Mr. Deputy-Speaker: I would request all hon. Members now to confine their remarks to as short a time as possible, because we have to conclude the whole thing by three o'clock.

Dr. M. S. Aney: I am very glad that you have made this suggestion

Mr. Deputy-Speaker: It was not meant particularly for the hon. Member

Dr. M. S. Aney: In my opinion, it is a very useful suggestion, because the debate has to be ended at a particular time, and the work has to be done also.

I only want to invite the attention of the House to the definition of the word 'arms'. If we were to have an Arms Act without a proper definition of the word 'arms' then really it will have no meaning at all. As has been

pointed out rightly by many of my hon. friends already, the definition as it is given here in clause 2(c) is an extremely wide one. One does not know exactly whether those who have framed this clause themselves have any idea as to what the thing is which they call as 'arms'.

The definition reads thus:

"arms' means articles of any description . . ."

And the qualification is

"designed or adapted as weapons for offence or defence . . ."

This is the definition of 'arms' which has been given here. The definition is 'articles of any description, designed or adapted as weapons for offence or defence'. Anything in this world can be used as a weapon of offence or defence, in accordance with the circumstances in which a man finds himself. Even a stone can become a weapon of offence or defence, a man can take up a stone and throw it at another man. That also becomes a thing adapted for the time being as a weapon of offence or defence.

The point here is that the language which is used here does not exactly convey to us the idea of the weapon which the framers of the Bill have in their mind. And so long as these points are not properly cleared, it would be difficult for us to know exactly what this word means; or to extend the power in respect of other arms, as is proposed in clauses 3, 4 and 5. For instance, in clause 3, they want to confine the grant of licence only to fire-arms. But when we come to clause 4, and clause 5, we find that power is given to the authorities to impose a restriction on licences in respect of other arms also. What those other arms will be is a matter for the authorities to select or describe at that time. So the persons against whom this Act is going to be

used are always kept in the dark as to what are the things which can be kept without licence and what are the weapons the possession of which will be regulated by licence. An Act of this kind is rather of an indeterminate nature, while a law which intends to restrict the use of a thing by means of a licence must always specify the scope within which that restriction has to be imposed. When you extend the use of a thing, it is all right. Anybody can use it. But when you take away a thing, you must exactly know what is the thing that you want to take away and what is the thing that you are allowing to be retained with the people. From this point of view, the definition clause, clause 3, requires to be very seriously considered.

As for myself, I would like to make a small suggestion. Though I do not claim it to be perfect I have to say that I have read the Report of the Joint Committee and have found that it does not throw much light or help us to come to a proper definition of 'arms'. In the definition as given in the Bill, it is said:

"'arms' means articles of any description designed or adapted as weapons for offence or defence"

My suggestion is to put it like this

"'arms' means weapons "

—at least the meaning of the word 'weapons' should be precisely understood—

"of any description used for offence or defence or intended to be used by the police or the army "

This clearly indicates as to what are the things which Government have in mind in describing weapons when weapons are taken as arms for the purpose of this Act. If there is some clause like that—a restriction of this nature—in which the general idea of the Government about the term 'arms' can be easily understood by the

people, then you shall make the administration of this Act an easy one, and even a salutary one. But in the absence of that, as has been pointed out by some of my hon. friends, it can be a source of harassment in the hands of the executive officials, the police officials. In times of difficulty or emergency, sometimes even an ordinary stick that I carry in my hand may be a thing which cannot be carried without a licence. It may come to that even. This may ultimately develop into inconvenience and a source of serious harassment. So an attempt should be made to define the word 'arms' precisely.

I do not know whether this will be a source of delay. Perhaps the hon. Minister might take time to consider this particular point and then proceed with the rest of the amendments which have been moved thereon.

I do not want to take more time. Your suggestion was a valuable one and I think I should act up to it. I only wanted to make these remarks with a view to invite the attention of the Minister to the ambiguous and somewhat extra-extensive nature of the definition of 'arms' which forms the most vital part of this legislation.

श्री राधा रमण उपाध्यक्ष महोदय,
अभी सदन के मायने कई मित्रों ने इस बिल
के डिफिनेशन के बारे में अपने विचार
रखे हैं। मैं स्वयं यह महसूस करता हूँ कि
इस बिल में जो यह बिल बनाया गया है,
उस में बहुत सारी त्रुटियाँ हैं। विशेषकर सब
बिलों में के बारे में इतना कुछ यहाँ कहा
जा चुका है मगर फिर भी बहुत कुछ कहा
जा सकता है। जैसा इस का बनाया गया
है और उस में जो मान निकाले जा सकते
हैं वह सब ऐसे हैं जो कि बिल के सारे मतलब
को खत्म कर देते हैं। मैं ने अपना मसौदा
सदन के सामने रखा है न० ११५। उस में
मैंने यही सिफारिश की है और मैं मंत्री
महोदय में प्रार्थना करूँगा कि वे इस पर
पुन विचार करें मभा के अन्दर भी इस पर
विचार रखेंगे हैं कि यह सबबिलों से

[श्री राधा रमण]

सारे का सारा इस तरह बनाया गया है, इसकी शब्दावली ऐसी है, कि अगर इन शब्दों को रद्द कर वह बिल पास किया गया तो इस बिल को खाने का जो हमारा मकसद था वह सब का सब खत्म हो जायेगा। केवल यह कह देना कि हम बहुत सारे उद्द लोगो को सजा देना चाहते हैं यह ठीक नहीं है। आज आप के सामने यह खयाल हो सकता है कि देश में बहुत सारे ऐन्टी सोशल एलिमेंट्स हैं जो कि इन हथियारों को अपने हाथ में रख कर गैर-जिब फायदा उठा सकते हैं, अगर ऐसे लोगों को रोकने के लिए कोई भी क़ानून ब्रह्म ज्यादा मदद नहीं करता। ऐसे लोग तो अपने लिए कोई न कोई मायन निकाल ही लें हैं। अब आप यह कहते हैं कि आर्म का मतलब कोई चापें एण्ड वेपन भी हो सकता है, तो आप ने उस की सीमा इतनी बढ़ा दी कि कोई पत्थर मार दे मेन्फ डिफेन्स में कुर्मी उठा कर मार दे कोई सुराही रखी हो उसे उठा कर मार दे, अब इसकी हद में आ जाना है। इस लिए मैं यह विनम्र प्रार्थना करूंगा कि मंत्री महोदय इस पर विचार करें। काफी लोगों के विचार उन्होंने सुन लिए हैं और करीब करीब पूरा मदन इस बात पर पूर्वनिश्चय है कि जो व्याख्या आप ने रखी है जो शब्दावली आप ने मंत्रालय की में रखी है उस शब्दावली के साथ अगर आप बिल पास करेंगे तो उस का परिणाम ब्रह्म होगा जो न आप चाहते हैं, न यह मदन चाहता है और हम उम्मीद करते हैं कि जनता भी नहीं चाहती है। हम वहाँ से कहते चले आये हैं कि हम आर्म बिल को अमेंड करेंगे। अब भारत देश आजाद हो गया है और लोगों को बिना लाइसेंस हथियार मिलेंगे। लेकिन लाइसेंस का रद्द करना तो दूर रहा, जो पुरानी व्याख्या थी हम ने उस में भी ज्यादा सीमाबद्ध हम व्याख्या को कर दिया। हमने हमने ऐसी शब्दावली डाल दी कि हुकूमत के कारिन्दे जिस किसी को जब चाहे फंसा सकते हैं।

मैं यह नहीं कहता कि हुकूमत के कारिन्दे लोगों को फंसाने के लिए ही बने हैं, मैं तो उनसे यही अपेक्षा करता हूँ कि वे खुद बुद्धि से काम करेंगे, लेकिन आप को मानना पड़ेगा कि किसी भी हुकूमत के कारिन्दों में सब के सब अच्छे नहीं होते। ऐसे भी हो सकते हैं कि जो आप इसी 'ट' लोगों को तकलीफ देने का खयाल भी रख सकते हैं। इस अवसर पर अगर हम ने अन्य सुधार नहीं हो सकते और मंत्री महोदय सब बातों को मजूर करने के लिए तैयार नहीं हैं तो कम से कम उन को एक काम जरूर कर देना चाहिए। उम्र के अन्दर एक ऐसा सेटलिंग जरूर लगा दें जिस में वे चीज दी हुई हो जिन्को सामने रख कर पुलिस वगैर किसी भी व्यक्ति को अनायास फंसा ना सके। वे लोग जनता के आदमियों को न फंसाने पायें। अगर हम की शब्दावली को इस प्रकार दुर्लभ किया जा सकता है तो यह जरूर किया जाना चाहिए।

इस के बाद इस में 'अदर फार्मिंग ऑफ एनर्जी' के बारे में भी लिखा हुआ है। यह एक बहुत वाइड सेन्स हो जाता है। अभी मेरा मित्र पटनायक माहब ने एग्जर गइफल्स के बारे में कहा। एक तरफ हम चाहते हैं कि हर एक नौजवान को राइफल ट्रेनिंग दें। हमारी सीमाओं के ऊपर आज जो हालत बन रही है उस सब के कारण हमारी यह प्रवृत्ति बन रही है कि हम हर एक नौजवान को डिफेन्स के लिये तैयार करें। जहाँ डिफेन्स के लिए तैयारी करने की प्रवृत्ति बनती है उस के साथ साथ हर एक आदमी अपनी रक्षा की भावना के मानहून हथियार रखना चाहता है। उस को रक कर वह सिर्फ उस मौके पर उस को इस्तेमाल करना चाहता है जो कि कभी भी उसके सामने आ सकता है। यानी अपने बचाव के लिए वह कोशिश करना चाहता है। उस पर भी हम प्रतिबन्ध लगाते हैं। इस लिये मैं समझता हूँ कि जिस

प्रवृत्ति को लेकर हम बिल को सामने लाये हैं वह भागे नहीं बढ़ पायेगी और उस में हथार किस्म की रकबाट प्रायेगी।

इस विषय में काफी कहा जा चुका है, इस लिए ज्यादा न कह कर मैं मंत्री महोदय से विनम्र प्रार्थना करना चाहता हूँ कि वे इन बातों पर ठीक से विचार करे। अगर इस सब क्लोज भी को ही नहीं बल्कि सारे के सारे क्लोज २ को अगर रिवाइज किया जा सके और उस की शब्दावली को ऐसा बनाया जा सके जिसे में कि आर्म्स का सही मतलब निकल सके, तो इसमें अच्छी कोई बात नहीं हो सकती। जिस हथियार के जरिये एक इमान को तकनीक पहुँचाई जा सकती है और जिसे का गलत इस्तेमाल किसी के खिलाफ किया जा सकता है, वह बिल्कुल स्पष्ट हो जाये, और पुलिस के अधिकारियों को यह कहने का मौका न मिले कि कानून के अन्दर गुजाइश थी और हम ने कानून का सही इस्तेमाल कर उस के मातहत कार्रवाई की है। अगर यह शब्दावली जिस तरह से अब है उसी तरह रही तो हमारे बहुत से शहरी लोगो को जो तकनीक अब देखने में आती है और पहले भी आती थी, वह भागे भी नहीं रहेगी। मैं यही कहना चाहता हूँ कि मंत्री महोदय इस शब्दावली को मजूर न करे और जिस प्रकार से इस शब्दावली की मूठि की गई है उस को ठीक कर दिया जाये। अगर हम इस बिल के मकसद को हासिल करना चाहते हैं, जो नतीजे हम मोच रहे हैं उन को हासिल करना चाहते हैं तो ऐसा करना बहुत जरूरी है।

14 hrs.

श्री मोहन स्वामी उपाध्यक्ष महोदय, जैसा श्री दोस्तों न कहा, आर्म्स की और ज्यादा बाजह तारीफ होनी चाहिए। इसे मान लीजिये कि गांध की लाइफ के लिए यह बहुत जरूरी चीज है। अगर लाठी के भाग की जिये में कोई गुजारा नहीं कर

सकता। हर बन्त इस की जरूरत आती है। इसके साथ साथ और भी बहुत से छोटे छोटे हथियार हैं जिन के बिना काम चलना मुश्किल है। मान लीजिये कि अगर कोई साँप निकल प्राये या कोई और चीज निकल प्राये और उस का मुकाबला करने के लिए अगर कोई लाठी में बल्लब लगा ले तो आप का क्या नुस्खान है? वह उस में अपना बीटा सा बचाव कर सकेगा। इसलिए मेरी गुजारिश है कि इस क्लोज की ज्यादा बजाहलत होनी चाहिए। जैसा राधा रमण जी ने कहा इस क्लोज के साथ एक शोर्टयूल या फर्हिरिस्त जरूर हो कि फला फला किस्म के हथियार जो हैं वह इस की तारीफ के बाहर हैं। अगर ऐसा नहीं होता तो एक छाटा सा बिल जो हमारे सामने है वह बेमानी चीज हो जायेगा और जैसा कि मिनिस्टर साहब ने कहा कि इसको बहुत लिबलाइज कर दिया जायेगा, वह मकसद पूरा नहीं हो पायेगा। मैं मंत्री महोदय से निवेदन करूंगा कि वह बहुत हमदर्दी से इस पर गौर करे बहुत मीरियसली गौर करे और ऐसी तारीफ इसमें रखें जिन से कि बिल का मकसद ही खत्म न हो जाये।

Shri Datar: Mr Deputy-Speaker, I have heard with great attention the earnest appeal made by a number of hon friends (An Hon Member The whole House) Let the hon Members wait I am especially referring to the earnest appeal made by my elderly friend, Shri Aney and my friend Shri Radha Raman There are certain conceptions in their minds so far as the definition as also the purport of this particular clause is concerned They want to omit sub-clause (c) altogether Some hon friends have suggested that at least the words 'solely' or similar other expressions should be deleted from this clause

I may point out to them that the purpose of the definition of arms is of a limited nature I have already made it clear that the Arms Act does

[Shri Datar]

not deal generally with the arms, except the fire arms. Only in grave emergencies that comes in. Only then the operation of this Bill would take that into question. So, let this be understood clearly. Clause 4 points out that when there is any emergency or grave circumstances, naturally other arms also have to be duly regulated. It does not mean that a licence has to be taken by persons who desire to possess arms; it is not applicable for all arms and for all times. Normally all the other arms are exempted. In a particular emergency or when there are exceptional circumstances—only then—arms other than fire arms will be regulated. If this is fully noted by my hon. friends, all their objections will surely disappear. All arms are not necessarily to be the objects of licence except under grave circumstances.

Shri U. C. Patnaik: What about clause 27 and clause 29?

It reads:

"Whoever is in possession of arms and ammunitions "

Shri Braj Raj Singh: There is no exception to clause 20.

Shri Datar: Let the hon. Member read it. Shri Patnaik suggested that the various categories of arms should be specified and we agreed to that suggestion by amending clause 4 by stating that whenever any action has to be taken under clause (4), the particular weapons or arms in respect of which there is going to be a regulation about its use will be duly specified in the notification. Therefore, his purpose will be fully served by what we have accepted in clause (4).

Mr. Deputy-Speaker: Perhaps these doubts have not been dispelled. I would request the hon. Minister to just make it clear. The hon. Members have expressed their doubts whether clause 27 would be subject to the control of clause 4.

Shri Braj Raj Singh: Clause 20 also.

Mr. Deputy-Speaker: We may take any one. I am taking only one as it was referred by Shri Patnaik.

Shri Hem Raj (Kangra): Clause 5 also.

Mr. Deputy-Speaker: We are taking this only as an illustration. Now, clause 27 is there. Will this be subject to the control that is to be exercised under clause (4) when there is an emergency? Or is clause 27 independent?

Shri Datar: Clause 27 is independent of clause 4. I shall explain it, Sir. Clause 4 is the most important clause in this respect. So far as the other clauses, including clause 27, are concerned, I should read them to make the whole position clear.

"Whoever has in his possession any arms or ammunition with intention to use the same for any unlawful purpose "

A man is entitled to have arms normally. But if he is going to use it or his intention is to use it for unlawful purposes, it will constitute an offence. There is no dispute about it.

Mr. Deputy-Speaker: In that case this would also be covered.

Shri Datar: I am coming to that point. Ordinarily this definition comes into operation when clause (4) has to be used. It is also our desire that arms should not be used for any unlawful purpose. I have stated that there is no dispute about this... .. (Interruptions)

Shri Braj Raj Singh: There is section 323 of the IPC.

Shri Datar: Let the hon. Members wait. After I have finished, if there is any question, I am prepared to explain. I have also stated that it is not necessary to enumerate in the definition of the word 'arms' all the different categories of arms because

that comes into operation when action is taken by notification under clause (4). This definition itself has to be understood very clearly. Everything is not necessarily an arm and would not come even under clause (4) or the other clauses. For this purpose, I shall read it.

