

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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LOK SABHA

ALPHABETICAL LIST OF MEMBERS

A

Abdul Latif, Shri (Bijnor).
Abdur Rahman, Molvi (Jammu and Kashmir).
Abdur Rashid, Bakhshi (Jammu and Kashmir).
Abdul Salam, Shri (Truchirapalli).
Achal Singh, Seth (Agra).
Achar, Shri K. R. (Mangalore).
Achint Ram, Shri (Patiala).
Agadi, Shri Sangappa Andanappa (Koppal).
Agarwal, Shri Manakbhai (Mandsaur).
Ajit Singh, Shri (Bhatinda—Reserved—Sch. Castes).
Alva, Shri Joachim (Kanara).
Ambalam, Shri P. Subbiah (Ramanathapuram).
Amjad Ali, Shri (Dhubri).
Aney, Dr. M. S. (Nagpur).
Anirudh Sinha, Shri (Madhubani).
Anjanappa, Shri B. (Nellore—Reserved—Sch. Castes).
Anthony, Shri Frank (Nominated—Anglo-Indians).
Arumugam, Shri R. S. (Srivilliputhur—Reserved—Sch. Castes).
Arumugham, Shri S. R. (Namakkal—Reserved—Sch. Castes).
Ashanna, Shri K. (Adilabad).
Assar, Shri Premji R. (Ratnagiri).
Atchamamba, Dr. Komaraju (Vijayavada).
Awasthi, Shri Jagdish (Bilhaur).
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A—contd.

Ayyakannu, Shri M. (Nagapattinam—Reserved—Sch. Castes).
Ayyangar, Shri M. Ananthasayanam (Chittoor).

B

Babunath Singh, Shri (Sarguja—Reserved—Sch. Castes).
Badan Singh, Ch. (Bisauli).
Bahadur Singh, Shri (Ludhiana—Reserved—Sch. Castes).
Bajaj, Shri Kamalnayan Jamnalal (Wardha).
Bakliwal, Shri Mohanlal (Durg).
Balakrishnan, Shri S. C. (Dindigul—Reserved—Sch. Castes).
Baldev Singh, Sardar (Hoshiarpur).
Balmiki, Shri Kanhaiya Lal (Bulandshahar—Reserved—Sch. Castes).
Banerjee, Shri Pramathanath (Contai).
Banerjee, Shri S. M. (Kanpur).
Banerji, Dr. Ram Goti (Bankura).
Banerjee, Shri Pulin Behari (Lucknow).
Bangshi Thakur, Shri (Tripura—Reserved—Sch. Castes).
Barman, Shri Upendranath (Cooch-Bihar—Reserved—Sch. Castes).
Barrow, Shri A. E. T. (Nominated—Anglo-Indians).
Barua, Shri Hem (Gauhati).
Barupal, Shri Panna Lal (Bikaner—Reserved—Sch. Castes).

B—contd.

- Basappa, Shri C. R. (Tiptur).
- Basumatari, Shri Dharamidhar (Goalpara—Reserved—Sch. Tribes).
- Beck, Shri Ignace (Lohardaga—Reserved—Sch. Tribes).
- Bhaduria, Shri Arjun Singh (Etawah).
- Bhagat, Shri Baliram (Shahabad).
- Bhagvati, Shri Bijoy Chandra (Darrang).
- Bhakt Darshan, Shri (Garhwal).
- Bhanja Deo, Shri Laxmi Narayan (Keonjhar).
- Bhargava, Pt. Mukat Behari Lal (Ajmer).
- Bhargava, Pt. Thakur Das (Hissar).
- Bharucha, Shri Nauahir Gursotji (East Khandesh).
- Bhatkar, Shri Laxmanyoji Shrawanji (Akola—Reserved—Sch. Castes).
- Bhattacharyya, Shri Chapala Kanta (West Dinajpur).
- Bhogji Bhai, Shri P. B. (Banswara—Reserved—Sch. Tribes).
- Bidari, Shri Ramappa Balappa (Bijapur South).
- Birbal Singh, Shri (Jaunpur).
- Birendra Bahadur Singhji, Shri (Raipur).
- Bist, Shri Jang Bahadur Singh (Almora).
- Biswas, Shri Bholu Nath (Katihar).
- Borooah, Shri Prafulla Chandra (Sibsagar).
- Brahm Prakash, Chaudhury (Delhi Sedar).
- Braj Raj Singh, Shri (Ferozabad).
- Brajeshwar Prasad, Shri (Gaya).
- Brij Narayan "Brijesh", Pandit (Shivpuri).
- Chakravartty, Shrimati Benu (Bastihat).
- Chanda, Shri Anil Kumar (Birbhuma).
- Chandak, Shri Bhikulai Lakshminchand (Chhindwara).
- Chandra Shankar, Shri (Broach).
- Chandramani Kalo, Shri (Sundargarh—Reserved—Sch. Tribes).
- Chaturvedi, Shri Rohanlal (Etah).
- Chaudhuri, Shri Tridib Kumar (Berhampore).
- Chavan, Shri D. R. (Karad).
- Chavda, Shri Akbar (Banaskanta).
- Chettiar, Shri R. Ramanathan (Pudukottai).
- Choudhry, Shri C. L. (Hajipur—Reserved—Sch. Castes).
- Choudhury, Shri Suresh Chandra (Dumka).
- Chuni Lal, Shri (Ambala—Reserved—Sch. Castes).

B

- Daljit Singh, Shri (Kangra—Reserved—Sch. Castes).
- Damani, Shri Surajratan Fatehchand (Jalore).
- Damar, Shri Amar Singh (Jhabua—Reserved—Sch. Tribes).
- Dange, Shri Shripad Amrit (Bombay City Central).
- Das, Shri Kamal Krishna (Birbhuma—Reserved—Sch. Castes).
- Das, Dr. Mono Mohan (Asansol—Reserved—Sch. Castes).
- Das, Shri Nayantara (Monghyr—Reserved—Sch. Castes).
- Das, Shri Ramdhani Nawada—Reserved—Sch. Castes).

B—contd.

Das, Shri Shree Narayan (Darbhanga).

Das Gupta, Shri Bibhuti Bhushan (Purulia).

Dasappa, Shri H. C. (Bangalore).

Dasaratha Deb, Shri (Tripura).

Datar, Shri Balwant Nagesh (Belgaum).

Daulta, Shri Pratap Singh (Jhajjar).

Deb, Shri Narasingha Mala Ugal Sanda (Midnapur).

Deb, Shri P. G. (Angul).

Deo, Shri Pratap, Keshari (Kalahandi).

Deo, Shri Shankar (Gulbarga—Reserved—Sch. Castes).

Desai, Shri Morarji R. (Surat).

Deshmukh, Dr. Panjabrao S. (Amravati).

Deshmukh, Shri K. G. (Ramtek).

Dhanagar, Shri Banghi Das (Mainpuri).

Dharmalingam, Shri R. (Tiruvannamalai).

Dige, Shri Shankarrao Khanderao (Kolhapur—Reserved—Sch. Castes).

Dindod, Shri Jajibhai Koyabhai (Dohad—Reserved—Sch. Tribes).

Dinesh Singh, Shri (Banda).

Dora, Shri Dippala Suri (Parvathipuram).

Drohar, Shri Shivadin (Hardoi—Reserved—Sch. Castes).

Dube, Shri Mulchand (Farrukhabad).

Dublish, Shri Vishnu Sharan (Sardhana).

Dwivedi, Shri M. L. (Hamirpur).

Dwivedy, Shri Surendranath (Kendrapara).

E

Eacharan, Shri V. Iyyani (Palghat).

Elayaperumal, Shri L. (Chidambaram—Reserved—Sch. Castes).

Elias, Shri Muhammed (Howrah).

G

Gaekwad, Shri Fatehnrao Pratapsinhrao (Baroda).

Gaikwad, Shri Bhaurao Krishmarao (Nasik).

Ganapathy, Shri T. (Tiruchendur).

Gandhi, Shri Feroze (Rai Bareilly).

Gandhi, Shri Maneklal Maganlal (Panchmahals).

Ganga Devi, Shrimati (Unnao—Reserved—Sch. Castes).

Ganpati Ram, Shri (Jaunpur—Reserved—Sch. Castes).

Gautam, Shri Chintaman Dhivrjaji (Balaghat).

Ghara, Shri A. V. (Jaina).

Ghodasar, Thakor Shri Fatehsinhji Ratansinhji (Kaira).

Ghosal, Shri Aurobundo (Uluberia).

Ghose, Shri Bimal Coomar (Barrackpore).

Ghose, Shri Subiman (Burdwan).

Ghoah, Shri Atulya (Asansol).

Ghoah, Shri Mohindra Kumar (Jamshedpur).

Ghoah, Shri N. R. (Cooch-Bihar).

Godsora, Shri Sambhu Charan (Singbhum—Reserved—Sch. Tribes).

Gohain, Shri Chowkhamoon (Nominated—Assam Tribal Areas).

Gohokar, Dr. Deorao Yeshwantrao (Yeotmal).

Gopalan, Shri Ayilath Kuttiesel (Kasargod).

—contd.

Gadgil, Shri Nairajan Ganesh (Poona).
 Gokhale, Shri N. P. Shantappa
 (Thalashanam).
 Gounder, Shri A. Doraiswami (Tirupattur).
 Gounder, Shri K. Periaswami
 (Karur).
 Govind Das, Seth (Jabalpur).
 Guha, Shri Arun Chandra (Barrack).
 Gupta, Shri Chheda Lal (Hardoi).
 Gupta, Shri Ram Krishan (Mahendragarh).
 Gupta, Shri Sachan Chandra
 (Calcutta-East).

H

Hajarnavis, Shri Ramchandra
 Martand (Bhandara).
 Haider, Shri Kansari (Diamond
 Harbour—Reserved—Sch. Castes).
 Harvani, Shri Ansar (Fatehpur).
 Haxada, Shri Subodh (Midnapur—
 Reserved—Sch. Tribes).
 Hathi, Shri Jaisukhlal Shanker Lal
 (Hajar).
 Hazarika, Shri Jogendra Nath
 (Dibrugarh).
 Heda, Shri H. C. (Nizamabad).
 Hem Raj, Shri (Kangra).
 Hukam Singh, Sardar (Bhatinda).
 Hymniewta, Shri Hoover (Autono-
 mous Districts—Reserved—Sch.
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I

Iqbal, Shri Mohammed (Chittdrug).
 Iqbal Singh, Sardar (Ferozepur).
 Iyer, Shri S. Easwara (Trivandrum).

Jadhav, Shri Yadav Narayan
 (Malegaon).
 Jagjivan Ram, Shri (Sasaram—
 Reserved—Sch. Castes).
 Jain, Shri Ajit Prasad (Saharanpur).
 Jais, Shri Mool Chand (Kaithal).
 Jaipal Singh, Shri (Ranchi West—
 Reserved—Sch. Tribes).
 Jangde, Shri Resham Lal (Bilaspur).
 Jedhe, Shri Keshavrao Marutirao
 (Baramati).
 Jena, Shri Kanhu Charan (Bansmore—
 Reserved—Sch. Castes).
 Jhulan Saha, Shri (Siwan).
 Jhunjhunwala, Shri Banarsi Prasad
 (Bhagalpur).
 Jinachandran, Shri M. K. (Telli-
 chery).
 Jogendra Sen, Shri (Mandi).
 Jogendra Singh, Sardar (Bahraich).
 Joshi, Shri Anand Chandra (Shahdol).
 Joshi, Shri Liladhar (Shajapur).
 Joshi, Shrimati Subhadra (Ambala).
 Jyotishi, Pandit Jwala Prasad (Sagar).

K

Kalika Singh, Shri (Azamgarh).
 Kamal Singh, Shri (Buxar).
 Kamble, Dr. Devrao Namdevrao
 Pathrikar (Nanded—Reserved—
 Sch. Castes).
 Kumble, Shri Bapu Chandrasen
 (Kopergaon).
 Kanakasabai, Shri R. Pillai (Chidam-
 baram).
 Kanungo, Shri Nityanand (Cuttack).
 Kar, Shri Prabhat (Hooghly).
 Karmarkar, Shri D. P. (Bhatwar
 North).

K

- Karni Singhji, Shri (Bikaner).
 Kashyap, Shri Nami Chandra (Kota).
 Katti, Shri D. A. (Chikodi).
 Kayal, Shri Parash Nath (Basirhat—Reserved—Sch. Castes).
 Kedaria, Shri Chhaganlal Madaribhat (Mandvi—Reserved—Sch. Tribes).
 Keshar Kumari, Shrimati (Raipur—Reserved—Sch. Tribes).
 Keshava, Shri N. (Bangalore City).
 Kaskar, Dr. B. V. (Musafirkhana).
 Khadilkar, Shri Raghunath Keshav (Ahmednagar).
 Khadiwala, Shri Kanhaiyalal (Indore).
 Khan, Shri Osman Ali (Kurnool).
 Khan, Shri Sadath Ali (Warangal).
 Khan, Shri Shahnawaz (Meerut).
 Khedkar, Dr. Gopalrao Bajirao (Akola).
 Khimji, Shri Bhawanji R. (Kutch).
 Khuda Buksh, Shri Muhammed (Murshidabad).
 Khwaja, Shri Jamal (Aligarh).
 Kiledar, Shri R. S. (Hoshangabad).
 Kistaiya, Shri Surti (Bastar—Reserved—Sch. Tribes).
 Kodian, Shri P. K. (Quilon—Reserved—Sch. Castes).
 Koratkar, Shri Vinayak Rao K. (Hyderabad).
 Kotoki, Shri Liladhar (Nowgong).
 Kottukapally, Shri George Thomas (Moovattupuzha).
 Kripalani, Acharya J. B. (Sitamarhi).
 Kripalani, Shrimati Sucheta (New Delhi).
 Krishna, Shri M. R. (Karumnagar—Reserved—Sch. Castes).

K—contd.