“arms’ means articles of any description designed or adapted as weapons for offence or defence.....”.

“Adapted” means that the instrument was in a particular condition and certain adjustments were made to use it as a weapon for offence or defence. Therefore, what is most important in this connection is not actually the use but the instrument must have been designed or adapted for the purpose of using it as a weapon of offence or defence.

Shri P. R. Patel: What about an axe?

Shri Datar: Take an axe, for example, used by the agriculturists. Take, for example, a stick or a sickle. These are not designed as weapons of offence or defence, though it is equally true that under certain circumstances they might be used. Even though they are capable of being used so, they are not to be considered as arms. I would make that point clear. I referred to a stick or sickle used by agriculturists. All these are not designed for the particular purpose of being used as an instrument of offence or defence. That is not the case, for example, with a sword. A sword is designed to be used as a weapon for offence or defence. In certain cases some instruments may be adapted to be used as weapons for offence or defence. That is why we have put in the words “designed or adapted”. (*Interruption*).

Mr. Deputy-Speaker: Order, order. We ought to first make ourselves clear. There ought not to be so much of impatience.

Shri Datar: I may point out, Sir, that in certain cases, in the case of a stick, for example, a stick can be so adjusted as to make it a weapon for offence or defence. I know that in certain parts of Maharashtra a particular stick has certain additions made to it; it is called *Gupti* in Marathi. In that case it is not merely a stick but it is a stick which has been so adjusted or adapted so as to make it capable of being used as a weapon for offence or defence.

Mr. Deputy-Speaker: It would not be a simple lathi then, it would be a different thing.

Shri Datar: That is the reason why the word “adapted” has been put in. Originally that stick was inoffensive, it was not meant to be used as a weapon for offence or defence, but certain changes were made in the structure and then it became by adaptation a weapon for offence or defence. I would, therefore, submit that this House should kindly take into account the words “designed or adapted”. “Adapted” means certain changes or certain adjustments made in the instrument. Therefore, as I said, what is most important is not the use of all these things.

Mr. Deputy-Speaker: The other question that has come up is whether these words “designed or adapted” also qualify “other deadly weapons”.

Shri Datar: It is said here “designed or adapted as weapons for offence or defence, and includes”. Naturally, when certain things have been included it means that they have been designed or adapted for offence or defence.

Mr. Deputy-Speaker: I only wanted to know whether this phrase “designed or adapted” also qualifies “other deadly weapons”.

Shri Datar: Naturally, Sir; it will have to. First it has been said “designed or adapted as weapons of offence or defence”. Then an inclu-

[Shri Datar]

sive definition has been given. That means they are also arms, fire-arms as also ordinary arms; there is no dispute about it.

Mr. Deputy-Speaker: My impression was that this would be independent and the expression "and includes" has been brought in simply to explain that these things are not outside the scope of the Bill and it cannot be said that they have not been designed or adapted as weapons for offence or defence.

Shri Datar: That is your interpretation, Sir, for which I am thankful to you. But I would suggest, alternatively, that even in the case of fire-arms, sharp-edged and other deadly weapons the point is that they are designed as weapons.

Mr. Deputy-Speaker: The gravest fear that has been expressed here by three or four hon. Members is about the lathi. What would happen to the ordinary lathi that is carried by a peasant? He requires it at every moment, every occasion, whenever he goes to his field. If the policeman feels that it is a deadly weapon and it can be used as a weapon for offence or defence, what would be the position of that poor peasant?

Shri Datar: The word "lathi" is not there.

Mr. Deputy-Speaker: Who would decide it is it the court or the police officer? Lathi has been particularly excluded by some of the States in their rules. We are now making a comprehensive law.

Shri Datar: Is it your suggestion that "lathi" should be excluded—lathi in its original form, not in the adjusted form?

Mr. Deputy-Speaker: I am not asking about the lathi which has been changed to make it a deadly weapon for offence. That would not be lathi; that may be *Gupti* or any other thing

but that would not be lathi. If something is concealed inside—*Gupti* means that some sharp weapon has been concealed or put over it—it would become a different weapon altogether, it would not be a lathi.

Shri Datar: That would come under the expression "adapted".

A Simple harmless instrument like lathi.

Shri R. D. Misra (Bulandshahr): It is not harmless.

Shri Datar: It is generally harmless.

Shri R. D. Misra: You can kill any man with it.

Shri Datar: What I was submitting to the House was that there are certain instruments that are used for domestic or agricultural purposes and if they are designed solely for domestic or agricultural uses they are excluded altogether.

Pandit Thakur Das Bhargava: May I ask, Sir, if lathi is not designed to be a weapon? Lathi is a weapon, whether it is designed so or not.

Shri Datar: Is it the desire of the House that the word "lathi" should be specifically mentioned?

Mr. Deputy-Speaker: It is not the desire of the House that the word "lathi" should be specifically mentioned, but hon. Members have a fear that even a lathi could be included in the phraseology that is being used. What would happen to the poor peasant then?

Shri Datar: For that purpose Sir, I would invite your attention to the fact that the word "designed" has been used twice. It is said: "designed solely for domestic or agricultural use". A lathi is used for domestic purposes only. The word "solely" is essential.

Shri Braj Raj Singh: As a matter of fact, you are forcing an interpretation of your own on this House

Shri Datar: I am not forcing any interpretation; I am only placing the natural interpretation

Mr. Deputy-Speaker: When the hon Minister is speaking he has to give his own interpretation. It is for the hon Members to say whether that interpretation can be accepted or not, but he has to give his interpretation, not my interpretation or any other hon Member's interpretation

Shri Datar: Therefore, Sir, I was pointing out that whatever mischief fear or evil was thought of has been purposely removed by the use of the word "designed" twice. It is used in connection with domestic or agricultural uses. I would repeat that a lathi or a sickle or any other instrument which is ordinarily used for domestic or agricultural uses

Mr. Deputy-Speaker: The word "solely" is only used in the later stage when something is to be excluded and not in the first instance

Shri Datar: I was explaining that very point. Take, for instance, a knife or a sword. So far as knife is concerned a knife has been designed solely for the purpose of domestic or agricultural use. A sword is not so used, though in certain cases, people say that warriors, with their warrior-like feeling, may also use a sword for domestic purposes for cutting, etc. That is the reason why "solely" has been used. The word "solely" has been purposely used. What is the sole object? Of course, incidentally, it may be used for other purposes also. I do not mind it, because I know cases where even lathis were used for murdering people, but that is not the object

Mr. Deputy-Speaker: I would go so far as to say that a larger number of murders are committed by lathis than by any other weapon

Shri Datar: I would agree

Mr. Deputy-Speaker: Where you exclude this and say "but does not include articles designed solely for domestic or agricultural use, and weapons incapable of being used otherwise than," etc it would not include a lathi. A lathi would not be excluded in that also, and further, there is a fear, and I think it is a genuine one in the minds of hon Members

Shri Datar: The word 'solely' has been used purposely. Take the word 'lathi'. A lathi is to be solely used for domestic purposes. There is no dispute about it. Incidentally it might be abused. Therefore, I wish to submit that if the word "solely" is removed it will lead to certain undesirable results

Then I would invite the attention of hon Members to the expression "designed". What is the design behind it? That has to be taken into account. Not merely it is used but possibly it is abused. Therefore if the word "designed" is fully taken into account then all the misgivings that hon Members have will have been completely removed. Therefore, I pointed out that the word "solely" has been purposely put in because in such cases a lathi cannot be designed except for agricultural and domestic purposes to be used for other purposes

Shri Mulchand Dube (Farrukhabad): The definition is

"arms' means articles of any description designed or adapted as weapons" etc

Shri Datar: So there is no question of accepting any amendment

Some Hon. Members rose—

Mr. Deputy-Speaker: Hon Members have spoken in their turn. It is the hon Minister's turn now. When it comes to the question of vote, hon Members may exercise their right

Shri Braj Raj Singh: Let us be allowed to have a clarification on this point.

Mr. Deputy-Speaker: Now, a lathi is not designed solely for domestic purposes.

Shri Datar: I would put it in another way. While accepting the purport of what you said, I would say that though the lathi is designed solely for domestic or agricultural purposes oftentimes it is abused for other purposes. Therefore, I should say that in a number of murders and other offences, these ordinary domestic instruments are abused. There is no doubt about it.

Mr. Deputy-Speaker: The hand is intended to serve but it is used to strike others also. But you cannot say that it is abused.

Shri Datar: If, for example, with the help of a lathi a man is killed—and persons are killed and murdered in a number of cases—then, naturally, it is an abuse of the lathi. The lathi is meant for domestic or agricultural use.

Mr. Deputy-Speaker: When one wants to commit a murder, should he lay aside the lathi because it is an abuse of the lathi and use it for some other purpose?

Shri Datar: That is the reason why we allow him to use it, but he should take the consequences.

Shri Tyagi (Dehra Dun): When there is a question of any offence or crime, he should not address the Chair like that. Then you take the consequences!

Mr. Deputy-Speaker: He was addressing, at that time, the hon. Shri Tyagi!

Shri Datar: So, in all such cases, without further repeating the same point, I may make it clear that the object or the design for which a

particular instrument has been prepared has to be taken into account. The word has been used twice, once in connection with the complete exemption, because they are for domestic or agricultural purposes, and again in connection with the ordinary preparation of ordinary weapons.

Here also, I may point out that my friend has suggested that the word "defence" should be omitted. I would point out to him that arms are used for offence and defence also. Even a thief or a robber may use them for defence. It might be for defence but still it would be an arm. Therefore, the definition of "arms" would be incomplete unless we say that an arm is a weapon both of offence and defence. Therefore, I would submit that it is not possible to accept either the complete abolition of sub-clause (c) or any other changes that hon. Members have suggested.

My friend Shri Patnaik's objection has been met by me by pointing out that we are going to specify the specific arms which are likely to be abused in any emergency and in any prescribed area. There, the particular arms, not the arms for domestic or agricultural use but only such other arms which come under the definition of sub-clause (c), will be specified and categorised when a notification is issued. That ought to meet his particular point.

Mr. Deputy-Speaker: What about the air-gun?

Shri Datar: So far as the air-gun is concerned, I have found that all the air-guns are not necessarily innocent or harmless things as was pointed out. There are some air-rifles which are not so harmless as was observed. They have a very long range and accuracy of aim and hence have to be controlled. We are prepared to give licences. Oftentimes, it was pointed out.

Mr. Deputy-Speaker: Is the hon. Minister aware of the present law

about the air-guns? It is exempt in all States except Delhi. When a Central law is made, there should be

Shri Datar: Let us have a uniform law.

Shri Sinhasan Singh: Only some States have prohibition in regard to it. Others have all exempted it.

Shri Datar: Only air-guns satisfying certain tests are exempted under the Indian Arms rules. We are now considering the improvement of these particular tests. Necessary provisions will be made in this respect under the rules. I am not accepting the general categorical statement that all air-guns are harmless under all conditions. To the extent they are harmless they would be exempted. To the extent they require some control, licences will have to be taken.

Reference was made to other forms of energy. New forms of energy are coming into force. Some of them are highly destructive also and therefore it would be advisable to have this general inclusive definition of other forms of energy. I am sorry I cannot accept the amendments.

Shri Braj Raj Singh: It will affect the whole fabric of the law.

Mr. Deputy-Speaker: We have sufficiently discussed it and it would not become more clear now.

Shri Braj Raj Singh: The hon. Minister has some misconceptions in his mind. I want to make them clear.

Mr. Deputy-Speaker: If he has to answer all those points, then he might utilise some other occasion.

Shri Braj Raj Singh: I do not want to go into the whole thing. He just mentioned about the definition of arms and pointed out only the first two sentences which say—

“arms’ means articles of any description designed or adapt-

ed as weapons for offence or defence, and includes fire-arms,”

But the definition goes on to say

“sharpedged and other deadly weapons, ” etc

My submission is, all these words are not qualified by either “designed” or “adapted”.

Mr. Deputy-Speaker: The Minister has pointed out the position and hold to his opinion. What further clarification does the hon. Member require? I pointed out to the Minister what hon. Members seem to think. The Minister has given his own reaction. What is to be done?

Pandit Thakur Das Bhargava: ‘Designed’ by whom? Is it by the seller or the user? This must be made clear.

Mr. Deputy-Speaker: By whomsoever has got the opportunity. Now.

Shri Khushwaqt Rai: About lathi. I want to put one question.

Mr. Deputy-Speaker: I shall have to put the amendments to the vote. The whole House is in possession of it and the House shall decide. No appeal is to be made to me. I am not going to decide myself.

Shri Sinhasan Singh: If the interpretation given by all those who have spoken and even by the Chair is not accepted by the Minister, the difficulty comes in at the time of voting. Is he going to give us free exercise of vote so that we may have the sense of the House?

Mr. Deputy-Speaker: Everybody is free to vote, I am not here to interfere with anybody's freedom to vote.

Shri Tyagi: In cases where the House is practically unanimous in the meaning of an amendment the change of words is simply considered to be

[Shri Tyagi]

consequential When the hon Minister agrees with the meaning of the amendment proposed, then the words do not matter (*Interruptions*).

Mr. Deputy-Speaker: What does the hon Member want me to do?

Shri Braj Raj Singh: We are all in your hands There is one interpretation put by the Home Minister and you have got another interpretation

Mr. Deputy-Speaker: When there are differences about interpretation, the House is the final master It might interpret as it likes

Shri Braj Raj Singh: About language, the House is not the master

Mr. Deputy-Speaker: It is left to the House. I cannot give a final decision Or, the courts will decide So far as phraseology is concerned, I cannot decide I have put my view to the Minister and to the House Now I have to put these amendments Any particular amendment to be put separately?

Shri U. C. Patnaik: No 14

Shri P. R. Patel: No 61

Pandit Thakur Das Bhargava: I want amendment Nos 78 to 82 to be put separately

Shri Sinhasan Singh: No 125

Mr. Deputy-Speaker Nos 125 and 78 are the same as No 14 I will now put amendment No 14 to the House

Shri Tyagi: Before we proceed with the voting, may I suggest that the hon. Minister might at least clarify the meaning with regard to the lathi and other things separately?

Pandit Thakur Das Bhargava: Otherwise, we are in a dilemma. We want deadly weapons to be included but not the lathi. I would request the

hon Minister to exclude the lathi at least

Shri Datar: Out of consideration for the opinion of a number of hon. Members

Shri Braj Raj Singh: Why number? "All"

Shri Datar: I am moving an amendment like this:

"After the words 'solely for domestic and agricultural uses' the following shall be inserted, namely:

'Such as an ordinary walking stick or a lathi'"

Shri U. C. Patnaik: Even a knife

Some Hon Members: No

Shri Thirumala Rao (Kakinada): The difficulty will be in defining "an ordinary walking stick" It is hardly 3' in length, but in villages they are accustomed to using a longer stick

Shri Tyagi: In that case, the walking stick which the Home Minister uses is not ordinary

Shri Datar: It is ordinary to him

Mr. Deputy-Speaker: There is a difficulty If 'lathi' comes after 'an ordinary walking stick', the size of the lathi is also reduced

Shri Datar: When the word 'lathi' has been specifically mentioned, it means it is different from a mere walking stick

The Minister of Law (Shri A. K. Sen): The words 'an ordinary walking stick' are followed by the word 'or'.

Shri Datar: I am making a slight change I will say, "such as a lathi or an ordinary walking stick".

Pandit Thakur Das Bhargava: The previous words are.

"articles of any description designed or adapted as weapons for offence or defence"

I submit lathi will come there, lathi is used in most cases for offence, defence and murder also. Lathi will come under this description. Lathi is not solely for domestic use.

Shri Tyagi: To beat your wife!

Pandit Thakur Das Bhargava: When he is giving us a concession, let it be clear.

Mr. Deputy-Speaker: My view is this. When certain things are being exempted and one or two things are particularly mentioned, though they may not be covered by the strict definition of the exemptions, because they are specially mentioned, they are exempted.

Pandit Thakur Das Bhargava: The interpretation is dubious. Why not say clearly that lathi is exempted?

Shri Tyagi: How can lathi be put to domestic use?

Mr. Deputy Speaker: The hon Member himself just now indicated a domestic use!