- Krishna Chandra, Shri (Jaleswar).
 Krishna Rao, Shri Mandali Venkata (Masulipatnam).
 Krishnaiah, Shri D. Balarama (Gudivada).
 Krishnamachari, Shri T. T. (Madras South).
 Krishnappa, Shri M. V. (Tumkur).
 Krishnaswamy, Dr. A. (Chingleput).
 Kumaran, Shri M. K. (Chirayinkil).
 Kumbhar, Shri Banamali (Sambalpur—Reserved—Sch. Castes).
 Kunhan, Shri P. (Palghat—Reserved—Sch. Castes).
 Kureel, Shri Baij Nath (Rae Bareilly—Reserved—Sch. Castes).

L

- Lachhi Ram, Shri (Hamirpur—Reserved—Sch. Castes).
 Lachman Singh, Shri (Nominated—Andaman and Nicobar Islands).
 Lahiri, Shri Jitendra Nath (Serampore).
 Laskar, Shri Nibaran Chandra (Cachar—Reserved—Sch. Castes).
 Laxmi Bai, Shrimati Sangara (Vicarbabad).

M

- Mafida Ahmed, Shrimati (Jorhat).
 Mahagonkar, Shri Bhausaheb Rao Saheb (Kolhapur).
 Mahanty, Shri Surendra (Dhenkanal).
 Mahendra Pratap, Raja (Mathura).
 Maiti, Shri Nikunja Bibari (Ghatal).
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Malaviya, Pandit Govind (Sultanpur).
 Malaviya, Shri Keshava Deva (Basti).
 Malhotra, Shri Inderjit Lal (Jammu and Kashmir).
 Malliah, Shri U. Srinivasa (Udipi).
 Malvia, Shri Kanhaiyalal Bherulal (Shajapur—Reserved—Sch. Castes).
 Malviya, Shri Motilal (Khajuraho—Reserved—Sch. Castes).
 Manasen, Shri T. (Darjeeling).
 Manay, Shri Gopal Kaluji (Bombay City Central—Reserved—Scheduled Castes).
 Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).
 Mandal, Shri Jailal (Khagaria).
 Maniyangadan, Shri Mathew (Kottayam).
 Manjula Debi, Shrimati (Goalpara).
 Masani, Shri M. R. (Ranchi—East).
 Masuriya Din, Shri (Phulpur—Reserved—Sch. Castes).
 Matera, Shri Laxman Mahadu (Thana—Reserved—Sch. Tribes).
 Mathur, Shri Harish Chandra (Pali).
 Mathur, Shri Mathura Das (Nagaur).
 Matin, Qazi S. A. (Giridih).
 Mehdi, Shri Syed Ahmed (Rampur).
 Mehta, Shri Ashok (Muzaffarpur).
 Mehta, Shri Balwantray Gopalji (Gohilwad).
 Mehta, Shri Jaswant Rai (Jodhpur).
 Mehta, Shrimati Krishna (Jammu and Kashmir).
 Melkote, Dr. G. S. (Raichur).
 Menon, Dr. K. B. (Badagara).
 Menon, Shri V. K. Krishna (Bombay City North).
 Menon, Shri T. C. Narayankutty (Mukundapuram).

M—contd.

Minimata, Shrimati Agamadas Gura (Baloda Bazar—Reserved—Sch. Castes).
 Mishra, Shri Bibhuti (Bagaha).
 Mishra, Shri Lalit Narayan (Sabarsa).
 Mishra, Shri Mathura Prasad (Begu-sarai).
 Mishra, Shri Shyam Nandan (Jannagar).
 Misra, Shri Bhagwan Din (Kaisarganj).
 Misra, Shri Raghubar Dayal (Bulandshahr).
 Misra, Shri Raja Ram (Faizabad).
 Mohammad Akbar, Sheikh (Jammu and Kashmir).
 Mohan Swaroop, Shri (Pilibhit).
 Mohideen, Shri M. Gulam (Dindigul).
 Mohiuddin, Shri Ahmed (Secunderabad).
 Morarka, Shri Radheyshyam Ramkumar (Jhunjhunu).
 More, Shri Jayawant Ghanshyam (Sholapur).
 Mukerjee, Shri Hirendra Nath (Calcutta—Central).
 Mullick, Shri Balshnav Charan (Kendrapara—Reserved—Sch. Castes).
 Muniswamy, Shri N. R. (Vellore).
 Murmu, Shri Paika (Rajmahal—Reserved—Sch. Tribes).
 Murthy, Shri B. S. (Kakinada—Reserved—Sch. Castes).
 Murty, Shri M. S. (Golugonda).
 Musafir, Giani Gurmukh Singh (Amritsar).
 Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

N

- Nadar, Shri P. Thanulgam (Nagar-coll).
- Naidu, Shri R. Govindarajalu (Tiruvallur).
- Naidu, Shri T. D. Muthukumarasami (Cuddalore).
- Nair, Shri C. Krishnan (Outer Delhi).
- Nair, Shri K. P. Kuttikrishnan (Kozhikode)
- Nair, Shri P. K. Vasudevan (Thiruvella).
- Naldurgkar, Shri Venketrao Srinivasrao (Osmanabad).
- Nallakoya, Shri Koyilat (Nominated—Laccadive, Minicoy and Amindive Islands)
- Nanda, Shri Gulzarilal (Sabarkantha)
- Nanjappa, Shri C (Nilgiris)
- Naraindin, Shri (Shahjahanpur—Reserved—Sch. Castes).
- Narasimhan, Shri C. R. (Krishnagiri)
- Narayanasaamy, Shri R (Periyakulam)
- Naskar, Shri Purnendu Sekhar (Diamond Harbour).
- Nath Pal, Shri (Rajapur)
- Nathwan, Shri Narendrabhai P. (Sorath)
- Nayak, Shri Mohan (Ganjam—Reserved—Sch. Castes)
- Nayar, Dr. Susila (Jhansi)
- Nayar, Shri V P (Quilon)
- Negi, Shri Nek Ram (Mahasu—Reserved—Sch. Castes)
- Nehru, Shri Jawaharlal (Phulpur)
- Nehru, Shrimati Uma (Sitapur)
- Neswi, Shri T. R. (Dharwar South).

O

- Oskar Lal, Shri (Motah—Reserved—Sch. Castes).
- Om, Shri Ghasekyasa Lal (Zalawed).

P

- Padalu, Shri Kankipati Veeranna (Golugonda—Reserved—Sch. Tribes).
- Padam Dev, Shri (Chamba)
- Pahadia, Shri Jagan Nath Prasad (Sawai Madhopur—Reserved—Sch. Castes).
- Palaniyandi, Shri M. (Perambalur).
- Palchoudhuri, Shrimati Ila (Nabedwip)
- Pande, Shri C. D (Naini Tal)
- Pandey, Shri Kashi Nath (Hata).
- Pandey, Shri Sarju (Rasra)
- Pangarkar, Shri Nagorao Karojee (Parbhani).
- Panigrahi, Shri Chintaman (Puri).
- Panna Lal, Shri (Fauzabad—Reserved—Sch. Castes)
- Parmar, Shri Deenabandhu (Udaipur—Reserved—Sch. Tribes).
- Parmar, Shri Karsandas Ukabhai (Ahmedabad—Reserved—Sch. Castes)
- Parulekar, Shri Shamrao Vishnu (Thana)
- Parvathu Krishnan, Shrimati M. (Coimbatore).
- Patel, Shri Nanubhai Nichhabhai (Bulsar—Reserved—Sch. Tribes).
- Patel, Shri Purushottamdas R (Mehsana)
- Patel, Shri Rajeshwar (Hajipur)
- Patel, Shri Maniben Vallabhabhai (Anand)
- Patil, Shri Belasaheb (Miraj)
- Patil, Shri Nana (Satara).
- Patil, Shri R. D. (Bhir)
- Patil, Shri S. K (Bombay City South).