Shri U. C. Patnaik. By this new change it makes the position worse. Because, hitherto lathi was not mentioned either way for purposes of clauses 20 and 27. We were afraid that lathi, knife or whatever pleases the policeman will be brought in there. So, we wanted an assurance as to the items that you would like to bring under sub-clause (c). Instead of telling us and telling the country what are the items that Government would like to bring under sub-clause (c), the Minister says that lathi and walking stick will not come under sub-clause (c). That makes the position worse for others. What about pen knife and razor blades? Suppose you are travelling in a train and

Mr. Deputy-Speaker: Now the Minister has considered it. He wanted to examine it because there were many apprehensions and doubts. I also drew his attention to the fact that there was such a feeling on all sides of the House that at least lathi should not be there and it should not be left to the policemen to decide. Therefore, in deference to the wishes of the hon Members, he has done it and perhaps by these words the lathi is excluded and there would be no harassment, so far as that is concerned. So far as other arms are concerned, he does not feel the necessity to change the definition. So, on this point of the amendment of Shri Patnaik, the Home Minister has exempted lathi from the provisions of sub-clause (c). Now I will put the amendment of Shri Patnaik to the vote.

Shri Sinhasan Singh: In view of the amendment proposed by the Home Minister, let that amendment be first put to the House and then the amendment of Shri Patnaik. That would be the proper thing.

Mr. Deputy-Speaker: All right. Let that be moved.

Shri Datar: I beg to move.

Page 2, line 19,—

After "domestic or agricultural uses" insert "such as a lathi or an ordinary walking stick"

An Hon. Member: No 'ordinary' (Interruptions)

Mr. Deputy-Speaker: Order, order. Is there any particular advantage in deleting "ordinary"?

The Minister of Finance (Shri Morarji Desai): Walking sticks are of various kinds, they are not ordinary sticks, guppts for instance.

Shri U. C. Patnaik: I would submit for your consideration that I had moved amendment No 14 and that is

[Shri U C Patnaik]

for the deletion of sub-clause (c). Now the Minister has brought in a counter proposal, making it impossible to vote against him, because we cannot say that lathi is to be included, and this is an amendment of which he has not given notice before. He has now come up with an amendment to counteract the real amendment that is in the minds of everybody. We are all afraid that under clauses 20 and 27 the policemen will harass everybody and in spite of that, he has brought in an amendment to exclude lathi from the purview of sub-clause (c), and he has added something which is even worse—an ordinary walking stick is excluded from the purview of sub-clause (c). That is a deliberate attempt to side-track our decision.

Mr. Deputy-Speaker: I have followed him, and the House has also followed him.

Shri U. C. Patnaik: I would submit that amendment No 14 should be put first and then, if necessary, the amendment by the hon Minister.

Pandit Thakur Das Bhargava: Let me make a submission that will reconcile both viewpoints. Exception was taken in regard to clauses 20 and 27 because the words "arms or ammunition" are used there and so the definition of "arms" will affect those clauses. In fact, the hon Minister has said that only such arms as come under clause (c), and not others, are referred to in those clauses. So, we can say in clauses 20 and 27 "subject to the provisions of sub-clause (c) of clause 2". Then what the hon Minister said will be purposive. We are grateful to the hon Minister for moving this amendment. I think there will be very few persons who will not vote for this amendment. Therefore, the rest of sub-clause (c) will go away. I was the first man who moved for the deletion of sub-clause (c). At the same time, I realise that the Government must arm itself with powers in this matter.

Mr. Deputy-Speaker: That is all right. I will . . .

Pandit Thakur Das Bhargava: Now we have excluded lathis. We can now say in those sections "arms within the meaning of sub-clause (c) of clause 2", so that both viewpoints may be reconciled, and I am sure the whole House will accept it.

Shri Braj Raj Singh: Let us have the reaction of the Minister.

Shri Datar: That is a different matter.

Mr. Deputy-Speaker: The question is

Page 2, line 19,—

After "domestic or agricultural uses" insert "such as a lathi or an ordinary walking stick" (134)

The motion was adopted.

Mr. Deputy-Speaker: I cannot help Shri Patnaik if the Home Minister has deliberately brought an amendment at the last moment which takes the wind out of the sail of the amendment of Shri Patnaik.

The question is

Page 2,—

omit lines 15 to 21 (14)

The motion was negatived.

Mr. Deputy-Speaker: I shall now put all the other amendments to vote.

The amendments Nos 61 to 64, 1, 15, 16, 79, 80 and 82 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 2, as amended, stand part of the Bill".

The motion was adopted

Clause 2, as amended, was added to the Bill.

Clause 3—(Licence for acquisition and possession of fire-arms and ammunition)

Shri P. R. Patel:

I beg to move.

Page 3,—

after line 38, add—

“Provided further that nothing contained in this section shall apply to an MP or ex-MP or M L A or M L C. or president of a local authority except that he shall inform the licensing authority of his possession of any fire-arm or ammunition” (65)

Mr. Deputy-Speaker: He should be very brief

Shri P. R. Patel: The purpose of this amendment is very simple. On 28th April 1950, after independence, the Government made some amendments in the rules under the Arms Act and the exemption granted to Members of the Legislative Assembly to hold arms was taken away. When the Britishers were ruling and the country was not free, the foreign Government was good enough to give exemption, at least to the Members of the Central Legislative Assembly and the local assemblies, and the exemption was given under the rules. But this rule was amended on 28th April 1950 and whatever exemption was given by the Britishers was taken away by this Government. I would submit that Britishers were wise enough to give exemption under the Arms Act at least to the Members of the Legislative Assembly. Now that exemption has been taken away. So, with this amendment, we want to give that exemption to the Members of this House, Members of the Assembly and the presidents of the local bodies.

May I ask the hon Minister whether in this country at least the presidents of the local bodies, members of the local legislatures and hon Members of this august House are persons who should be trusted or not to keep arms with them? If these people cannot be trusted then I think the Government has a disease of distrust. I think no harm will be done by accepting this amendment.

Shri Sinhasan Singh: Sir, I beg to move

Page 3, line 31,—

after “person” insert—
“excepting those under exemption” (126)

As Shri Patel has said and I agree with his arguments, under the previous Act there were certain exemptions. This Bill, as it is, does not seek any exemption of any kind. My submission will be that there should be some exemption. For example under this Act the Rashtrapati is not exempted to hold arms and the Rashtrapati has to apply to the District Magistrate for having an arm. A minister is not exempted. The Prime Minister is not exempted. The hon Speaker or the hon Deputy-Speaker is not exempted. Nobody is exempted. After all there must be somebody who is thought by the Government to be above suspicion and they should be allowed to have arms without a licence if they so choose. But under this Act there is nobody who is exempted. Even the British Government exempted certain persons to have firearms without licence.

Mr. Deputy-Speaker: If they have a list of persons who are above suspicion, it impliedly means that there are others who are under suspicion.

Shri Sinhasan Singh: Under the last Act they had a certain exempted list. Those persons were exempted. What they had to do was that they had to intimate to the District Magistrate or the authority concerned that

[Shri Sinhasan Singh]

they were having an arm, or a pistol so that they may be recorded. They were not required to go to the magistrate to put in an application on a definite form and then seek his permission or sanction to have the arm

Shri Tyagi. What happened in case they did not inform the District Magistrate?

Shri Sinhasan Singh: They must inform under the rule. Everybody who was exempted under the last Act had to inform. A register had to be kept and information was there with the Police or with the District Magistrate that so-and-so is holding so many arms without licence. The only thing was that he was not to apply for a licence.

So, my submission is that Government should have some exemption. If we say that everybody is equal before law, it is only in word. It is not applicable in practice. We must be practical men and put the thing as practical. After all, law is not law only to say something which is not practised. So my submission is that the hon. Minister should consider it and put those exemptions. Some provision or rule may be made. Some category may be made. Some people may be exempted.

Shri D. C. Sharma: Sir, I rise to oppose this amendment. I oppose this amendment because I think that our purpose is to abolish as many privileges as we can. Here, on the floor of this House, since we are in a position to pass this Bill, we want to have these for ourselves. I do not think it is very equitable. At the same time, we the elected representatives of the people should see to it that there is equality between our voters and ourselves. We should not have anything which our voters do not enjoy. I do not see any reason why we could not ask for wholesale exemption. But we ask for exemption for ourselves.

Secondly, Shri Patel says that MPs and ex-MPs should be exempted. Now, ex-MPs are not of a peculiar nature. Why MLAs and MLCs only should be exempted? Why should not ex-MLAs and ex-MLCs be exempted? Then, presidents of municipalities are sought to be exempted. Why not members of municipalities be also exempted? Then, why should not ex-members of municipalities should be exempted? Why not ex-President of municipalities should be exempted? So, I would submit very respectfully that this amendment is very discriminatory in its nature and goes against the principles of democracy which we represent in this House. It will create a kind of barrier between us and the persons who elect us to the Assembly or to the Parliament. I think this kind of a barrier should not be legalised in this way.

Shri Radha Raman: I have an amendment, No 118.

Mr. Deputy-Speaker: But that was not moved when I asked. It is not to this clause. We are discussing clause 3.

Shri Radha Raman: I am sorry.

Shri Datar. My hon. friend, Shri D. C. Sharma, has already pointed out the reasons as to why we should not accept any discrimination specially in our own favour. In this connection, may I point out that during the British regime they had a long list of exemptions for purposes which need not be discussed at present, but immediately after independence when the Government took over they removed all those exemptions. It would not be proper or dignified for us to take all these exemptions for ourselves.

My hon. friend wants the list to include also ex-MPs and ex-MLAs and ex-MLCs. That would not be proper. May I point out that in proper cases the Members of Parliament or the State legislatures will be getting it whenever they come under the

other provisions of this rule. Therefore it would not be proper to have such an exemption.

Then, I may point out to Shri Sunhasan Singh that his amendment is not necessary at all. Those who are exempted under this Act will naturally not be covered by the other provisions. Therefore I would submit that his amendment is not necessary.

Mr. Deputy-Speaker: I will put both these amendments together to the vote of the House.

The amendments Nos. 65 and 126 were put and negatived

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted

Clause 3 was added to the Bill.

Clause 4— (Licence for acquisition and possession of arms of specified description in certain cases).

Shri Radha Raman: I want to move amendment No 118. I just want . . .

Mr. Deputy-Speaker: That is to clause 5. He should wait a little more.

Pandit Thakur Das Bhargava: Sir, I beg to move:

Page 4, line 4,—

after "regulated" insert "for any temporary period". (83)

Page 4, line 8,—

after "notification" insert "for such temporary period". (84)

Shri U. C. Patnaik: Sir, I beg to move:

Page 4, line 3.—

omit "acquisition, possession or" (18)

Page 4, line 7.—

omit "acquire, have in his possession or" (19)

Mr. Deputy-Speaker: Is there any other amendment? None. All these amendments are now before the House.

पंडित ठाकुर दास भार्गव जगज्वाल वाला इस बिल के अन्दर यह क्लॉज बड़ा इम्पॉर्टेंट है। जब आर्म्स बिल मिनिस्टर साहब ने अपनी स्पीच की तो उन्होंने इस क्लॉज के लिए बड़ा क्रेडिट लिया और दुस्त क्रेडिट लिया। उन्होंने कहा कि प्रक्टिकली यह तो फायर आर्म्स बिल है, मिर्क इसका नाम आर्म्स बिल है क्योंकि दरअसल इसके प्राविजन्स फायर आर्म्स के मुदान्तिक है भिदा एक एक्सेप्शन के जिम को बहुत भारे मेम्बरान पसन्द नहीं करते थे। लेकिन इसके लिए मिनिस्टर साहब ने जो दलील हमारे सामने पेश की वह बहुत माकूल है। एसा हो सकता है कि किसी वकन यह चीज पब्लिक सेफ्टी और पब्लिक पीस के लिए खतरा बन जाए। चुनाचे इन दलील को हाउस ने एक्सेप्ट कर लिया और यह तमनीम कर लिया कि आर्म्स बिल मिनिस्टर की यह बात दुस्त है। लेकिन मैं अदब में अर्ज करना चाहता हूँ कि इन बात को मानने हुये भी यह रेस्ट्रिक्शन रखना दुस्त नहीं है जो कि आपने इन टफा के जगि रखे है। आर्म्स बिल मिनिस्टर साहब ने कई मतबा अपनी तर्कार में फरमाया है कि जब बड़ी भारी प्रेस एमर्जेन्सी होगी या एक्सेप्शनल सरकम्सटेंस होंगे तभी इस टफा के प्राविजन्स को इन्फोमल किया जाएगा। लेकिन इनके अन्फाज तो मुनाहिजा फरमाइये। इसमें प्रेस इमरजन्सी और एक्सेप्शनल सरकम्सटाम का जिन नहीं आया है। इसमें लिखा है

[प० ठाकुरदास भार्गव]

"having regard to the circumstances prevailing in any area, it is necessary or expedient in the public interest".

मुझे यह बहस करने की जरूरत नहीं कि कितना एम्बूज इन अल्फाज—पब्लिक इंटरेस्ट—का होता है उतना और अल्फाज का नहीं होता। अगर कोई चीज बतलानी हो तो पब्लिक इंटरेस्ट कह दिया जाता है और अगर न बतलाना हो तो पब्लिक इंटरेस्ट कह दिया जाता है। इसमें ग्रेव इमरजेंसी और एक्सेप्शनल सर्कमस्टांस नहीं दिया गया है। मैं समझता हूँ कि जब आन्टिबिल मिनिस्टर साहब इस बात को मानते हैं कि इमरजेंसी में या एक्सेप्शनल सर्कमस्टांस में इन प्रावीजन्स को इस्तेमाल किया जायेगा तो वह इन अल्फाज को विसी न किमी तरह इसमें दाखिल कर देंगे।

15 hrs

अगर इस दफा के मुताबिक किमी एरिया में नोटिफिकेशन जारी कर दिया जाता है तो वह उम एरिया में फार आल टाइम जारी रहेगा। इसमें कोई ऐसा प्राविजन नहीं है कि जब वह इमरजेंसी खत्म हो जायेगी तो वह नोटिफिकेशन भी खत्म हो जायेगा यानी जब नार्मल कंडीशन्स आजायेगी तो वह नोटिफिकेशन खत्म हो जायेगा जैसा कि आज भी आन्टिबिल मिनिस्टर साहब मानते हैं। उनकी यह राय है और हाउस की भी यह राय है कि ग्रेव इमरजेंसी या एक्सेप्शनल सर्कमस्टांस के सिवा इस तरह का नोटिफिकेशन जारी नहीं किया जाना चाहिए और इस तरह के रेस्ट्रिक्शन नहीं लगाना चाहिए। जो मिनिस्टर साहब का मंशा है वह साफ होना चाहिए कि इस तरह का नोटिफिकेशन टेम्पोरेरी पीरियड के लिए ही जारी किया जा सकता है और जब तक इमरजेंसी लास्ट करनी है उसी वक्त तक वह समाप्त रहेगा। उससे एक दिन भी

ज्यादा इसको जारी रखना जायज नहीं होगा। इस चीज को साफ न करने से जो गवर्नमेंट का मंशा है वह भी साफ नहीं होता और हाउस का मंशा भी पूरा नहीं होता। इसलिए मैं शर्त से शर्त करना चाहता हूँ कि इसमें दो बातें बढ़ानी चाहिए। यानी एक तो यह कि इस तरह का नोटिफिकेशन इमरजेंसी के टेम्पोरेरी पीरियड के लिए ही हो और इमरजेंसी खत्म होने के साथ यह नोटिफिकेशन भी खत्म हो जाये। जब तक आप यह दो बातें नहीं रखेंगे तब तक मुझे डर है कि इसका असर यह होगा कि अगर एक दफा सारे हिन्दुस्तान के लिए या किमी प्राविंस के लिए इस तरह का नोटिफिकेशन जारी कर दिया गया तो वह हमेशा के लिए हो जायेगा। और पब्लिक का आर्म्स रखने का राइट हमेशा के लिए खत्म हो जायेगा इसलिए यह बात माफ होनी चाहिए।

अभी हमने दफा ३ पास किया है जो कि बहुत इम्पोर्टेंट है। उसमें दिया हुआ है

"No person shall acquire, have in his possession, or carry any firearm or ammunition unless he holds"

इसका मतलब क्या है? आप मुलाहिजा फरमाएँ कि यह दफा ३ हिन्दुस्तान के हर आदमी को अस्तिधार देता है कि वह सिवा फायर आर्म्स के और आर्म्स रख सकता है जो कि दफा ३ में नहीं आए हैं। लेकिन दफा ४ में यह चीज साफ नहीं की गई है। इसका असर यह होगा कि जो आर्म्स दफा ३ में ब दफा २० और २७ में दिए हुए हैं वह भी इस दफा में आ जाते हैं। इस लिए इसमें यह साफ हो जाना चाहिए कि इन दफा में दिये गये आर्म्स को वह सेक्शन एप्लाई नहीं करेगा।

श्री हेमराज . दफा ५ में जो यह दिया गया है कि

"Shall manufacture, sell, arms and ammunition....."