F—contd.

- Fatih, Shri Uttamrao Laxman (Dhulia).
 Patnaik, Shri Uma Charan (Ganjam).
 Pattabhi Raman, Shri C. R. (Kumbakonam).
 Pillai, Shri S. C. C. Anthony (Madras North).
 Pillai, Shri P. T. Thanu (Tirunelveli).
 Pocker Sahib, Shri B. (Banjeri).
 Prabhakar, Shri Naval (Outer Delhi—Reserved—Sch. Castes).
 Pragi Lal, Shri (Sitapur—Reserved—Sch. Castes).
 Prasad, Shri Mahadeo (Gorakhpur—Reserved—Sch. Castes).
 Prodhan, Shri Bijaya Chandrasingh (Kalahandi—Reserved—Sch Tribes).
 Punnoose, Shri P T (Ambalapuzha).

E

- Radha Mohan Singh, Shri (Ballia).
 Radha Raman, Shri (Chandni Chowk).
 Raghubir Sahai, Shri (Budaun).
 Raghunath Singh, Shri (Varanasi).
 Raghunath Singhji, Shri (Barmer).
 Raghuramaiah, Shri Kotha (Guntur).
 Rahman, Shri M Hifzur (Amroha).
 Rai, Shri Khushwaqt (Kheri).
 Raj Bahadur, Shri (Bharatpur).
 Rajendra Singh, Shri (Chapra).
 Rajiah, Shri Devanapalli (Nalgonda—Reserved—Sch Castes).
 Raju, Shri D S. (Rajahmundry).
 Raju, Shri Vijayarama Gajapathi (Visakhapatnam).
 Rajyalaxmi, Shrimati Lalita (Hazari-bagh).
 Ram Garib, Shri (Basti—Reserved—Sch. Castes).

E—contd.

- Ram Saran, Shri (Moradabad).
 Ram Shankar Lal, Shri (Dumraiganj).
 Ram Subhag Singh, Dr. (Sasargan).
 Ramkrishnan, Shri Peelamedu Rangaswamy Naidu (Pollachi).
 Ramam, Shri Uddaraju (Narasapur).
 Ramanand Shastri, Swami (Barabanki—Reserved—Sch. Castes).
 Ramananda Tirtha, Swami (Aurangabad).
 Ramaswamy, Shri S. V. (Salem).
 Ramaswamy, Shri K S (Gobichettipalayam).
 Ramaswamy, Shri Puli (Mahbubnagar—Reserved—Sch. Castes).
 Ramaul, Shri S. N. (Mahasu).
 Rameshwar Rao, Shri J (Mahbubnagar).
 Rampure, Shri Mahadevappa Y. (Gulbarga).
 Ranbir Singh, Ch (Rohtak).
 Rane, Shri Shivram Rango (Buldana).
 Ranga, Shri N G (Tenali).
 Rangarao, Shri M. Sri (Karimnagar).
 Rao, Shri B Rajagopala (Srikakulam).
 Rao, Shri Devulapalh Venkateswar (Nalgonda).
 Rao, Shri Etikala Madhusudan (Mahbubabad).
 Rao, Shri P Hanmanth (Madak).
 Rao, Shri R Jagannath (Koraput).
 Rao, Shri T B Vittal (Khammam).
 Raut, Shri Bhola (Champaran—Reserved—Sch Castes).
 Raut, Shri Rajaram Balakrishna (Kojaba).
 Ray, Shrimati Renuka (Malda).

B—contd.

- Reddy, Shri Chagireddy Bali (Machilipatnam—Reserved—Sch. Tribes).
- Reddy, Shri K. C. (Kolar).
- Reddy, Shri R. Lakshmi Narasa (Nellore).
- Reddy, Shri R. Narapa (Ongole).
- Reddy, Shri T. Nagi (Anantapur).
- Reddy, Shri K. V. Ramakrishna (Hindupur).
- Reddy, Shri T. N. Vishwanatha (Majampet).
- Reddy, Shri Vutukuru Rami (Cuddapah).
- Roy, Shri Biren (Calcutta—South-West).
- Roy, Shri Bishwanath (Salempur).
- Rungtung Suisa, Shri (Outer Manipur—Reserved—Sch. Castes).
- Rup Narain, Shri (Mirzapur—Reserved—Sch. Castes).

S

- Sadhu Ram, Shri (Jullundur—Reserved—Sch. Castes).
- Sahodrabai Rai, Shrimati (Sagar—Reserved—Sch. Castes).
- Sahu, Shri Bhagabat (Balasore).
- Sahu, Shri Rameshwar (Darbhanga—Reserved—Sch. Castes).
- Saigal, Sardar Amar Singh (Janjgir).
- Saksena, Shri Shibban Lal (Maharajganj).
- Salunke, Shri Balasaheb (Khed).
- Samanta, Shri Satus Chandra (Tamluk).
- Semantsinhar, Dr N. C. (Bhubaneswar).
- Serabandam, Shri K. R. (Nagapattinam).
- Serampath, Shri E. V. K. (Namakkal).

S—contd.

- Senganna, Shri Toyaka (Koraput—Reserved—Sch. Tribes).
- Sankarapandian, Shri M. (Tenkasi).
- Sardar, Shri Bhoili (Saharsa—Reserved—Sch. Castes).
- Sarhadi, Shri Ajit Singh (Ludhiana).
- Satish Chandra, Shri (Bareilly).
- Satyabhama Devi, Shrimati (Nawada).
- Satyanarayana, Shri Biddika (Parvathipuram—Reserved—Sch. Tribes).
- Scindia, Shrimati Vijaya Raje (Guna).
- Selku, Shri Mardi (West Dinajpur—Reserved—Sch. Tribes).
- Sen, Shri Asoke Kumar (Calcutta—North-West).
- Sen, Shri Phani Gopal (Purnea).
- Serva, Shri A. Vairavan (Tanjore).
- Seth, Shri Bishanchandar (Shahjahanpur).
- Shah, Shri Manabendra (Tehri Garhwal).
- Shah, Shri Manubhai (Madhya Saurashtra).
- Shah, Shrimati Jayaben Vajubhai (Girnar).
- Shakuntala Devi, Shrimati (Banka).
- Shankaraiya, Shri M. (Mysore).
- Sharma, Pandit Krishna Chandra (Hapur).
- Sharma, Shri Diwan Chand (Gurdaspur).
- Sharma, Shri Harish Chandar (Jaipur).
- Sharma, Shri Radha Charan (Gwalior).
- Shastri, Pandit Hiralal (Sawai Madhopur).
- Shastri, Shri Lal Bahadur (Allahabad).

S—contd.

- Shastri, Shri Prakash Vir (Gurgaon).
 Shivananjappa, Shri M. K. (Mandya).
 Shobha Ram, Shri (Alwar).
 Shukla, Shri Vidya Charan (Baloda Bazar).
 Siddananjappa, Shri H. (Hassan).
 Siddiah, Shri S. M. (Mysore—Reserved—Sch. Castes).
 Singh, Shri Awadhesh Kumar (Kati-
 har).
 Singh, Shri Chandikeshwar Saran
 (Sarguja).
 Singh, Shri Digvijaya Narayan
 (Pupri).
 Singh, Shri Dinesh Pratap (Gonda).
 Singh, Shri Har Prasad (Ghazipur).
 Singh, Shri Kamal Narain (Shahadol
 —Reserved—Sch. Tribes).
 Singh, Shri Laisram Achaw (Inner
 Manipur).
 Singh, Shri Mahendra Nath (Maha-
 rajganj).
 Singh, Shri P. N. (Chandauli).
 Singh, Shri Sinhasan (Gorakhpur).
 Sinha, Shri Banarsi Prasad (Mon-
 ghyr).
 Sinha, Shri Gajendra Prasad (Pala-
 mau).
 Sinha, Shri Kailash Pati (Nalanda).
 Sinha, Shri Sarangdhara (Patna).
 Sinha, Shri Satya Narayan (Samasti-
 pur).
 Sinha, Shri Satyendra Narayan
 (Aurangabad).
 Sinha, Shrimati Tarakeshwari (Barh).
 Siva, Dr. M. V. Gangadhara (Chit-
 too—Reserved—Sch. Castes).
 Sivaraj, Shri N. (Chingleput—Reserv-
 ed—Sch. Castes).
 Snatak, Shri Nardeo (Aligarh—Re-
 served—Sch. Castes).
 Sottani, Shri G. D. (Gaus).

S—contd.

- Sonawane, Shri Tayappa (Sholapur—
 Reserved—Sch. Castes).
 Sonule, Shri Harihar Rao (Nanded).
 Soren, Shri Debi (Dumka—Reserv-
 ed—Sch. Tribes).
 Subbarayan, Dr. P. (Tiruchengoda).
 Subramanyam, Shri Tekur (Bellary).
 Sugandhi, Shri Murikeppa Siddappa
 (Bijapur North).
 Sultan, Shrimati Maimooma (Bhopal).
 Supakar, Shri Shradhdhakar (Sambal-
 pur).
 Sumat Prasad, Shri (Muzaffarnagar).
 Sunder Lal, Shri (Saharanpur—Re-
 served—Sch. Castes).
 Surya Prasad, Shri (Gwalior—Re-
 served—Sch. Castes).
 Swami, Shri V. N. (Chanda).
 Swaran Singh, Sardar (Jullundur).
 Syed Mahmud, Dr. (Gopalganj).

T

- Tahir, Shri Mohammed (Kishanganj).
 Tangamani, Shri K. T. K. (Madurai).
 Tantia, Shri Rameshwar (Sikar).
 Tariq, Shri Ali Mohammad (Jammu
 and Kashmir).
 Tewari, Shri Dwarikanath (Cachar).
 Thakore, Shri Motisinh Bahadursinh
 (Patna).
 Theyar, Shri U. Muthurmalings
 (Srivilliputhur).
 Thimmaiah, Shri Dodda (Kolar—Re-
 served—Sch. Castes).
 Thirumal Rao, Shri M. (Kakinada).
 Thomas, Shri A. M. (Ernakulam).

T—contd.

- Tiwari, Pandit Babu Lal (Nimar Khandwa).
 Tiwari, Shri Ram Sahai (Khajuraho).
 Tiwary, Pandit Dwarka Nath (Kesaria).
 Tripathi, Shri Vishwambar Dayal (Unnao).
 Tula Ram, Shri (Etawah—Reserved—Sch. Castes).
 Tyagi, Shri Mahavir (Dehra Dun).

U

- Uike, Shri M. G. (Mandla—Reserved—Sch. Tribes).
 Unrao Singh, Shri (Ghosi).
 Upadhyaya, Pandit Munishwar Dutt (Pratapgarh).
 Upadhyaya, Shri Shiva Datt (Rewa).

V

- Vajpayee, Shri Atal Bihari (Balrampur).
 Valvi, Shri Laxman Vedu (West Khandesh—Reserved—Sch. Tribes).
 Varma, Shri B. B. (Champaran).
 Varma, Shri Manikya Lal (Udaipur).
 Varma, Shri Ramsingh Bhai (Nimar).

V—contd.

- Vedakumari, Kummari M. (Eturu).
 Venkatasubbalaksh, Shri Pendekanti (Adoni).
 Verma, Shri Ramji (Deoria).
 Vijaya Raje, Shrimati (Chatra).
 Vishwanath Prasad, Shri (Azamgarh—Reserved—Sch. Castes).
 Vyas, Shri Ramesh Chandra (Bhilwara).
 Vyas, Shri Radhelal (Ujjain).

W

- Wadiwa, Shri Narayan Maniramji (Chhindwara—Reserved—Sch. Tribes).
 Warior, Shri K. K. (Trichur).
 Wasnik, Shri Balkrishna (Bhandara—Reserved—Sch. Castes).
 Wilson, Shri John N. (Mirzapur).
 Wodeyar, Shri K. G. (Shimoga).

Y

- Yadav, Shri Ram Sewak (Barabanki).
 Yajnik, Shri Indulal Kanaiyalal (Ahmedabad).

(24)

LOK SABHA

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Shri M. Ananthasayanam Ayyangar.

The Deputy-Speaker

Sardar Hukum Singh.

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Shri Upendranath Barman.

Shri C. R. Pattabhi Ramana.

Shrimati Renu Chakravartty.

Shri Jaipal Singh.

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Shri M. N. Kaul, Barrister-at-law

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Shri M. L. Dwivedi.

Sardar Hukum Singh.

Shri Raghbir Sahai.

Pandit Thakur Das Bhargava.

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Shri Satya Narayan Sinha

Shri Surendranath Dwivedy.

Shri S. R. Rane.

Shri Braj Raj Singh.

Shri Shree Narayan Das.

Shri Jaipal Singh.

Shri K. T. K. Tangamani.

Shri Shraddhakar Supakar.

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Shri Satya Narayan Sinha.

Shri C. D. Pande.

Shri Asoke K. Sen.

Shri Hirendra Nath Mukerjee.

Shri S. R. Rane.

Shri M. R. Masani.

Dr. P. Subbarayan.

Shri Bimal Comar Ghose.

Shri Nemi Chandra Kasliwal

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Shrimati Jayaben Vajubhai Shah.

Thakore Shri, Fatesinhji Ghodassar.

Shri N. M. Wadiwa.

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Shri V. N. Swami.	Shri Chintamani Panigrahi.
Shri M. Ayyakannu.	Shri N. P. Shanmuga Gounder.
Shri Ram Krishan Gupta.	Shri B. C. Mullick.
Shri S. Hansda.	Shri Harish Chandra Sharma.
Shri R. S. Kulkarni.	Shri Ignace Beck.
Shri Rungtong Saha.	