यह चीज भी साफ हो जानी चाहिए कि आर्म्स किसको कहा जायेगा ।

पंडित ठाकुर दास भागंब : मैं दफा ५ के बारे में बोल रहा हूँ । आप दफा ५ के बारे में यह कह सकते हैं । तो मैं यह अर्थ कर रहा था कि आनरेबिल मिनिस्टर साहब का मसौदा यह नहीं कि हर तरह के आर्म्स पर पाबन्दी लगाई जाये । मैं यह मानने को तैयार हूँ कि वह हिन्दुस्तानिया के हकूक को बढ़ाना चाहते हैं । और जबग्दस्त लिबरलाइजेशन करना चाहते हैं । लेकिन मैं अर्थ करना चाहता हूँ कि इस दफा का अर्थ यह होगा कि जो हकूक आप एक हाथ से देगे वो दूसरे हाथ से ले लेंगे जोकि आपका मसौदा नहीं है । इस सिलमिले में मुझे एक मिमाल याद आनी है । ऊट के गले में बिल्ली की, यानी ऊट तो दो पैरों का है लेकिन उसके गले में जो मरी हुई बिल्ली है वह २०० रुपये की है । मैं यह कहना चाहता हूँ कि दफा २७ में कहा गया है कि अगर आर्म्स अनलाफुल परपज के लिए रखे जाये तो जुर्म है । मैं पूछना चाहता हूँ कि मैं यहाँ बैठा हूँ अगर मेरे घर पर आर्म्स है । तो यह कैसे कहा जा सकता है कि वह लाफुल परपज के लिए है या अनलाफुल परपज के लिए है या मैं अगर उनकी अपने साथ ले जा रहा हूँ तो वह लाफुल परपज के लिए है या नहीं यह कैसे समझा जा सकता है ? इसका मतलब यह होगा कि आप पुलिस के अफमरी को शोगो की लिबरटी के खिलाफ एक बड़ा अक्सियार दे देंगे जिसमे हमारी सारी लिबरटी खत्म हो जाएगी ।

१. इस तरह हमारी सारी की सारी लिबरटी खत्म हो जाती है । एक तरफ सरकार

हम को अक्सियार देनी है कि तुम हथियार रखो, सिवाये फायर आर्म्स के और दूसरी तरफ वह कहती है कि जिन की तुम को रखने की इजाजत है, अगर तुम उन को ले जाओगे, तो पुलिस वाला यह कह कर कि यह अनलाफुल परपज के लिए है, वही गिरफ्तार कर लेगा और मुकदमा चला, दिया जायेगा । और सिर्फ पुलिसमैन ही नहीं कोई भी पब्लिक सर्वेंट यह कह सकता है । रेलवे में भी ऐसा ही होना सकता है । जो आनरेबिल मिनिस्टर साहब ने दिया है, उसका सर्वनमेंट ने जो कंटिट लिया है वह दुर्गम लिया है लेकिन वह इस को भाकूल कर ले, ब्रस्ट कर ले, त कि कोई यह न कह सके कि सर्वनमेंट ने हमारे मथ कोई चार सौ बीस किया है—इस हाथ में दिया है और उस हाथ में ले लिया है, बल्कि ज्यादा ले लिया है और हमारे हकूक खत्म कर दिये हैं । अगर मिनिस्टर साहब चाहें, तो दफा ५ में एड कर दें ।

श्री वी० बं० शर्मा श्री आननीय सदस्य ने कहा है कि सर्वनमेंट ने चार सौ बीस किया है । इसका क्या मतलब है ?

पंडित ठाकुर दास भागंब : मैं इसको डिफाइन तो कर देता, लेकिन मेरे साथक दोस्त मुझ से ज्यादा जानते हैं कि चार सौ बीस क्या है । मैं ने यह नहीं कहा कि सर्वनमेंट ने चार सौ बीस किया है । मैं कहता हूँ कि लोग ऐसा कह सकेंगे कि सर्वनमेंट ने चार सौ बीस किया है । आनरेबिल मिनिस्टर साहब ने जो यह कहा है कि उन्होंने हमारे राइट्स बढ़ाये हैं, उस पर यकीन करता हूँ । फिलवाके सारे हिन्दुस्तान के राइट्स बढ़ाये गये हैं । मैं उस का डाउट नहीं करता हूँ । लेकिन एक हाथ से देना और दूसरे हाथ से लेना ठीक नहीं है । मेरी गुजारिश है कि इस बारे में सोच कर दफा ५ में इस चीज को बढ़ाया जाये कि आर्म्स से वही मुराद है कि

[पं० ठाकुर दास भार्गव]

जिन के लिए लाइसेंस लेना जरूरी हो, यह उनके भुतात्त्विक है हीं, दूसरो के भुतात्त्विक नहीं ।

Shri U. C. Patnaik: Mr Deputy-Speaker, this is another very retrograde step in the present Arms Bill. Here, the Government wants to say that whenever the local authorities feel the necessity of declaring a certain area as a disturbed area, they can prohibit certain types of instruments or articles in that area from being acquired, possessed or carried. Of course, as regards carrying, there is some sense in it, because Government do not want people to carry weapons which they consider to be dangerous. As regards other arms which a person either acquires or has in his possession as soon as there is the official Gazette notification, he must get a licence for it. You will please appreciate how difficult it will be for them. Even now, after so much of discussion, the hon. Minister was pleased not to say that a knife has to be excluded from the arms. Every house has got a vegetable cutting knife, has got knives for cutting mutton and other things. Even that knife will now come under that notification. The difficulty is, unless the owner gets a licence, he is liable to be punished. What is the sentence? Three years imprisonment for possession, acquisition or carrying. The same punishment that is meant for possession of prohibited weapons, machine guns etc. or a dacoit's weapon is prescribed also for possessing a small knife, if once the local authorities deem it fit to include it in that list. My submission is this. The Government can prohibit the carrying of all kinds of arms. But, if arms which were not declared as arms till now, which are in the possession of households and agriculturist families throughout a particular area, are suddenly declared as arms for that prohibited area, no one can ever possess or acquire them. Of course, I

have no objection to any law regulating the going out with these arms. That is with a view to prevent somebody coming into clash or using that in an affray. To say that a man should not possess even a knife in his house—a vegetable cutting knife—if it comes in that list, is not only to make the whole country defenceless, but helpless. My submission is that we should also take practical difficulties into consideration, because if you declare a knife as an objectionable weapon here in Delhi, everybody will have to rush to the magistrate or whosoever it may be for getting a licence, and you know the difficulty of getting a licence. That point had taken up so much time of the Select Committee. To say that thousands and thousands of people, on the declaration of an emergency should rush to the licensing authorities for licences for knives and other things, that they have in their possession is really highly undesirable and a retrograde a step.

I appeal to the Minister to reconsider this clause and to delete acquisition and possession, he may, if he likes, retain going out with any of these instruments.

Pandit Thakur Das Bharagava: In clause 27 the only question is of possession. There is no question of the carrying of arms.

Shri U. C. Patnaik: Yes, that is why it makes it all the more serious. Of course, he says possession for ulterior purposes. Anyway, we are not on clause 27 now. We are now on clause 4, and I would appeal to the Minister to agree to delete the possession part of it. Let people have knives or any other weapons in their houses.

Shri Datar: Two points have been raised by hon. Members.

My hon. friend Pandit Thakur Das Bhargava has suggested not a time limit but an expression which is perfectly vague. What he wants is that the expression "for a temporary period" should be used. Now, the word "temporary" itself is extremely vague. It may mean anything. Therefore, I would like to assure my hon. friend that there is no desire on the part of Government to keep the powers of regulation under clause 4 for all time to come, but only so long as the emergency is there, and the question of emergency has been referred to very clearly, though in what may be called very tactful language—"having regard to the circumstances prevailing in any area" The circumstances would not be normal circumstances, the circumstances are bound to be abnormal or bound to be grave, because recourse is going to be had to the regulation of arms. Therefore, I submit to my hon. friend that the Government have power under the General Clauses Act to withdraw any action that they take under clause 4. There is no difficulty of taking it back, but there might be certain areas, the hon. Member will kindly understand, where it may be necessary to keep the use of clause 4 for a longer period. It may not necessarily be a temporary period. There might be certain plague spots where some more time would be necessary than implied by the expression "temporary period". Therefore, I assure the hon. Member that there is no desire to keep the use of clause 4 for all time to come, and the moment it is found that things are returning to normal, naturally the powers would be withdrawn under the General Clauses Act.

Then, my hon. friend Shri Patnaik stated that possession should not be controlled, but may I point out that possession or storing might be more dangerous than even actual use. In such cases what happens is that arms and ammunitions are stored in a

particular house and then they are freely, though illegitimately, used in the locality. Therefore, the act of possession, the act of storing, is equally dangerous, perhaps more dangerous. Let him take that circumstance into account. Therefore it is that only under exceptional circumstances, when it is found that the possession itself is not of an ordinary type, not of a legitimate type, that it is likely to lead to dangerous consequences, that action will be taken. That is the reason why all these things have to be taken together.

Pandit Thakur Das Bhargava: Possession for unlawful purposes—it does not speak of stockpiling or storing or anything of that sort. These words may be used against an individual for a single weapon also. The difficulty is there I quite agree stockpiling is very objectionable, but at the same time even keeping a single weapon by a single individual would come under this.

Mr. Deputy-Speaker: Nowadays stockpiling can only be of nuclear weapons.

Shri U. C. Patnaik: In our country stockpiling applies even to knives. Our Government does not trust the people.

Mr. Deputy-Speaker: I shall now put the amendments to the vote of the House.

The amendments Nos 83, 84, 18 and 19 were put and negatived.

Mr. Deputy-Speaker: The question is.

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Mr. Deputy-Speaker: We had fixed the time up to 3 o'clock. Can I put all the clauses now together?

Shri Braj Raj Singh: We shall have to go up to 5 o'clock.

An Hon. Member: It may be extended.

Mr. Deputy-Speaker: At that time the House thought it would be able to finish by 3 o'clock.

Shri Braj Raj Singh: May I say the hon. Minister was unnecessarily taking time?

Mr. Deputy-Speaker: He has the same complaint against the hon. Members.

Pandit Thakur Das Bhargava: In view of the fact that the hon. Minister has put in an amendment which is acceptable to the House, the time has been utilised well, and therefore it should be extended.

Mr. Deputy-Speaker: At least we should be conscious of the fact that it has been extended twice, and now we should go at a speedier pace.

Shri Warior (Trichur): At least the clause pertaining to appeal against the refusal of a licence is very important, as important as the definition of arms.

Mr. Deputy-Speaker: If the House feels that the other clauses can be put together and this clause alone may be put separately, then I am prepared.

An Hon. Member: All separately.

Mr. Deputy-Speaker: I will go on now unless I am stopped by an hon. Member.

Shri Hem Raj rose—

Mr. Deputy-Speaker: From unexpected quarters!

श्री हेमराज: उपाध्यक्ष महोदय, सभी प्रार्थना की डेफ़ीनीशन पर इतनी बहस हुई है। उसमें ये लफ्ज़ इस्तेमाल किए गए हैं—डिजाइन्ड और ऐडेप्टिड। बनाने वाला तो कोई मिस्त्री होगा। सैकशन ५ में ये लफ्ज़ है

"No person shall—

(a) manufacture, sell, transfer, convert, repair, test or prove, or

(b) expose or offer for sale or transfer or have in his possession for sale, transfer, conversion, repair, test or proof,

any firearm or any other arms of such class or description as may be, prescribed or any ammunition, "

मे इस बारे में वर्नेफ़िकेशन चाहता हूँ। मैं यह जानना चाहता हूँ कि अगर एक मिस्त्री एक चाकू बनाता है या और कोई चीज़ बनाता है तो क्या उसके लिए लाइसेन्स की जरूरत होगी। अगर वह कोई ट्यूबा बनाता है या गैरी लाठी बनाता है, जिसके साथ लाठे लगा हुआ है, तो जहाँ सैकशन ४ के नीचे एम्प्रेनेसी प्राविजन नहीं है, क्या उस के लिए लाइसेन्स लेने की जरूरत पड़ेगी या नहीं?

श्री राधा रमण: उपाध्यक्ष महोदय, मे मंत्री महोदय का ध्यान पनाइ ५ में रिपेयर और टेस्ट के बारे में जो एडिशन किया है, उस की तरफ़ दिलाना चाहता हूँ। हमारे मुल्क में ऐसे बहुत से लाइसेन्स-होल्डर होंगे, जो कोई हथियार अपने साथ रखने होंगे। मान लीजिए कि राइफल है या और कोई हथियार। अगर वह खुद रिपेयर करे, या टेस्ट पर रखे, तो क्या उसके लिए कौनों अलग लाइसेन्स की जरूरत होगी? मैं समझता हूँ कि उस सूत्र में इन क्लॉज के बाइन्डिंग कमीयर नहीं हैं। हमें इस बात से एव्योर्ड होना है कि जो

बहुत से राष्ट्रिय क्लब हैं, राष्ट्रिय होल्डर्स हैं, अगर वे अपनी राष्ट्रिय को सुधारे या उसे टैस्ट पर रखें, तो उस के लिए सैपरेट लाइसेन्स की जरूरत इस कानून के मुताबिक पड़ेगी या नहीं। अगर वह पड़ेगी, तो वह हार्डशिप है और उस को हटा देना चाहिए। मेरा इतना सा संशोधन है और वह पोजीशन को साफ़ कर देता है। वह इस प्रकार है कि लाइन ३३ के बाद यह proviso रख दिया जाये—

"Provided further that an individual holding a valid firearms licence shall not be required to have a separate licence for repairing or testing the weapon."

मेरी राय में इस क्लब के मातहत, अगर यह ऐसा ही पाम किया गया तो एक लाइसेन्स-होल्डर अपने फायर-आर्म को रिपेयर करे या टैस्ट पर रखे, तो उस को इजाजत नहीं होगी। उस को सैपरेट लाइसेन्स की जरूरत पड़ेगी, जो कि मैं समझता हूँ, गैर-मुनासिब और गैरवाजिब है। इस लिए मेरी दरखास्त है कि या तो इस को क्लीयर किया जाये, या मेरी प्रॉपोजेक्शन को मंजूर किया जाये।

Shri Datar: May I point out that here the word 'repair' has been purposely put in? 'Repair' means repair in respect of substantial matters. If, for example, a nut has to be put in or something of that kind, that would be a matter of minor detail. But there might be repairs which it might be open to him to do, but subject to certain risks; it is not very proper and it is not advisable to go on repairing even such instruments oneself. That is the reason why the word 'repair' has been purposely put in. Whenever substantial repairs are required, then, naturally, he ought to take a licence for repair, or even for test itself.

Mr. Deputy-Speaker: Need I put in any of the amendments to the vote of the House? I take it that they are not pressed.

249 (A1) LSD—7.

The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 to 8, were added to the Bill.

Clause 9.— Prohibition of acquisition or possession by, or of sale or transfer to young persons and certain other persons of firearms etc.

Pandit Thakur Das Bhargava: I beg to move:

Page 5 and 6,—

omit lines 27 to 38 and 1 to 11 respectively (85).

Mr. Deputy-Speaker: The amendment is now before the House.