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Shri Sunder Lal.	Shrimati Renu Chakravarty.
Shri T. H. Sonavane.	Shri Jhulan Sinha.
Shri Raghunath Singh.	Shri D. A. Katti.
Sardar Iqbal Singh.	Shri T. Nagi Reddy.
Shri A. M. Tariq.	Shri V. Rami Reddy.
Shri S. A. Matin.	Shri B. R. Mahagonkar.
Shri Hem Barua.	Sardar A. S. Saigal.
Shri Narendrabhai Nathwani.	Shri Dinesh Singh.
Shri Rajeshwar Patel.	Shri M. Muthukrishnan.
Shrimati Masida Ahmed.	Shri K. P. K. Nair.
Shri Mathura Das Mathur.	Shri C. R. Basappa.

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Shri Aniruddh Sinha.	Shri Jaswantraj Mehta.
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Shri P. K. Vasudevan Nair.	Shri Kamal Singh.
Shri G. R. Dasgupta.	Shri Atal Bihari Vajpayee.
Shri P. Subbiah Ambalam.	Shri Ramji Verma.
Shrimati Ila Palchoudhuri.	Shri B. B. Das Gupta.
	Shri Ganpati Ram.

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Shri M. K. M. Abdul Salam.	Shri M. K. Shivnanjappa.
Shri Jiyal Mandal.	Shri Ram Chandra Majhi.
	Shri Arjun Singh Bhadauria.

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Shri Ram Krishan Gupta.	Shri S. Easwara Iyer.
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Shri Yadav Narayan Jadhav.	Shri Shradhbakar Supakar.
	Shri Shambhu Charan.

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Pandit Jwala Prasad Jyotishi.	Shri Radha Raman.
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Shri V. R. K. Koratkar.	Shri Jaipal Singh.
	Shri Shradhbakar Supakar.

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Shri Amolakh Chand.	Shri Rohit Manushankar Dave.
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Shri Ajit Singh Sarhadi.	Shri Kanhaiyalal Bherulal Malviya.
Shri K. S. Ramaswamy.	Shri Aurobindo Ghosal.
Shri Sinhasan Singh.	Shri Mohammed Imam.
Shri N. R. Ghosh.	Dr. A. Krishnaswami.
Shri T. C. N. Menon.	Shri L. Achaw Singh.
Shri Satyendra Narayan Sinha.	

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Shri Upendranath Barman.	Shri Jaipal Singh.
Shrimati Renu Chakravartty.	Shri Vijayaram Raju.
Shri H. C. Dasappa.	Shri P. K. Deo.
Shri U. Srinivasa Malliah.	Shri B. K. Gaikwad.
Shri Mulchand Dube.	Dr. A. Krishnaswami.
Shri Satya Narayan Sinha.	Shri J. M. Mohamed Imam.
	Shri C. R. Pattabhi Raman.

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Shri S. C. Samanta.	Shrimati Sahodra Bai Rai.
Shri Digvijaya Narain Singh.	Shri A. E. T. Barrow.
Shri Rajeebwar Patel.	Shrimati Parvathi M. Krishnan.
Shri Maneklal Maganlal Gandhi.	Shri Khushwaqt Rai.
Shri Missula Suryanarayanamurti.	Shri Bhausaheb Raosaheb Mahagoan- kar.

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Lok Sabha**

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Shri U. Srinivasa Malliah.	Shri Doraiswami Gounder.
Shri Diwan Chand Sharma.	Shri Narayan Ganesh Goray.
Shri Chapalabanta Bhattacharyya.	Shrimati Parvathi M. Krishnan.
Shri Kanhaiyalal Khediwala.	Shri U. Muthuramalinga Thevar.

Rajya Sabha

Shrimati Anamu Swaminathan.
Shri Amar Nath Agarwal.
Shri Jaspat Roy Kapoor.

Dr. R. P. Dube.

Shri M. N. Govindiah Walli.

Joint Committee

Shri M. Ananthasayanam Ayyangar—
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Sardar Hukam Singh.

Shri Satya Narayan Sinha.

Pandit Thakur Das Bhargava.

Shri C. R. Pattabhi Raman.

Shri M. Siva Raj.

Shri Radhelal Vyas.

Shri Tyappa Hari Somavasa.

Shri Ghanshyam Lal Oza.

Shrimati Uma Nehru.

Shri N. Shankaraiya.

Shri Purushottamdas R. Patel.

Shri Amjad Ali.

Shri M. R. Masani.

Shri T. B. Vittal Rao.

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Shri C. R. Pattabhi Raman—
(Chairman).

Dr. M. S. Aney.

Shri Premji R. Assar.

Dr. K. B. Menon.

Shri R. R. Morarka.

Shrimati Uma Nehru.

Shri R. C. Sharma.

Shri Hirendranath Mukerjee.

Shri H. Siddananjappa.

Shri Satyendra Narayan Sinha.

Rajya Sabha

Diwan Chaman Lall.

Shri T. S. Avinashi Lingam Chet-
tier.

Shri Amolakh Chand.

Dr. Raj Bahadur Gour.

Shri Rajendra Pratap Sinha.

LOK SABHA DEBATES

Vol. XXXV] First day of the Ninth Session of Second Lok Sabha [No. 1

LOK SABHA

Monday, November 16, 1959/Kartika
25, 1881 (Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Kashmir

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*1. { Shri N. R. Muniswamy:
Shri A. M. Tariq:

Will the Prime Minister be pleased to state:

(a) whether Government of India are aware that in the Concise Oxford Dictionary, Kashmir has been mentioned as a part of Pakistan while giving the definition of Pakistan, and

(b) if so, the steps taken by Government to get the mistake rectified?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes, Sir

(b) Our High Commission in London which took up the matter with the Clarendon Press, Oxford, has been informed that the publishers propose to drop this particular entry in the Dictionary altogether

Shri N. R. Muniswamy: May I know whether it has been brought to the notice of Government that one of the leading papers in America, namely the *New York Times* always shows Kashmir as a disputed area and

gives a novel definition of Azad Kashmir as a corner of Pakistan, and if so, what steps have been taken by Government to eliminate these grand ideas from the publications of this paper which is always friendly towards India except perhaps that it is the other way about when it comes to Kashmir?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): We cannot control private newspapers or periodicals. If a Government is responsible, we draw the attention of that Government to it.

Shri Raghunath Singh: May I know whether the circulation of the book has been stopped in India or not?

Shri Jawaharlal Nehru: Which book?

Shri Raghunath Singh: This book, the dictionary

Shri Jawaharlal Nehru: No, it has not been stopped. I might add that the Pakistan Government have taken strong exception to this very description because Pakistan has been described as part of India.

Shri A. M. Tariq: May I know whether in this dictionary the definition of Pakistan has been given in such a way that Kashmir is also part of Pakistan? As it is a reference book being used daily for official and non-official business, is it not our duty to stop this book from circulation, till they make corrections in this regard?

Shri Jawaharlal Nehru: I do not think so

Shri Tangamani: May I know whether the Commonwealth publication known as *The Commonwealth in Brief*

shows Kashmir as a separate entity belonging neither to Pakistan nor to India, and if so, what steps Government have taken to rectify the same?

Mr. Speaker: How does that arise out of the main question? The main question only refers to the Concise Oxford Dictionary. The hon. Minister cannot be expected to know everything about everything.

मंगला बांध

- *२. { श्री प्रकाश वीर शास्त्री :
श्री वी० चं० शर्मा :
श्री अजित सिंह सरहवी :
श्री सरजू पांडेय :

क्या प्रश्न संजी ३ अगस्त, १९५९ के तारकित प्रश्न संख्या १६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि

(क) पाकिस्तान द्वारा मंगला बांध के निर्माण के बारे में सरकार ने सुरक्षा परिषद् को क्या कोई श्रेय विरोध पत्र भेजा है; और

(ख) यदि हा, तो सुरक्षा परिषद् ने उस पर क्या कार्यवाही की है ?

श्री वैजयंते-कार्य उपमंत्री (श्रीमती लक्ष्मी मेनन):

(क) संयुक्त राष्ट्र में हमारे स्थायी प्रतिनिधि द्वारा सुरक्षा परिषद् के अध्यक्ष को भेजे गए दो पत्रों की, तथा पाकिस्तान के उत्तर की प्रतियां सदन की भेज पर रख दी गई हैं। [विशेष परिशिष्ट १ अनुबन्ध संख्या १]

(ख) हमारे स्थायी प्रतिनिधि के पत्रों की प्रतियां सुरक्षा परिषद् के प्रलेखी (डायरेक्टर्स) के रूप में परिषद् के सभी सदस्यों के पास भेज दी गई हैं।

Some Hon. Members: May we have the reply in English also?

Shrimati Lakshmi Menon: (a) Copies of two letters addressed by our Permanent Representative in the United Nations to the President of the Security Council and Pakistan's reply are laid on the Table of the House. [See Appendix I, annexure No. 1].

(b) Copies of our Permanent Representative's letters have been distributed to all members of the Security Council as Security Council documents.

श्री प्रकाश वीर शास्त्री : मैं यह जानना चाहता हूँ कि भारत के इतने बड़े भूभाग पर जिस का प्रभाव १२२ गांवों पर पड़ेगा और एक लाख नागरिकों के जीवन पर जिसका प्रभाव पड़ेगा, और क्या कार्रवाई की जा रही है? एक और पाकिस्तान के साथ विन्तीय मामलों पर और अन्य सीमा सम्बन्धी मामलों पर समझौते की चर्चा चल रही है और दूसरी ओर इतने बड़े बांध का निर्माण हो रहा है कहीं यह उन्नी प्रकार का समझौता तो नहीं है जिस प्रकार का कि चीन में पञ्चशील का हमारे साथ किया था और जिसको भंग करके वह हमारे इलाके में सड़के आदि...

Mr. Speaker: Order, order The hon Member must only ask a question and not go on making a speech. I do not think the hon Member has asked any question at all.

Shri Vajpayee: May I know whether this question of the construction of the Mangla Dam was raised at the meeting that our Ministers held with the representatives of Pakistan recently, and if so, the result thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): No. That meeting was confined to discussion of border issues on the eastern side.

श्री प्रकाश वीर शास्त्री : मैं यह जानना चाहता हूँ कि भारत के इतने बड़े भूभाग पर इसका प्रभाव पड़ेगा तथा हमारे विरोध पत्रों के बावजूद भी अभी तक निर्माण कार्य जारी है, भारत सरकार इस विषय में क्या कर रही है ?

श्री जवाहरलाल नेहरू : भारत सरकार जो कर रही है उसकी जानकारी माननीय सदस्य उन सत्रों में ले सकते हैं ; उनको पढ़ कर ले सकते हैं जो कि मंत्र पर रखे गए हैं।

इस मामले के दो भाग हैं, दो हिस्से हैं। एक हिस्सा तो यह है कि पाकिस्तान गवर्नमेंट का कुछ करना ऐसी जमीन पर जिस पर उसका आजकल कब्जा है और जो कि भारत की है। दूसरा हिस्सा यह है जो कि इसमें अलग है कि कोई इस किस्म की तटबन्ध नदियों की करना, योजना नदियों की करना। नदियों की योजना तो अकमर होती है। उसका नतीजा यह होता है कि कुछ गांव पानी के नीचे आ जाते हैं जिस पर हमें शा विचार किया जाता है। किस तरह से किन्हीं लोगों को ही ज्यादा लाभ हो सकता है, अगर यह उसूल बना तो हमारी कोई नदी की योजना न हो। जहां तक पहले भाग का सम्बन्ध है, यह बात ठीक है कि उनको कोई अधिकार नहीं कुछ करने का, उस जमीन पर जो कि भारत की है।

श्री सरजू पांडेय : अगस्त में एक प्रश्न के उत्तर में यह बताया गया था कि अगर मगला डैम बन गया तो १२२ गांव डूब जायेंगे और एक लाख आदमी बेघरबार हो जायेंगे। मैं जानना चाहता हू कि उन लोगों को बसाने के बारे में क्या सरकार किसी योजना पर विचार कर रही है?

श्री जवाहरलाल नेहरू : यह सारी कार्रवाई पाकिस्तान की हकूमत कर रही है और यह अजीब बात होगी कि पाकिस्तान की हकूमत के काम के नतीजे हम बरदाश्त करे और हम बसाये उन लोगों को जो कि वहां अलग हो, जो वहां बेघरबार हो।

Shri D. C. Sharma: May I know whether this dispute will be referred like the canal water dispute to any international agency like the World Bank, so that it may be solved amicably?

Shri Jawaharlal Nehru: No; not in that sense. This dispute essentially is a part of the Kashmir dispute; that is a part of Kashmir. But the hon. Member is correct in thinking that it may be connected with the canal water issue. In that sense, there is no question of any dispute: the dispute is about Kashmir, if you like. The other is the question of an arrangement about canal waters, about which we are dealing with Pakistan.

श्री प्रकाश बीर शास्त्री : मैं जानना चाहता हू कि श्री भारत के प्रधान मंत्री और पाकिस्तान के राष्ट्रपति के बीच जो मुलाकात हुई थी, उसमें जहां और बहुत सी समस्याओं पर विचार हुआ था वहां क्या मगला डैम के बारे में भी कुछ चर्चा हुई थी, यदि नहीं तो इस आवश्यक प्रश्न के ऊपर चर्चा क्यों नहीं हुई?

श्री जवाहरलाल नेहरू : जो मेरी मुलाकात पाकिस्तान के राष्ट्रपति से हुई थी उसमें जहां तक मुझे याद है किसी खास मामले पर बात नहीं हुई थी। आम बातें हुई थी और कोई प्रश्न नहीं था कि मैं उनके सामने उठाऊं हर एक सवाल और उनका जबाबतलब करू। वह थोड़ी देर के लिए कोई एक घण्टे के लिए यहां आ कर ठहरे थे और उनमें कुछ बातें हुई थी।

Shri N. B. Maniswamy: May I know whether Government are aware that the USA has offered both financial and technical aid for the construction of this dam, and if so, the reaction of Government thereto?

Shri Jawaharlal Nehru: I have just stated in reply to Shri D. C. Sharma's question that there are two parts of this matter. One is a question that arises over our territory in Kashmir State even though that might be occupied by Pakistan, and our claim that they should not do anything on the territory which is ours. That is one question which is part of the Kashmir issue.

The other question is connected with the canal waters, as to the best use that might be made of canal waters for India and for Pakistan. In that connection, the U.S. Government and the World Bank, and perhaps various other governments, are, at the instance of the World Bank, offering considerable sums of money to Pakistan. That is not directly our concern—what money they offer to Pakistan in connection with the development of their canal system.