पंडित ठाकुर दास भार्गव: इस क्लब के मुताबिक, जो गल्ल १६ वर्ष से कम उम्र का हो या जिम को छ महीने में ज्यादा सजा किसी ऐसे आफ्रॉन्स के लिए हो गई हो, जो कि मारेल टर्पीब्यूड या वायलेस की इन्वाल्ड करता हो, और जिम से दफा १०७, १०८, १०९ और ११० के मातहत बाइ एम्प्लीक्यूट कराया गया हो, उनके बारे में करार दिया गया है कि वे लायसेंस देने के काबिल नहीं हैं और साथ ही जो अनमाउड माइड का हो, ऐसे लोगों को यह चीज बेची नहीं जा सकती और न दी जा सकती है। इस मिलसिले में मुझे इतना भ्रम करना है कि जहां तक सौलह वर्ष के बच्चे का मवाल है, बेहतर होता कि इस उम्र को कुछ कम कर दिया जाना, क्योंकि बच्चे शुरू में, अवयव उम्र में अच्छे मार्कमेंट बन जाते हैं, इस लिए वे प्रैक्टिस कर सके और इन्तेमाल कर सके। यह मा-बाप का फर्ज है कि उन के पास जो भी हथियार हो, उन का वे अच्छा यूज कर सके। बुनाचे आनरेबल मिनिस्टर पाहब ने इस बारे में उन को थोड़ी सी रियायत भी दी है, जो कि दफा २ में आती है। पीनल

[पंडित ठाकुर दास भार्गव]

कोड के मुताबिक १४ वर्ष की उम्र तक के बच्चों को सजा नहीं होनी चाहिए—सात वर्ष तक तो कतई नहीं और सात से चौदह वर्ष तक के केपसिटी पर और समझ पर मुनहस्सिर है। लेकिन नाबालिग को सजा देने का क्या फायदा होगा? हम हमेशा कहते हैं और मेरे लायक दोस्त आनरेबल मिनिस्टर साहब खास तौर पर लड़कों से मुहब्बत होने की वजह से, सिम्पेथी होने की वजह से, उन के लिए पूरी रियायत देते रहे हैं। चुनावों के लिए उन को ही नहीं, बल्कि बड़ों बड़ों को भी कंद से बचाया गया है। तो फिर क्या छोटे छोटे बच्चों को किसी जुर्म में कंद किया जायगा? क्या किया जायगा? इस सूरत में १६ वर्ष के बच्चे पर यह कंद लगाना वाजिब नहीं है।

इसी तरह से सब-क्लाज (१) (ए) (२) और (१) (ए) (३) में ऐसे अशस्त्रास प्राप्त हैं, जो फिनवाके गुंडों और बदमाशों की तारीफ में नहीं आते हैं, जिन पर १०७ के मुकदमे बनते हैं। हम रोज देखते हैं कि बेहतर से बेहतर आदमियों पर १०७ का मुकदमा बन जाता है। दो पाटियां होती हैं और एक पार्टी दरखास्त देती है और दूसरी भी दरखास्त देती है। अगर पुलिस ने एक को प्रोटेक्शन देनी है, तो वह एज ए मॅटर आफ कोर्स दोनों पाटियों का चालान करती है और बीस बीस, तीस तीस आदमियों का चालान कर देती है, हालांकि वे सब लड़ने वाले नहीं होते। ऐसे अशस्त्रास उस में आते हैं, जिन के बारे में यह नहीं कहा जा सकता कि वे हथियारों का मिस्यूज करेंगे। बल्कि १०७ में दो पाटियां होंगी। एक पार्टी को डर होता है कि मुझ पर हमला होगा और फ़िलवाके दोनों को डर होता है कि मुझ पर हमला होगा। बचाव के लिए सरकार जो हथियार देती है, उन को इस प्रोटेक्शन से महकूम कर दिया जाता है, इस वजह से कि मेरा कोई शुभन है, जो मेरे बरखिलाफ़ कार्यवाही करने वाला है। इस लिए एक्सीक्यूशन का बांड

इस बात की गारंटी है कि वे कोई जुर्म नहीं करेंगे। ऐसी सूरत में दफ़ा १०६ और दफ़ा १०७ है। दफ़ा १०६ दफ़ा (१) (ए) (२) के मुताबिक है। जब कोई ऐसा जुर्म होता है, तो कोर्ट कहती है कि दफ़ा १०६ के मातहत तीन साल के लिए जमानत ले ली जाय। दफ़ा (१) (ए) (२) में जो आते हैं, वे भी आम तौर पर ऐसे अशस्त्रास नहीं होंगे। ये क्या लफ़्ज़ हैं? इन की किसी ने तारीफ नहीं की है। मारेल टर्पीच्यूड की किसी ने तारीफ नहीं की है और न ही वायनैन की की है। अगर कोई ज़मीन पर जोग में लाठी मार दे, तो वह वायलेंस बन जाती है। मारेल टर्पीच्यूड एक ऐसा वेग लफ़्ज़ है, जिन के मायने ठीक मसझे नहीं जाते हैं। इन तीनों कैटेगरीज को बिलकुल डिस्क्रैवाइज कर देना, उन को उन रियायतों से कतई महकूम कर देना, जो कि सारे हिन्दुस्तान को दी गई हैं, मेरी राय में जायज़ नहीं है। और फिर जिन लोगों को पकड़ने की आप की मशा है, उन पर यह अमर नहीं रखता। जो बदमाशों करने हैं, जो डाकू हैं, जो राहुजनी करने हैं, वहा तक तो हम पहुंचते नहीं हैं। दफ़ा १०७ तो भलेमानसों के लिए है, लुगाडों को कौन पकड़ता है, डकैनों को कौन पकड़ता है? मैं अर्ज करूंगा कि इन तीन चार क्लामिज के लिए यह नहीं करना चाहिए। इसी तरह से दफ़ा ६ के पहले जो लाइन्स हैं, वे भी इसी तरह की हैं। एक शस्त्र को मजबूर करना कि तुम किसी को बेचोगे नहीं, उस को अननेमेसरी बाधना है। अगर उस को इल्म होगा, तो वह बेचेगा नहीं, क्योंकि पोज़ेशन बाई इटसेल्फ़ जुर्म होगा। आगे दफ़ा ५ में वह जुर्म है। अगर कोई ऐसा लेगा, तो उसी पर जुर्म आ जाता है। तो बेचने वाले का क्या कुसूर है? जब तक कि हम पूरे तौर पर, कनक्लूसिव तौर पर यह न कह सकें कि उस को पता है, उस का क्या कुसूर है। मैं अर्ज करूंगा कि यह ऐक्ट ऐसे लोगों को एनमैश करता है जिन लोगों को कि नहीं

बदना चाहिए। इस लिए इस को निकाल देना चाहिए।

Shri C. K. Bhattacharya (West Dinajpur) May I say a few words on this amendment? In this clause, the minimum age for acquiring or possessing firearms has been reduced from eighteen to sixteen. In the previous Act, it was eighteen. But in the present Bill, the Joint Committee have reduced it to sixteen years. I believe the previous Act did it better by prescribing the age of eighteen for a person being permitted to acquire or possess or carry firearms. That was done for one particular reason. When a boy is eighteen, he is at least recognised as a major under the law. Therefore, we should wait for a boy to attain at least majority before he could be allowed to carry or acquire or possess firearms.

Shri Tyagi: Or let him get married.

Shri C. K. Bhattacharya: Otherwise, it would be something like giving firearms in the hands of a minor.

Of course in our legislation, different ages have been prescribed for young men in different Acts, somewhere it is twenty somewhere, it is twenty one and somewhere, it is eighteen but nowhere has the age been brought down below eighteen. This is the first time I believe, when the age is being brought down below eighteen. And that is a very serious matter, because it involves permission to use or carry firearms. Therefore, I submit that it ought to be restored to what it was in the previous Act, that is, eighteen.

Mr. Deputy-Speaker: We have been raising it only for marriage purposes, but we have brought it down for this purpose.

Shri C. K. Bhattacharya: If you could have permitted me some more time, I could have gone over various legislations to point out how different ages have been prescribed in different Acts.

Mr. Deputy-Speaker: But I have pointed out that we have been raising it only for marriage purposes, that is, for having the pleasure of married life, but here we want to reduce it.

Shri C. K. Bhattacharya: We should consider this matter, because possession of firearms is not a less serious affair than going into marriage.

Shri D. C. Sharma: I think the main purpose of this Arms Bill is very restrictive. I think every clause through which we go makes that restrictiveness more and more pronounced. Therefore I think after we have finished with all the clauses, there will be very little left of this Arms Bill as it may affect the people of this country.

I do not see any reason why the age limit should not have been lowered further. If it had been lowered to sixteen I do not understand why it could not be lowered to fourteen.

Shri C. K. Bhattacharya: Why not ten?

Shri D. C. Sharma: There was some sanctity so far as the age of eighteen was concerned because that is called the age of majority. But when you have come below eighteen, I think it should have been reduced to fourteen, so that those persons who want to qualify themselves for the Army or who want to qualify themselves for martial professions would be able to make use of this.

Again, it has been said that those persons who have been convicted for a term of at least six months imprisonment should not be given a licence, the convictions relating to violence or moral turpitude. Now, I do not know how moral turpitude can deprive a person of the use of arms. Moral turpitude may be due only to the fact that he or she was not able to defend himself or herself properly. Therefore, sometimes this moral turpitude may be given the go-by only by the possession of some weapon of defence.

[Shri D C Sharma]

Then again, take violence. If you want to exclude violence, I think no one can get any licence for arms, because violence is such a vague, general and omnibus word that anything can come under that expression.

Further, the provision that you should not be able to give this thing for repair, conversion etc will make the scope of the Bill very very restrictive. I believe that these restrictions will not prove to the good of our country or to the advantage of our population.

Therefore, I think that the whole of this clause from sub-clause (a)(ii) onwards should be deleted and we should have instead of 16, the age of 14 in sub-clause (a)(i).

Shri C. K. Bhattacharya: May I point out that what Shri D C Sharma wanted is really provided for in the proviso to sub-clause (2) which reads

"Provided that different age-limits may be prescribed in relation to different types of firearms"

So if the authority allowing the firearms were inclined that way, it could put the age down to 14 or 10 or 12 or 6, whatever it likes.

Shri Datar: I was a bit surprised at the amendment moved by my hon friend, Pandit Thakur Das Bhargava. You will find that similar prohibitions exist both in the USA and UK Acts. Certain persons have to be prohibited from possessing these arms. I agree with Shri C K Bhattacharya that the age ought to have been 18 years because 18 is the age of majority. But there was considerable desire in the House that it ought to be reduced to 16 for possessing or acquiring arms. 16 is the age of puberty, if I can put it to my hon friend, though it may not technically be the age of majority. That is the reason why we have accepted the age of 16 for this purpose.

Shri Tyagi: Puberty is for girls.

Shri Datar: Even for man puberty is there.

Shri Tyagi: Is it in your State?

Shri Datar: If my hon friend wants something more, in *Manusmriti* they have said 'बाला प्राचीतशक्यं'।

That means, till 16 a man is a minor, after 16, a man becomes a major. This is by the way.

Pandit Thakur Das Bhargava: In our Army and Navy, the age of recruitment is 15.

Shri Datar: Whatever it is, the ages are different in different places. As you have rightly pointed out, whereas the age for certain purposes like marriage is raised, it has been brought down to 16 for the purpose of possessing weapons.

Then conviction is a matter which has to be taken into account. It is a great disqualification. It is not conviction and imprisonment of 6 months for a mere technical offence, it is conviction involving violence and moral turpitude. These are words of constant use. Unfortunately, my hon friend, the Professor, has not appreciated these words. But they are used in a number of enactments.

Shri D C Sharma: That is why our enactments are so poor and ineffective. Here, words are used without understanding their meaning.

Shri Datar: In regard to the propriety of our enactments, I would rather accept the opinion of lawyers and experts than of a Professor of English.

Regarding the execution of a bond under Chapter VIII of the Code of Criminal Procedure and the prohibition enforced during the period of the bond, you will see that the use that has to be made consists of the acquisition, sale, transfer, conversion, repair etc. These are the things which ought

not to be allowed to be made by a person who has come under this prohibition. That is the reason why this prohibition clause has been put in. It would be dangerous to take away the clause altogether. Thereby the weapon would not be properly used and there would be danger to the person of the user himself.

I would invite your attention to sub-clause (2) under which for the purpose of training it would be open to prescribe certain conditions in the course of training in the use of fire-arms. There also, it would be open to the authorities to prescribe different age-limits in relation to different types of fire-arms

This is the reason this is a very important clause and its complete deletion will lead to dangerous consequences

Shri Tyagi: May I seek a clarification? This clause governs the possession of fire-arms as well. Now in cases where training is given to NCC cadets in a regulated manner, if those boys are below this age, can they possess these firearms for half a minute?

Shri Datar: That is what I have said. I would read sub-clause (2)

"Notwithstanding anything in sub-clause (1) of clause (a) of sub-section (1), a person who has attained the prescribed age-limit may use under prescribed conditions such firearms as may be prescribed in the course of his training in the use of such fire-arms."

Shri Tyagi: But this pertains to persons who have attained the prescribed age I submit that in the N.C.C. and A.C.C. boys of younger age are also sometimes taught.

Shri Datar: I would invite the hon. Member's attention to clause 45 where

all such things have been exempted. There it is said:

"by a member of the National Cadet Corps raised and maintained under the National Cadet Corps Act, 1948, or by any officer or enrolled person of the Territorial Army Act, 1948 . "

Shri Tyagi: That is right

Mr. Deputy-Speaker: I shall now put amendment No. 85 to vote. Question is:

Pages 5 and 6,—

Omit lines 27 to 38 and 1 to 11 respectively

The motion was negatived.

Mr. Deputy-Speaker: The question is

"That clause 9 stand part of the Bill"

The motion was adopted.

Clause 9 was added to the Bill.

Clauses 10 to 12 were added to the Bill

Shri U. L. Patil (Dhulia): I beg to move

Page 8, line 1,—after "application" insert—"within 30 days" (2)

Page 8, line 7,—after "gun" insert—"including breech-loader". (3)

Pandit Thakur Das Bhargava: I beg to move.

Page 8, line 3,—after "Chapter" insert "without unnecessary delay". (86)

Shri Warior: I beg to move:

Page 8, line 19,—Add at the end—"or by individuals where there are no rifle-clubs or such other associations". (27)

Shri U. C. Patnaik: I beg to move.

Page 8, line 16,—for “point 22 bore rifle or an air rifle” substitute—“point 22 small bore rifle using rim fire cartridges” (24)

Shri P. R. Patel: I beg to move

Page 8, line 2,—after “inquiry” insert “within two months” (66)

Page 8, line 4,—

- (1) omit “either”,
- (ii) for “or refuse to grant the same” substitute “unless he comes to the conclusion that the applicant is a robber, thug, thief or anti-social or anti-national” (67)

Page 8, lines 9 and 10,—for “in respect of a muzzle-loading gun to be used for bona fide crop protection” substitute “for protection of agriculture or agricultural implements or cattle” (68)

Shri Mulchand Dube: I beg to move

Page 8,—after line 4 add—“Provided that if an applicant files an affidavit to the effect that he does not suffer from any of the disabilities specified in section 9, the enquiry referred to in this sub-section shall be dispensed with and the licences applied for granted forthwith” (106)

Shri Hem Raj: I beg to move

Page 8, line 10,—after “loading” insert “or bore” (35)

Page 8,—omit lines 11 to 15 (36)

Mr. Deputy-Speaker: Both the clause and the amendments moved are before the House

Shri P. R. Patel: Sir, when an enquiry has to be made, two months are quite sufficient to satisfy oneself after an enquiry whether a man should be given a licence or not. That is one

amendment. My another amendment is that the licence should not be refused unless the officer comes to the conclusion that the applicant is a robber, thug, thief or anti-social or anti-national. If he is such a person, the licence may be refused. For any other reason, the licence should not be refused. Suppose a man goes for a licence. Then the consideration is political, his political affiliation is the consideration. I know in my constituency very good persons ask for licences but they were refused. But third-rate persons working under the Congress flag have been given licences for revolvers. So, the discrimination is there and at the district level it is too much. If the officer comes to the conclusion that a person is a robber, etc. then alone the licence should be refused.

Shri Tyagi: How does he say that under the Congress flag there are anti-national and anti-social elements? (Interruptions)

Shri P. R. Patel: I did not say so. The person under the Congress flag gets a licence and I tell you so. I know cases but I do not want to narrate them here. There is another amendment. He has been pleased to say that the muzzle loading guns may be used for crop protection. But if a farmer wants it for the protection of agricultural implements, cattle, etc. then also, a licence should be given. There are cases where farmers stay on a farm and they keep their implements and cattle there. Suppose, robbers come at the night time to take away their cattle, a gun cannot be used if it is given for crop protection.

Mr. Deputy-Speaker: That crop protection is protection from animals and birds. Implements would not require that protection.

Shri P. R. Patel: I think these words should also be included and I hope he will agree to my amendment.

Shri Warrier: I have moved an amendment, No 27, to clause 13. In

respect of point 22 bore rifle, I want that licence shall be granted to the rifle clubs or rifle associations licensed or recognised by the Central Government. But in places where there are no rifle clubs, individuals also may be given. Rifle clubs are few and far between in our country. If licences are given like this, it will encourage the formation of rifle clubs where there are none now. That is my suggestion.

पंडित ठाकुर दास भार्गव : जनाब डिप्टी स्पीकर साहब, इस क्लॉज १३ में मेरी जो एमेंडमेंट नम्बर ८६ है, उसके जरिये मैं इतना ही चाहता हूँ कि वर्ड्स 'विदभाउट थ्रान्नेसेरी डिलें' जोड़ दिये जायें।

थानरेबल मिनिस्टर साहब ने अपनी स्टीच में फरमाया था कि पीरियड मुकरंर करने की इस वाम्ने जरूरत नहीं है कि बहुत से केसिस एक महीने के अन्दर ही तय हो जाया करेये। अगर ऐसा हो सके तो मैं उनको मुबारिकबाद दूंगा। मैं यही उम्मीद कर सकता हूँ कि जो लाइसेंस को एप्लीकेशंस होगी उनका निपटारा एक महीने में ही कर दिया जाया करेगा। लेकिन मेरे ख्याल में कई ऐसी सूरतें होगी जिन के अन्दर जरूर ज्यादा वक्त लगेगा। उन सूरतों के लिए मैं चाहता हूँ कि इन वर्ड्स को खूब दिया जाए। लाइसेंस एक महीने में दिया जाए या दो महीने में लेकिन गैर जरूरी डिले नहीं होनी चाहिए और मेरी एमेंडमेंट को मान लेने से यह परपज एचीव हो सकेगा और कुछ नहीं। इतना ही मुझे इस एमेंडमेंट के बारे में कहना है।

Shri U. L. Patil : I have two amendments to clause 13. By my amendment No. 2 I want to put certain specific limits for the disposal of applications for licences. Our experience is that these applications are pending with the District Magistrates for months. Even for some years, they are kept pending. I will give you an instance where even for the cancellation of a licence, it was left

over for one year. One licensee was called upon to show cause why his licence should not be cancelled as there was a dispute between him and his eldest son and there was a possibility of breach of public peace. After having submitted his reasons for not cancelling the licence, after the lapse of one year practically, his licence was cancelled. The District Magistrates do not apply their minds and that is why there should be a limitation on the time. Our Minister has been good enough to say that the applications will be disposed of expeditiously. But that has not been the case and I submit that my amendment may be accepted and the words 'within 30 days' may be inserted. My second amendment is to the effect that the farmers should be given a licence for muzzle-loaders, including breech-loaders.

श्री ब्रज राज सिंह : उपाध्यक्ष महोदय, इस क्लॉज के सम्बन्ध में मैं केवल इतना कहना चाहता हूँ कि जहाँ तक लाइसेंस देने का प्रश्न है, उसके बारे में कानून ऐसा बनना चाहिए कि जो इच्छा सरकार की है, वह पूरी हो सके। सरकार की ऐसी इच्छा मालूम पड़ती है कि कुछ प्रकार के फायर आर्म्स, कुछ प्रकार के हथियार बिना किसी रुकावट के लोगों को रखने की इजाजत हो और उनके लाइसेंस बिना किसी खास रुकावट के दे दिये जायें। लेकिन मैं समझता हूँ कि उनके बारे में भी यह होगा कि पुलिस को रिपोर्ट मांगी जाएगी और इस रिपोर्ट को नाने में किन्नी ही दिक्कतें पेश आयेंगी। उदाहरण के लिए मैं बतलाना चाहता हूँ कि क्लॉज १३ की सब-क्लॉज में यह लिखा हुआ है —

"On receipt of an application, the licensing authority, after making such inquiry, if any, as it may consider necessary, shall ."

होना यह चाहिये था कि कुछ प्रकार के हथियारों के बारे में कोई इनक्वायरी ग्रथवा तहकीकात न हो और इस उद्देश्य को

[श्री मन्मथराज सिंह]

श्री मूल बन्द दुबे का एक सशोधन है और वह पूरा कर देता है। इस बात की इनबायरी हो सकती है कि क्या वह प्रीमियस कनविक्ट तो नहीं है, ११७ में बाउंड डाउन तो नहीं है या उन लोगों की कैटेगरी में तो नहीं आता है जिन के बारे में कहा गया है कि इन इन को लाइसेंस नहीं मिलेगा और इन सब चीजों के बारे में उससे एफिडेविट लिया जा सकता है और लाइसेंसिंग आयोगिटी उसको उसके बाद लाइसेंस दे सकती है। अगर ऐसा हो जाए तो पुलिस अफमर के पास जाने की दिक्कत ठे बचा जा सकेगा।

मैं आपको बतलाना चाहता हूँ कि अब तक का तजुर्बा तो यह रहा है कि थाने में पुलिस के पाम जब बेस चला जाता है, जब उसके पाम दरख्वास्त चली जाती है तो जो दरख्वास्त देने वाला होता है वह डबर में उधर भागता है और कुछ न देकर ही वही में रिपोर्ट निकल पाती है। कम से कम उत्तर प्रदेश के बारे में यह बात कह मय ता है कि वहाँ पर पुलिस में बेस के जाने के बाद मौ में मे एक बेस ही ऐसा होगा है जिन में बिना रिटवन के काम चल जाता है बाकी सभी केगा में रिटवन ली जाती है और बिना रिटवन के काम ही नहीं होता है। बिना रिटवन लिए पुलिस-रिपोर्ट ही नहीं बनती है। मैं चाहता हूँ कि अगर गृह-मंत्री महादय गुज पर विद्यमान नहीं करने हैं तो वह इसकी जाच करवा कर देख लें।

आप कानून बना रहे हैं लेकिन इस पर अक्स की जिम्मेदारी दूसरों पर होगी। आप यह कह सकते हैं कि राज्यों की पुलिस क्या करती है यह हमारी जिम्मेदारी नहीं है क्योंकि यह राज्यों का विषय है। लेकिन इस तरह की बात कहना ठीक नहीं है। आप कानून ही इस तरह से बनायें जिससे कि इस तरह की बातों की सम्भावनायें कम हो जाएं।

उन भाषणों में यहाँ पर लाइसेंसिंग आयोगिटी को कुछ देखा नहीं है, केवल यही

देखना है कि प्रीमियस कनविक्ट तो नहीं है, ११७ में बाउंड डाउन तो नहीं है या और किसी तरह से लाइसेंस पाने का हकदार तो नहीं है और में सब चीजें देखने के बाद और उससे एफिडेविट ले लेने के बाद, में समझता हूँ कि किसी तरह की तहकीकात की जरूरत नहीं होनी चाहिए। अगर वह गलत एफिडेविट देता है तो उसके खिलाफ दूसरी कार्रवाई हो सकती है।

इस वास्ते में कहना चाहता हूँ कि गवर्नमेंट सोचे कि इस कानून के जो मिसपूज होने का खतरा हो सकता है, वह न रहे और लोगों को आसानी से लाइसेंस मिल जाए, उनको दिक्कत का सामना न करना पड़े।

Shri Mulchand Dube: I have moved an amendment No. 106, to clause 13. What happens is that when an application for licence is made, it is sent first to the Sub-Divisional Officer and then to Tehsildar, to the Kanungo and then to the Patwarl. There is a second line where it is sent to the Superintendent of Police, and then to his Deputy, then to the Circle Inspector and then to the Sub-Inspector of Police and so on. This takes a lot of time; sometimes it takes six to eight months. After all this is done the licensing authority sometimes, whimsically, without any reason, arbitrarily says that the grounds are not genuine and refuses the application. The conditions are set forth in clause 9. If a man files an affidavit that he does not suffer from the disabilities mentioned in clause 9, there is no reason for the licensing authority to refuse the licence because if he submits a false affidavit he can be prosecuted. There is also power given to the licensing authority to cancel the licence if on a subsequent date he comes to the conclusions that the man concerned has submitted a false affidavit and that he is not a fit person for grant of a licence. Clause 14 also seems to

provide for the refusal of a licence. Clause 14 seems to refer to cases which are within the personal knowledge of the licensing authority. It is also stated there that the fact that a person has or has not any property shall not be taken into consideration in refusing a licence. Therefore, if the question of property does not come in and the man concerned files an affidavit that he does not suffer from any disqualification specified in clause 9, I do not see any reason why there should be any enquiry and the consequent delay. After all, our object is to liberalise the grant of licences. My submission to the hon. Minister, therefore, is that he may kindly think over this and accept this amendment which appears to me as perfectly harmless. It does not harm anybody in any way; on the contrary, it promotes the object for which the present Bill has been introduced.

श्री हेम राज : उपाध्यक्ष महोदय' इस क्लॉज १३ में मेरी दो छोटी-सी एमेंडमेंट्स हैं। इस क्लॉज की सब-क्लॉज ३ का जो ए है उसकी लाइन १० में मैं यह चाहना हूँ कि मजल लोडिंग गन के बाद बोर गन भी जोड़ दी जाए। अगर यह कर दिया जाए तो जो प्राविमो दी हुई है उसकी जरूरत नहीं रहेगी और उसको डिवाइस करना होगा।

इस एमेंडमेंट को देने का मेरा मकसद यह है कि हम एक तरफ तो यह चाहते हैं कि जो खेती की पैदावार है वह बड़े और जो खमीदार है उसकी ज्यादा से ज्यादा सहायता की जाए ताकि वह ज्यादा गन्ना पैदा कर सके। एक तरफ तो हम यह चाहते हैं कि वह ज्यादा गन्ना पैदा करे और ज्यादा से ज्यादा मेहनत करे लेकिन दूसरी तरफ हम उस पर विश्वास करने के लिए तैयार नहीं हैं। हम उसको मजल लोडिंग गन देने के लिए तो तैयार हैं लेकिन दूसरी जो बोर गन उसका लाइसेंस देने के लिए तैयार नहीं है। अगर उसको बोर गन लेनी हो तो उसके लिए हमने प्राविमो जोड़नी है और कह दिया है कोई खास खास

ब्यूरोसि यदि होगी तभी बोर गन का लाइसेंस दिया जाएगा।

मजल लोडिंग गन की जानत क्या है? जो पहली इन्फैंटा होता है वहाँ यह हालत है कि बारिश सब से ज्यादा होनी है, सब से ज्यादा जगल बहना होना है, वहाँ पर बहुत ज्यादा बाइल्ड एनिमल्स होने हैं, दरिन्दे और दरिन्दे ज्यादा होने हैं और ये जो फसल होती है उसको तबाह कर देते हैं। इस वास्ते वहाँ पर मजल लोडिंग गन काम नहीं दे सकती है। मजल लोडिंग गन का तो यह हिस्सा है कि बन्दूक में छूरी भरने में कोई एक घंटा लग जाएगा और इस दौरान में उसकी सारी फसल तबाह हो जाएगी। इस वास्ते अगर आप चाहते हैं कि वह ज्यादा खाना पैदा करे तो आपको उस पर विश्वास करना चाहिए और उस पर विश्वास करने के लिए आपको उसे बोर लोडिंग गन का लाइसेंस देना चाहिए।

इस वास्ते मैं माननीय मंत्री महोदय से प्रार्थना करता हूँ कि जो सब-क्लॉज ३ है उसके पार्ट ए में बोर गन और जोड़ दिया जाए और इसमें जो मामला है वह ठल हो जाएगा और जो प्राविमो है उसकी आवश्यकता नहीं रहे जाएगी। इसमें उसके अन्दर यह भावना भी पैदा होगी कि उसमें और बहुरी में कोई भेदभाव नहीं किया जा रहा है और सब के साथ बराबरी का भत्का किया जा रहा है।

इस वास्ते मैं प्रार्थना करता हूँ कि बजाय प्राविमो के रखने के, तीन की सब-क्लॉज (ए) (१) में ही स्पूथ बोर गन जोड़ दिया जाए और मैं प्रार्थना करता हूँ कि माननीय मंत्री महोदय इसको स्वीकार कर लेंगे।

Shri U. C. Patnaik: Mr Deputy Speaker, Sir, I do not press the amendment, but I would bring to the notice of the hon Minister that there should be a line of distinction between the two classes of 22 bore rifles just as he has already agreed to re-

[Shri U. C. Patnaik]

cognise the difference between the two varieties of air-rifles. I hope he will draw a line of distinction between the rim-fire and the centre-fire, the second one being double the first one in velocity and range. This should be kept in mind while making concessions in favour of the rifle clubs, and it is for that purpose that I have brought in the amendment.

Shri Datar: Sir, the hon. Members who have moved amendments have made out three points. One point is that a time limit should be laid down for the purpose of disposal of applications for licences. The second point is that the persons who should not get licences should be specified, as suggested by my hon. friend Shri Patel. The third point is—it was pointed out by my hon. friend Shri Mulchand Dube—that the licensing authority should act on the basis of an affidavit. May I point out, Sir, that it is very difficult to accept these suggestions. It is our desire that even two months should not elapse after an application has been filed. As early as possible the matter should be enquired into, whatever information is necessary should be collected and either the application should be accepted or refused. An hon. friend suggested that the alternative of refusal should be thrown out altogether. It would not be proper to do so. There are a number of cases where such applications are made either on frivolous grounds or with a particular design to make a wrong use of such licences. That is the reason why there ought to be an enquiry by the licensing authority through the usual channel, and it would not be proper to lay down any particular period.

So far as Shri Patel's objection is concerned, he has used certain expressions which are not exactly of any accepted legal import. What he says is: "... to the conclusion that the applicant is a robber, thug, thief, anti-social or anti-national". These

expressions have not become legal expressions and unless they connote a particular legal import it is very difficult to accept these expressions. If they are used, perhaps they are likely to lead to harsh and injustice might flow from the orders passed by the licensing authority. Under these circumstances, let us leave the matter to the licensing authority himself. In clause 14 all the circumstances under which a licence can be refused have been specifically mentioned. Therefore, it would not be proper to specify the classes of persons who should not get a licence, especially by the use of such vague expressions.

My hon. friend over there suggested that an affidavit ought to be a sufficient compliance with the requirements for the grant of a licence. May I point out to him that an affidavit is an admission in one's own favour, and even persons having undesirable activities or persons like robbers and others will certainly file affidavits and try to add one more term of imprisonment to their numerous terms of imprisonment for making a false affidavit. That would not be a sufficient guarantee. Therefore, it is necessary that some sort of an independent enquiry should be made, independent of the admissions in his own favour by the person concerned. That is the reason why it is of great importance that some enquiry should be made. Then, as I have pointed out already, you will have ordinarily to give reasons and these reasons can be scrutinised by the appellate authority.

16 hrs.

Shri Hem Raj: What about licences in the hilly areas?

Shri Datar: So far as the hilly areas are concerned, we have made it clear that licences should be granted by an authority even subordinate to the district magistrate. That is the first thing. Secondly, in clause 13(3) (a) we have specially provided a

proviso where, if muzzle loading guns are not sufficient, the licensing authority may grant a licence in respect of any other smooth bore guns for protection.

Shri Hem Raj: In that proviso, instead of muzzle-loading gun, the other types must be specified

Shri Datar: We have put them in already. It is a matter of course.

Mr. Deputy-Speaker: I shall now put all the amendments under clause 13 to the vote of the House.

The amendments Nos 2, 3, 86, 27, 24, 66 to 68, 106, 35 and 36 were negatived.

Mr. Deputy-Speaker: The question is:

"That clause 13 stand part of the Bill".

The motion was adopted.

Clause 13 was added to the Bill.

Mr Deputy-Speaker: It was by a resolution of this House that the time for this Bill was extended up to 3 o'clock. After that I exercised my discretion and went on up to 4 o'clock. Now, my authority is also finished. I shall put all the clauses to the vote of the House. We must finish it now, I suppose. The question is:

"That clauses 14 to 46 stand part of the Bill"

The motion was adopted

Clauses 14 to 46 were added to the Bill.

"That clause 1, the Enacting formula and the long Title stand part of the Bill".

The motion was adopted

Clause 1, the Enacting Formula and the long Title were added to the Bill.

Shri U. C. Patnalk: Sir, I have only one point to make. It is true that we have all agreed that all the remaining clauses may be put together. But we may be permitted to place our amendments because we have been tabling the amendments clause-by-clause and the amendments may go into the record

Mr. Deputy-Speaker: There is no provision under which it can be done, I believe

Shri U. C. Patnalk: The Speaker was then in the Chair and he allowed us to move the amendments, under each clause, as it comes up. We pray that we may be allowed to move all the amendments. It is just to shorten time, and place them on the record

Mr. Deputy-Speaker: How is it possible to allow those amendments to be moved now?

Shri P. R. Patel: They may be taken to have been moved

Mr. Deputy-Speaker: All the clauses have been accepted by the House. If this thing had been brought to my notice earlier, perhaps I might have been in a position to accede to the suggestion that hon. Members now make. Now, it is too late. I am sorry

Shri Datar: I beg to move:

"That the Bill, as amended, be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed.

The motion was adopted.

16-04 hrs.

**MISCELLANEOUS PERSONAL
LAWS (EXTENSION) BILL**

Mr. Deputy-Speaker: Let us take up the next item on the agenda. The hon. Law Minister... Not here. Perhaps he could not anticipate that the Arms Bill would be finished soon!

Shri F. E. Patel (Mahsana): As he is not here, the Bill lapses.

Mr. Deputy-Speaker: The Law Minister and the Deputy Minister were here just now. In fact, from the morning they have been waiting. Perhaps they thought that we had reached only up to 13 clauses of the Arms Bill and that it might take time to finish. They have been here.

Some Hon. Members: The Deputy Minister of Law is coming, Sir.

Mr. Deputy-Speaker: Yes.

The Deputy Minister of Law (Shri Hajarnavis): Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill to provide for the extension of certain personal laws to parts of India in which they are not now in force, as passed by Rajya Sabha, be taken into consideration".

The Bill is extremely simple. Those provisions which are intended to be extended are given in Schedule I. They are the Converts' Marriage Dissolution Act, the Anand Marriage Act, the Hindu Disposition of Property Act, The Hindu Inheritance (Removal of Disabilities) Act, the Hindu Gains of Learning Act, the Muslim Personal Law (Shariat) Application Act and The Dissolution of Muslim Marriages Act.

When certain Indian laws were extended to Part B States in 1951 by the Part B States (Extension of Laws) Act, the personal laws were exchanged, because firstly we thought we ought to wait till we finished the codification of the Hindu law. We

had also not ascertained then what exactly were the provisions of personal laws in the various Part B States. Now that the laws have been ascertained, we have brought a comprehensive measure. In extending these laws, we have to displace certain other Acts already in force there. For instance, the Hindu Transfers and Bequests (City of Madras) Act, 1921 and the Madras Hindu Transfers and Bequests Act, 1914 had the same content as the Hindu Disposition of Property Act, 1916. Certain other Acts which are now extended are already applied to various portions of Part B States, such as the Hindu Gains of Learning Act, 1930 which was extended to Andhra Pradesh by the Andhra Pradesh (Extension of Laws) Act. Now we seek to bring about uniformity so far as personal laws are concerned. By passing the Act, we also ensure that the source of law is the same, viz., central legislation.

A word of explanation is necessary so far as the Hindu Transfers and Bequests (City of Madras) Act, 1921 and the Madras Hindu Transfers and bequest Act, 1914 are concerned. It has been represented to us that though as I said, the provisions of both these Acts are the same as the provisions of the Hindu Disposition of Property Act, 1916, it does not contain the definition of the word "Hindu", which is found in the Madras Act. In the Madras Act, this is done in an Explanation. We have taken the view that that particular explanation is not necessary now, especially after we have codified the Hindu law. The Explanation said:

"Hindus governed by the *Marumakkattayam* and the *Aliyasantana* laws shall be deemed to be the persons governed by the Hindu law for the purposes of this Act."

Now we have given an almost all-inclusive definition of the word "Hindu" in the codification of Hindu laws. So, we have thought it is not necessary to adopt that definition here.

As regards the extension of the Muslim Personal Law (Shariat)

Application Act, 1937, it has been represented to us that we ought to amend the Act by including within its scope question relating to agricultural property, etc. The House is aware that when the Government of India Act came into force in 1937, the Central Legislature did not have jurisdiction to pass any law with respect to agricultural property. So, whenever provision had to be made about succession to agricultural property it had to be undertaken by Provincial legislatures. When the Muslim Personal Law (Shariat) Application Act was passed here it naturally confined itself to non-agricultural property because the Central Legislature did not have authority to pass a law in respect of agricultural property. Now in Madras the Madras Legislature passed a similar law with respect to agricultural property. So as far as Madras is concerned, the Shariat law is in operation both in respect of non-agricultural and agricultural property. Now as I said a representation was made to us that our own law should embrace all kinds of property whether agricultural or non-agricultural. Having given great consideration to this kind of representation, we have come to the conclusion that this could not be done because the law relating to agricultural property in various States are different. It is also not quite clear that, so far as agricultural property is concerned the States themselves require any uniformity to be attained. Therefore, what we have done is this. We have left agricultural property to be dealt with by the State Legislatures themselves. If there is any State law applicable to the Muslims which governs the succession to agricultural property of the Muslims, that law shall hold the field. So far as Madras is concerned we do not think we are making any change in law, because the law that we are going to apply relates to non-agricultural property. We do not want to disturb the law relating to agricultural property in that State. This is the scope of the Bill, and I commend it to the acceptance of the House.

Mr. Deputy-Speaker: Motion moved

"That the Bill to provide for the extension of certain personal laws to parts of India in which they are not now in force as passed by Rajya Sabha, be taken into consideration"

Shri P. S. Daulta (Jhajjar) There is not much controversy over the subject matter of this Bill. But I want to know from the Law Minister the legal position of Kashmir. As a matter of fact, every enactment that comes before this House has this legal formula that it will have force through out India except the State of Jammu and Kashmir. I cannot understand this thing. I know that the excuse will be the articles of the Constitution—article 370 etc. But one day this practice may prove dangerous if the law of Kashmir is different from Malerkotla, Amritsar or Pepsu. It may create other difficulties also. At least for nine months of the year Kashmir Muslims remain in the plains and if one law applies in Kashmir and another law applies in Amritsar or Malerkotla it is not desirable. The law should be the same whether it is Malerkotla, Amritsar or Srinagar. This business of one law in one place and another law in another place in India should now cease.

This is a social legislation not a political one. This relates to inheritance and other things. So the Law Ministry should not make us feel that the Kashmiris are different from the rest of Indians. We are told by our Government and no less a person than the Prime Minister, that Kashmir is a part and parcel of India and that Kashmiris are the kith and kin of Indians. If that is so why should there be different laws? If article 370 does not empower this Parliament to do that how can the Members of Kashmir come to this Parliament? This is a strange position. This Parliament has Members from Kashmir but, at the same time it has no power to legislate on matters relating to Kashmir.

This can be done in another way also. The Kashmir Government can

[Shri P. S. Daulta]

be requested to enact the same laws. Otherwise, we will go on passing laws in our own way and there will be conflicts between their legislation and our legislation and a strange situation may be created. So, that will prove very dangerous in the future I know that we will be told that the Law Ministry has nothing to do with the amendment of the Constitution. But we take the Government as one organic whole, jointly responsible to the House. So, Law Ministry can raise this point at the appropriate time. When other articles of the Constitution are being amended, article 370 can also be amended.

The second point that I want to raise is customary law *versus* personal law. From the Schedule what I find is that some personal laws are to be substituted by some other personal laws. I know in erstwhile States where there were no customary laws what is their position. It is true and we have just now heard the hon. Minister say that about the succession of agricultural affairs they do not want to legislate. They may or they may not; I do not know. The Hindu Succession Act, section 14, has upset the entire economy of the Punjabis. Yes. We were governed in respect of our succession by the customary law. Agricultural people, Jats, Rajputs, Gujars, Ahirs of the Punjab, whether they were Hindus or Muslims or Sikhs, were governed by the same law of succession. But now everybody knows that those customary laws prepared by the Britishers and by their Settlement Officers have been set at nought, this Hindu Succession Act applies and that customary succession goes.

So, I want to know what the position in those States is. Was there any customary law applicable in respect of successions or not? I know that in Kashmir a thing like the Hindu Inheritance (Removal of Disabilities) Act was there. Is *shariat* law not there? Perhaps there may be some customary law in Kashmir regulating succession of Gujars and other agri-

cultural communities there. So, the second point that I want to be made clear by the law Minister is whether assessment of the customary law prevailing before these enactments has been made by the Government.

The third point is about repealing and extending these laws. One thing has been presumed that laws of the old British India were certainly superior than the laws of all the States. There were some progressive States, like Travancore-Cochin. These progressive States must be having better legislation than British India. Has there been an attempt to see that a good law of those States has been extended to British India or is it that only the old laws of British India are being extended to those States?

Except for asking these clarifications, Mr. Deputy-Speaker, I find nothing more to say.

Shri C. K. Bhattacharya (West Dinajpur) I want to draw the hon. Minister's attention to one thing only. In the Converts Marriage Dissolution Act that is being changed by this new provision not only Jammu and Kashmir but also Manipur has been brought in. In all the other legislations it was only Jammu and Kashmir. Why Manipur has been brought in in this particular legislation and not in others? What is the necessity of bringing in Manipur at all in this business? That is my question.

So far as reference to Jammu and Kashmir is concerned, which the hon. Member has just now mentioned, it is becoming something like a stereotyped habit with the Government of India to except Jammu and Kashmir in every legislation that is brought before this House. It would be more proper if before bringing in this legislation they arranged with the Government of Jammu and Kashmir by having a talk with them and persuading them to agree to these legislations so that legislations can be made by the Parliament for India as a whole and

not with a particular State always excepted, whatever be the legislation, social or political or anything That is my only submission

Shri Hajarnavis: Mr Deputy-Speaker, Sir, the hon. Member is not right in saying that when we except Jammu and Kashmir from the extension of this Bill we set it up as an excuse or we refer to the provisions of the Constitution as our defence Submission to the Constitution is a duty since we have sworn to abide by the Constitution Surely, the House does not expect the Government to bring in a Bill which is beyond the competence of this House He himself has quoted the relevant article of the Constitution The House is aware that so far as this subject is concerned, we have no legislative competence Even if we omitted these words, the courts, as a rule of interpretation, will confine it only to that portion of India which excludes Jammu and Kashmir Therefore, until the Constitution is changed,—that of course, means not merely a change in the words of the Constitution, but also a change in the political set up is,—I do not think we can embark upon legislation which will embrace Kashmir This is an answer which has been given a number of times I really do not know why it should have to be repeated time and again

Mr. Deputy-Speaker: The hon Member desires that the Law Ministry should take some steps to have that article in the Constitution amended That is what he means

Shri Hajarnavis: As I said, it is not merely a change of words It is a change of the whole political set-up It is a consummation which is very much devoutly to be wished for Beyond that, I do not think I am in a position to make any other statement

As regards the question which was raised by my hon. friend Shri C. K. Bhattacharya about the Converts' Marriage Dissolution Act not applying to the Union Territory of Manipur, this

particular Act was not extended to the Union Territory of Manipur. Since it was not applied to the Union Territory of Manipur, there is no need to apply it to a Territory to which it was not extended That is how that territory finds a place in item 1 in the First Schedule.

As regards the other points which have been raised, my observations were confined to the Muslim Personal Law (Shariat) Application Act, 1937 The hon Member, I believe, is an eminent lawyer He is aware that, although the Muslim Personal Law (Shariat) Application Act says that where the parties are Muslims, they will be governed by their own personal law, what the personal law is will have to be found by the courts. If there is no difference between the personal law applicable to the Muslims in Kashmir and the personal law applicable to the Muslims in the Punjab

Shri C. K. Bhattacharya: May I intervene for a moment? It is not always the case that where the parties are Muslims, they are governed by the Muslim law I have seen cases in the Calcutta High Court where both the parties, though Muslims, claimed that they have been customarily governed by the Hindu Law I have seen such cases being disposed of in the Calcutta High Court

Shri Hajarnavis: The hon Member is anticipating me. I was stating the general position The hon Member has rightly said that customs govern all including a statute It is a well known proposition of law that custom may govern a locality, custom may govern a community or it may govern a family In that case, the parties have an onus placed upon them to prove that they are not governed by the ordinary law, and that there is a particular custom or a set of rules apart from the statute law which governs their transactions and their property. That position remains unless it has been displaced by statute To a large extent, the hon Member

[Shri Hajarnavis]

Shri C. K. Bhattacharya has answered the question which was raised by the hon. Member opposite. Of course, whether any statute saves customary law will have to be read from the words of the statute itself.

Dr. M. S. Aney (Nagpur): Personal law means codified law for the Hindus, Mohammedans and so on. Customary law means uncodified law recognised by the courts. Is it proposed that the customary law shall remain even though the codified law in the name of personal law for a particular community is made or extended unless that saving is specifically mentioned in that law?

Shri Hajarnavis: There is no contradiction between codified law and personal law. There is distinction between codified law and un-codified law, what in England is called the Common Law. The courts ascertain what the law is which a community accepts without the command of the State. That law is not codified law. Codified law is where a statute sets out to contain all the law on a particular subject. That is regarded as a code. Therefore to ask a question whether it is the personal law or the codified law is, I submit, mixing up the two categories. The two categories are entirely different.

As far as personal law is concerned, I understand and I am giving my own individual opinion, it is a law relating to succession, marriage, divorce etc. These are the matters which are generally included in personal law. Personal law may be entirely contained in a code. For instance, a large portion of the personal law of the Hindus is now codified, but a certain portion still remains uncodified and is outside the code.

As I said, the general rule is that custom governs all. If there is a custom which is proved by the Court as binding upon the parties, then the Court will give effect to that custom,

unless, as the hon. Member has said, the statute in that case says that custom is displaced and the statute will prevail custom notwithstanding. Therefore, as the hon. Member himself has said, we will have to go to the words of the statute itself. Beyond that I have nothing to add.

I am grateful to the House for they have appreciated the effort which the Government have made in order to see that the laws are unified throughout the country.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the extension of certain personal laws to parts of India in which they are not now in force, as passed by the Rajya Sabha, be taken into consideration"

The motion was adopted.

Mr. Deputy-Speaker: As there are no amendments, we take all the clauses together.

The question is:

"Clauses 1 to 4, Schedules I and II, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 4, Schedules I to II, the Enacting Formula and the Long Title were added to the Bill.

Shri Hajarnavis: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

16.28 hrs.

SECURITIES CONTRACTS (REGULATION) AMENDMENT BILL

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): I beg to move.

"That the Bill to amend the Securities Contracts (Regulation) Act, 1956, be taken into consideration "

It is a very short Bill, and I do not think there is any elaborate explanation required to analyse its clauses

The Securities Contracts (Regulation) Act was passed in 1956 with a view to prevent undesirable transactions in securities by regulating the business of dealing therein, by prohibiting options and by providing for certain other connected matters. That Act came into effect on the 20th February, 1957 and recognition has since been accorded, under section 4 of the Act, to seven stock exchanges in the country. The Act has been in operation for nearly three years, and certain lacunae in its provisions have been discovered. Of these, one which requires early action relates to voting rights of members of the recognised stock exchanges, registered under the Companies Act of 1956.

In some of these stock exchanges there are some members who hold more than one share and who, though not directly interested in the operations of the stock exchanges, manage to control the Board and the affairs of the stock exchanges through their voting rights or their voting strength. It is now proposed to amend this Act to enable any recognised stock exchange to make rules to ensure that an individual member shall have the right of exercising one vote only irrespective of the number of shares that he might be holding in that particular stock exchange. The voting rights of the members will be limited in that manner.

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We also propose to limit the right of proxies or the right to appoint proxies by the Members. The concentration of power in the hands of a few members may lead to the affairs of the stock exchanges being managed to their advantage and that would be highly prejudicial to the interests of members actively interested in the trading on these stock exchanges or the general community.

The amendments proposed here are with a view to remedy these defects. We have brought forward these amendments to ensure fair dealing and in order to give protection to the investors as contemplated by the original Act.

I may remind the House in this connection that similar amendments were made in 1957 in the Forward Contracts Regulation Act, 1952. Now, our attention has also been drawn to certain provisions in the Securities Contracts (Regulation) Act, which could be interpreted in a way likely to hamper the investment of foreign financial corporations in enterprises in this country.

One of the common methods of raising funds in the capital-exporting countries is the issue of convertible bonds or of bonds with share warrants attached thereto. It is usual for financial corporations to make an ordinary loan to a company and also obtain by separate contract an option (not from the company itself but from the principal shareholder or shareholders), to buy shares of the company at a price agreed upon when the contract is originally made. It is felt that section 20 of this Act which makes all kinds of options illegal may apply to these contracts also unless they are specifically excluded therefrom. Similarly, section 13 of the Act, which makes contracts in securities in a notified area otherwise than between members of a recognised stock exchange in such area or through or with such member, illegal, may, if strictly interpreted, prohibit the making of an investment contract or a contract supplementary thereto,

[Shrimati Tarkeshwari Sinha]

directly, between the investor and the company in which the investment is to be made. It was not the intention to apply such restrictions to the transactions of financial corporations who help to raise capital for investment in this country. That is why section 28 of the Securities Contracts (Regulation) Act specifically excludes corporations set up under a special law from the provisions of that Act. As this exclusion does not extend to financial corporations established in foreign countries, it is necessary to amend the Act for purposes of securing this exclusion. The Bill before the House seeks to empower Government to notify these corporations in that particular manner.

Since the introduction of the Bill, Government have given some further thought to this matter, as clause 3 of the Bill in its present form might give the misleading impression that we are selecting international financial corporations or other foreign financial institutions for special treatment, but that is not a fact. Therefore, it has been decided to redraft the provision to remove the technical difficulties only, without providing for specific exemption for such institutions from all or any of the provisions of the Act. It is proposed, therefore, to amend clause 3 of the Bill suitably, to provide that the provisions of the Securities Contracts (Regulation) Act, 1956, shall not apply to any convertible bond or share warrant or any option or right in relation thereto, in so far as it entitles the person in whose favour such security has been issued, to obtain at his option from the company or other body corporate issuing the same or from any of the shareholders or duly appointed agents shares of the company or other body corporate whether by conversion of the bond or warrant or otherwise, on the basis of the price agreed upon when the same was issued.

Power is also being taken here to exempt from the provisions of the Act any class of contracts by means

of a Notification in the Official Gazette if Government are satisfied that in the interest of the trade and commerce or the economic development of the country it is necessary or expedient so to do. Necessary formal amendments will be moved at the appropriate stage.

With these remarks, I commend the Motion to the House for consideration

Mr. Deputy-Speaker: Motion moved:

"That the Bill to amend the Securities Contracts (Regulation) Act, 1956, be taken into consideration".

Shri Prabhat Kar (Hooghly): The hon. Deputy Minister, while moving the motion for consideration, has said that the provisions that have been put in the amending Bill are those necessitated by the experience gained during the last three years that the Securities Contracts (Regulation) Act was in force. So far as the amendment to section 7 of the parent Act regarding voting rights is concerned, the number of votes is limited to one irrespective of the number of shares a person may hold. I welcome this provision. But I would like to ask the hon. Minister whether all the cases of mischief observed in the working of the Stock Exchanges after the passage of the Securities Contracts (Regulation) Act of 1956 are supposed to have been remedied and such cases are non-existent today. The basic objective of Stock Exchange reform was to regulate speculative activities so that they will not degenerate into gambling. This was stated by the then Finance Minister, Shri C. D. Deshmukh.

Even during this period, we have seen how the Stock Exchanges work and what mischief can be played. The episode of Mundhra is very fresh before us. It was through the help of the Stock Exchanges that he managed to create a situation where

he stands with all his guilts imposed, creating an adverse effect in the whole economy of the country Banks and our national institution, the LIC, have been put into difficulties All this has been done with the help of the Stock Exchanges in spite of the operation of the Securities Contracts (Regulation) Act for the last three years

I would have liked the hon. Minister to come before the House with a comprehensive amendment based on the experience of the operation of the Act during these three years, because in spite of these regulations the old mischievous game in the Stock Exchanges continue

There have been inquiries for a long time. There were at least three Committees which went into the working of Stock Exchanges. In 1923, we had the Attlee Commission, in 1939 there was the Morrison Commission and in 1951, we had the Gorwalla Committee, the Report of which was the basis for the Act of 1956. I want to know why when an amendment is being brought before the House in 1959, all that has happened during this period, particularly the one instance at least which we have come across here in Parliament, is not taken into consideration and a comprehensive amendment brought forward. It would have been much better if all the other lacunae that exist were removed by suitable amendments. That is so far as section 7(A) is concerned.

It has also been stated in the Statement of Objects and Reasons that there is a possibility that sections 13 and 20 may apply in cases of certain transactions which are not speculative. It has been said that in the interest of capital outlay it is necessary to relax the operation of section 20. Now, clause 2 says that if the Central Government makes an announcement by a notification, this or any other provision will not apply. This was previously applicable only in relation to international financial institutions.

Now it is sought to be made applicable in the case of any institution. The Central Government will have the right to exempt by notification. During these three years, have there been any cases which necessitated the amendment of these sections? Or is it just something which we are imagining but never happened? Have there been any instances where the promoter has found it difficult? I do not know whether we can expect new promoters to come in if the relaxation is made. In that case, it is not because of the past experience that we are doing this but in order to bring in new promoters. I want to know the exact position. I also want to know why instead of having comprehensive amendment, only this particular section relating to the restriction of voting rights is being amended. In spite of the Act being in force for the last three years, all the mischievous games of the stock exchange monopoly are continuing and the national institutions had been a prey to them. Today the LIC invests daily about Rs. 10 lakhs and a major part of it is invested through the stock exchange. It is public money. Naturally, we would like more controlling powers because the ups and downs in the stock exchange may cause calamity in our national institution's money. When such a huge amount is invested through the stock exchange, it is all the more necessary to regularise the working of the stock exchanges. As things have been continuing in the same old way in spite of the Act, it is imperative that Government should amend this Act so that we may not face difficulties as we are facing today. I otherwise accept the provisions and with these words, I conclude my remarks.

Shri Naushir Bharucha (East Khandesh) Mr. Deputy-Speaker, Sir, I do not agree with the conclusions drawn by the hon. Member who spoke just now. I think it is obvious, if you examine the provisions of the various sections, particularly sections 13 and 20, that certain types of contracts and securities, and certain types of option

[Shri Naushir Bharucha]

to purchase securities would come within the mischief of sections 13 and 20 of the Act. The object of the Bill is to exclude these types of contracts between foreign financial corporations and certain financial companies from the mischief of section. Options to purchase securities are similarly proposed to be excluded.

Therefore, it is necessary, if we believe in that policy that foreign capital should be encouraged to invest in the concerns of this country, that these things will have to be regularised.

I also notice that there is an amendment which is sought to be moved by the Government. It is a proper type of amendment in so far as it goes, because the Bill as it stood did not retrospectively safeguard those contracts and options for purchase of securities which were made before the passing of the Bill. Therefore, the amendment which is proposed by the Government is also in the correct direction.

My objection to the Bill lies in the fact that it is also one of the objects of the Bill to exclude stock exchanges from the purview of the Companies Act. My submission is this. As the House knows, there is already a Joint Committee examining the various provisions of the Companies Act. The Joint Committee is in session, and yet decisions after decisions are being taken in complete disregard of that Joint Committee whose task it is really to examine what categories of companies or commercial bodies should be exempted from the purview of that Act.

Sir, we are examining various provisions under the Companies Act; for instance, whether investing companies are to be exempted or not. Any decision that the Joint Committee takes may be placed before the House and may come up in due course. But, what the Government does by this Bill is to side-track the Joint Committee on companies Act and say that we are excluding stock exchanges from

the purview of the Companies Act. The decision may be right or wrong, I am not concerned with that at the moment. It is conceivable that numerous provisions of the Companies Act may not be properly applied to the stock exchanges. But I ask the Government to have greater regard for select committee which they appoint.

The other day, Sir, when you were not here, the Government also announced, unilaterally and in complete disregard of the Joint Committee which was on its work, that the managerial remunerations under the Companies Act would be according to a particular prescribed scale. That question was already before the Joint Committee. I would like to ask the Government, if the deliberations of the Joint Committee are going to be so side-tracked and if the Government anticipates decisions like that in complete disregard of the Committee, whether it is worth our while wasting our time and energy on Joint Committees. It is a very serious question, a question of propriety and procedure.

Here, again, Government comes and says that here is a Bill by which we exclude from the purview of the Companies Act stock exchanges for reasons of our own. Why could not Government have waited a few weeks longer for the report of the Joint Committee and examined the arguments as to whether it stood for exemption of stock exchanges or not? The decision may be right or wrong, I am not concerned with that at the moment; I am concerned with the propriety of the Government's action. I hope in further Government will take note of the fact that whenever Members waste their time and energy in the deliberations at the Joint Committee level if this is the way in which decisions of the Committee are to be anticipated or flouted and complete disregard is to be shown, very few, I am afraid, will be enthusiastic about serving on such select committees. I

hope Government will bear this in mind.

Shrimati Tarkeshwari Sinha: I am grateful to the House for giving general support to the provisions of this Bill. Two Members have spoken and though they have supported this Bill, they have expressed certain doubts about certain matters. So far as Shri Prabhat Kar is concerned, he has expressed apprehensions about the working of the stock exchanges. I would like to inform him that we have taken enough precautions and we have tightened the belts all round. We have formulated the margin system. He is perhaps aware of that. In most of the stock exchanges a daily margin system is in operation and in Bombay Stock Exchange, at present, daily returns of outstanding business are obtained from all the active brokers in respect of seven leading shares and margins are taken on the settlements outstanding, regularly. Even after that, a strict watch is kept over them. We have our own directors and we have established a division consisting of some officers for the stock exchange, it is called the stock exchange division. They keep a strict watch over the activities of the stock exchanges including the returns. They attend meetings and scrutinise the agenda and they also see to it that nothing wrong happens in respect of the day-to-day activities.

Just recently, the Government decided to establish a stock exchange directorate under the Department of Economic Affairs. Though the headquarters of that directorate will be located in Bombay, its other units will be in Calcutta and Delhi. In Bombay, we have already appointed a director in charge, and very soon one is going to be appointed in Calcutta. In this way we are trying to control the activities of the stock exchanges very minutely.

When we accept the returns regarding the delivery of shares by the clearing houses, we also scrutinise the making of prices—the pricing—

and we also take statements of marginal deposits regularly from them. These are the methods by which we have tightened the belt, and we want to control the speculative activities of the stock exchanges. But I cannot assure the House that no specific case will arise or all the problems have been solved; only we have to see that by experience all these precautions are taken against those probabilities.

We have brought this amendment because we felt that there were certain lacunae in regard to the voting rights and as regards voting by proxy. We realised that certain forces were being exercised—not very healthy force—and might be exercised on the stock-exchanges on the strength of the shares a particular person may have without any particular interest in the activities of the stock exchange or the welfare of the stock exchange. Therefore, when we discovered that lacuna we came before this House with this amendment.

The second point that has been raised is about the bonds issued by international agencies. Of course, there is no specific instance of that, but certain very important financial lending institutions were of this view, and they had discussions with us. So far as purely investment contracts are concerned, they are likely to attract section 13 or section 20. Therefore, clause 3 of the Bill specifically exempts debenture bonds. There are investment contracts with third parties which require to be excluded by a special notification. I may point out that one of the very important investing agencies, the International Finance Corporation, were apprehending that this matter would affect adversely some of the foreign investment or the loans taken by Indians also from the various international investing agencies. They felt that the Act was not specifically clear about the position of such issues like convertible bonds, share bonds, investment contracts, etc. So, they specifically wanted provision to be made for

[Shrimati Tarkeshwari Sinha]

• preempting these issues and contracts from the operation of the Securities Contracts (Regulation) Act. We also think that it might be misinterpreted if we generalise this thing and do not define a particular context in which this Act would be affective. So, we thought it proper to make specific provision to exclude those issues, rather than provide for some vague provisions of exemptions to be notified by the Government later on

Shri Bharucha has raised the point why this exclusion is being given to this particular sort of forward contracts, when the whole thing is being considered by the Select Committee on the Companies (Amendment) Bill. The set-up of the stock exchanges is very different from the normal operation of companies or firms governed by the Companies Act. The nature of the stock exchanges varies from place to place and from exchange to exchange. Then, there are certain rules and regulations which can arise at any time. You cannot foresee certain emergencies arising out of certain developments that might take place in particular stock exchange. It is very difficult to cover all the stock exchanges on the basis of the rules and regulations of the company law, because by their inherent nature, the working of the stock exchanges is different from the working of companies or firms

Shri Naushir Bharucha: My point was not that. My point was, when the Select Committee is seized of a certain matter, it is wrong and improper on the part of Government to anticipate and prejudge the issues and say, "We shall see that the Companies Act does not apply to stock exchanges." What are we doing there sitting in the Select Committee on amending the company law?

Shrimati Tarkeshwari Sinha: It is not a question of foreseeing in the sense that we take powers over the powers of the Select Committee. This has nothing to do with the particular Select Committee which is sitting

because we think the very working of the stock exchanges is different from the operation of the companies or firms. So, we have not prejudged anything. That is our view. Shri Bharucha may not agree, but that is his view. Government feels that the operation of the stock exchanges is different from the working of the particular companies or firms which come normally under the Companies Act. So, Government have taken these powers to exclude the stock exchanges from the working of the Companies Act. It is not that we want to over-power the working of the Select Committee. Our view is the nature of the working of the stock exchange is different. He may not agree with that view, but I cannot help it.

With these words, I move that the Bill be taken into consideration.

Mr. Deputy-Speaker. The question is

"That the Bill to amend the Securities Contracts (Regulation) Act, 1956, be taken into consideration"

The motion was adopted.

Clause 2 (Insertion of new section 7A)

17 hrs.

Mr. Deputy-Speaker: The question is

"That clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3—(Amendment of section 28)

Amendment made:

Page 2,—

for clause 3, substitute—

3. Substitution of new section for section 28—For section 28 of the principal Act, the following section shall be substituted, namely:—

"28. Act not to apply in certain cases.—(1) The provisions of this Act shall not apply to—

(a) the Government, the Reserve Bank of India, any local authority or any corporation set up by a special law or any person who has effected any transaction with or through the agency of any such authority as is referred to in this clause;

(b) any convertible bond or share warrant or any option or right in relation thereto, in so far as it entitles the person in whose favour any of the foregoing has been issued to obtain at his option from the company or other body corporate issuing the same or from any of its shareholders or duly appointed agents, shares of the company or other body corporate, whether by conversion of the bond or warrant or otherwise, on the basis of the price agreed upon when the same was issued.

(2) Without prejudice to the provisions contained in sub-section (1), if the Central Government is satisfied that in the interests of trade and commerce or the economic development of the country it is necessary or expedient so to do, it may, by notification in the Official Gazette, specify any class of contracts as contracts to which this Act or any provision contained therein shall not apply, and also the conditions, limitations or restrictions, if any, subject to which it shall not so apply." (3)

[Shrimati Tarkeshwar: Sinha]

Mr. Deputy-Speaker: The question is.

"That clause 3, as amended, stand part of the Bill"

The motion was adopted.

Clause 3, as amended, was added to the Bill

Clause 1 — (Short title)

Amendment made

Page 1, line 4,—

for "1958" substitute "1959" (2)

[Shrimati Tarkeshwar: Sinha]

Mr Deputy-Speaker: The question is

"That clause 1, as amended stand part of the Bill"

The motion was adopted

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made

Page 1, line 1,—

for "Ninth Year" substitute "Tenth Year" (1)

[Shrimati Tarkeshwar: Sinha]

Mr. Deputy-Speaker: The question is

"That the Enacting Formula, as amended, and the Long Title stand part of the Bill"

The motion was adopted

The Enacting Formula, as amended, and the Long Title were added to the Bill.

Shrimati Tarakeshwari Sinha: I
move:

"That the Bill, as amended, be
passed."

Mr. Deputy-Speaker: The question
is:

"That the Bill, as amended, be
passed".

The motion was adopted.

17.08 hrs

*The Lok Sabha then adjourned till
eleven of the Clock on Wednesday,
November 18, 1959/Kartika 27, 1881
(Saka).*

[Tuesday, 17th November, 1959] 26th Karika, 1881 (Saka)]

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COLUMNS

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- (1) A copy of statement on the flood control programme and the flood situation in the country.
- (2) A copy of Notification No. G. S. R. 968 dated the 22nd August, 1959, under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885, making certain further amendments to the Indian Telegraph Rules, 1951.
- (3) A copy of Notification No. G. S. R. 991 dated the 29th August, 1959, under sub-section (5) of Section 7 of the Indian Telegraph Act, 1885, making certain further amendments to the Indian Telegraph Rules, 1951.
- (4) A copy of each of Notification Nos. G. S. R. 1085 and G. S. R. 1086 dated the 26th September, 1959, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955
- (5) A copy of the Annual Report of the Kulu Valley Transport Company Limited along with the Audit Report for the year 1956-57 under sub-section (1) of Section 639 of the Companies Act, 1956
- (6) A copy of the Railway Protection Force Rules, 1959 published in Notification No. G. S. R. 1051 dated the 10th September, 1959, under sub-section (3) of Section 21 of the Railway Protection Force Act, 1957.

CALLING ATTENTION TO
MATTER OF URGENT
PUBLIC IMPORTANCE

346-47

Shri Vaipayec called the attention of the Minister of Labour and Employment to the proclamation of a state of emergency in Calcutta Port

The Deputy Minister of Labour (Shri Abid Ali) made a statement in regard thereto.

COLUMNS

MOTION RE: INCREASE IN
ALLOCATION OF TIME
TO BILL

348-49

The Minister of State in the Ministry of Home Affairs (Shri Datar) moved that the time for consideration and passing of the Arms Bill, 1958, as reported by Joint Committee be extended from 5 to 7 hours. The motion was adopted

BILLS PASSED

348-470

- (i) Further discussion on the motion to consider the Arms Bill, 1958, as reported by Joint Committee concluded. The motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed.
- (ii) The Deputy Minister of Law (Shri Hajaravis) moved that the Miscellaneous Personal Laws (Extension) Bill, 1959, as passed by Rajya Sabha be taken into consideration. The motion was adopted. After clause-by-clause consideration the Bill was passed.
- (iii) The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha) moved that the Securities Contracts (Regulation) Amendment Bill, 1958 be taken into consideration. The motion was adopted. After clause-by-clause consideration the Bill, as amended, was passed

AGENDA FOR WEDNESDAY,
NOVEMBER 18, 1959/KAR-
TIKA 27, 1881 (Saka)—

Consideration and passing of (i) the Andhra Pradesh and Madras (Alteration of Boundaries) Bill (ii) the Indian Penal Code (Amendment) Bill and (iii) the Haj Committee Bill.