Shri Tridib Kumar Chaudhuri: May I know if the 122 villages which are likely to be submerged by the construction of the Mangla Dam are all in Pak-occupied territory and if any portion of Indian-occupied territory in Kashmir or territory which...

Shri Vajpayee: We are not 'occupying' any territory there.

Shri Tridib Kumar Chaudhuri: Territory which is under our military occupation. (*Interruptions*).

Shri Nath Pal: It is Indian territory.

Shri Tridib Kumar Chaudhuri: It is Indian territory but occupied by our forces. (*Interruptions*).

Shri Vajpayee: No, Sir.

Shri Tridib Kumar Chaudhuri: Certain portions are under our occupation.

Shri Nath Pal: It is defended by our forces.

Shri Tridib Kumar Chaudhuri: I stand corrected. But there is a certain part which is under our occupation. Is any part of the territory of Kashmir which is under our occupation likely to be affected by the construction of the Mangla Dam?

Mr. Speaker: Next question. There is too much of assumption in the question.

Recruitment of Labour in Gorakhpur

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*3. { **Shri Keshava:**
Shri Panigrahi:

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

(a) whether it is a fact that Government have appointed an Informal Committee to go into the question of recruitment of labour in Gorakhpur; and

(b) whether any report has been submitted by the said Committee?

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

(b) No.

Shri Keshava: May I know if it is not a fact that this Committee was appointed in pursuance of an assurance given on the floor of the House? If so, what is the reason for, and significance of, making it an Informal Committee?

Shri Abid Ali: First, it was discussed in a meeting of some MPs. and subsequently, during the course of discussion here, my senior colleague announced that some MPs. have been invited to visit the camps. Therefore, it was classified as an Informal Committee.

Shri Panigrahi: May I know whether till the Report is submitted, Government propose to set up any Employment Exchange there for recruiting labour?

Shri Abid Ali: There are Employment Exchanges already there.

Shri Tungamani: May I know what are the terms of reference of this Committee?

Shri Abid Ali: There should be no distinction whatever between Gorakhpur labour and other workers at work sites. As many of the existing facilities as possible which are not inconsistent with the above, should be made available to future recruits. There should be security of employment to the existing labourers recruited

through the Gorakhpur labour or ganisation even after the abolition of the organisation.

Shri K. N. Pandey: Is it not a fact that the announcement was made in the House about the constitution of the Committee and the decision to visit the camps was taken in the first meeting of the Committee? If so, how can it be an Informal Committee?

Shri Abid Ali: It has been termed as informal.

Shri S. M. Banerjee: I want to know what is the present method of recruitment in Gorakhpur and whether the recruitment centre which was existing has been wound up

Shri Abid Ali: There is a recruitment centre. Those who want to work in coal-mines come there, the vacancies available are offered to them and the number of required workers is recruited

Shri Sinhasan Singh: May I know whether the Report of the so called Informal Committee will also be treated as informal or it would be taken into consideration formally by Government?

The Minister of Labour and Employment and Planning (Shri Nanda): When I announced the appointment of such a Committee, the intention, of course, was that our decision would be influenced by the findings of that Committee

Shri S. C. Samanta: When this recruiting agency is abolished, will any other agency be set up for recruitment?

Shri Abid Ali: The Employment Exchanges will attend to that work

Shri Tridib Kumar Chaudhuri: May I know if the Government of Uttar Pradesh has been consulted on this matter and its wishes ascertained in the matter of recruitment of Gorakhpur labour under which employment was provided to a large number of labour force in Gorakhpur and other districts in eastern UP?

Shri Abid Ali: Yes, Sir

Export of Iron Ore to Czechoslovakia

*4. **Shri Panigrahi:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 1140 on the 11th March, 1950 and state

(a) whether negotiations for the supply of one million tons of iron to Czechoslovakia have since been completed, and

(b) if so, when this export arrangement is proposed to be implemented?

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

(a) Yes, Sir

(b) Supplies are already being made

Shri Panigrahi: May I know what is the quantity which has been negotiated and which has been supplied so far?

Shri Satish Chandra: One million tons is proposed to be exported to Czechoslovakia in 1959-60. Out of that, 3.63 lakh tons have been exported upto September, 2.99 lakh tons are likely to be exported upto December and about 3.38 lakh tons are likely to be exported from January to March 1960

Shri Achar: May I know whether the iron ore being exported to Czechoslovakia is through the west coast ports or from Orissa?

Shri Satish Chandra: Mostly from west coast ports.

श्री विनूति मिश्र : मैं जानना चाहता हूँ कि जब हिन्दुस्तान में इतने लोहे के कारखाने हैं तो आयरन ओर को हिन्दुस्तान से बाहर भेजने की क्या आवश्यकता पड़ गई।

श्री सतीश चन्द्र : हिन्दुस्तान में आयरन ओर इतना ज्यादा है कि बाहर भेजने से बड़ा फ़ायदा कारखानों के लिये कमी नहीं पड़ेगी।

Shri S. C. Samanta: May I know from which mine the ore will be supplied?

Shri Satish Chandra: This is supplied from several mines. There is the high-grade ore, the medium-grade ore and the low-grade ore. It has to be supplied from various mines, from Hospet, Bellary, and from other areas. The supply is going on from several areas.

Shri T. B. Vittal Rao: May I know if the ore that will be exported to Czechoslovakia will be mostly from the private sector or will the public sector also participate in this?

Shri Satish Chandra: There is no private sector in iron ore exports. Exports are canalised through the State Trading Corporation.

Shri T. B. Vittal Rao: My question is whether iron ore that will be used for export through the agency of the S.T.C. will also be from the private sector.

Shri Satish Chandra: The S.T.C. enters into contracts directly. Mines are owned by the private sector—mostly—and the exports are made by the State Trading Corporation.

Efficiency Code

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- *5. { **Shri Pandit D. N. Tiwari:**
Shri M. L. Dwivedi:
Shri Keshava:
Dr. Ram Subhag Singh:
Shri Rameshwar Tantia:
Shri Hem Barua:

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

(a) whether it is a fact that the employers' reaction to the proposed Efficiency Code formulated and circulated by Government has been generally unfavourable;

(b) whether any discussions about the Code were held with the employers; and

(c) if so, the results of the discussions?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) and (b). Discussions are proposed to be held shortly.

(c) Does not arise.

Pandit D. N. Tiwari: May I know whether Government have received the reactions of mill-owners or employers to this proposal? If so, what are they?

The Minister of Labour and Employment and Planning (Shri Nanda): This is at a very rough draft stage—first draft—and it was communicated to the parties for their reactions. Some of them have objected to some of the provisions; some of them feel that possibly it is premature. But we are going to discuss this matter tomorrow with the representatives of the employers and later on with the representatives of the workers.

Pandit D. N. Tiwari: May I know whether this matter was discussed in the National Productivity Council at any time?

Shri Nanda: Yes, I also spoke to the Council on the subject.

Shri Ram Krishan Gupta: May I know whether the employers have submitted any alternative proposal?

Shri Nanda: The employers have just made some general comments, but, as I said, we are going to discuss this whole matter with them tomorrow.

Shri S. M. Banerjee: I want to know what is the definition of this 'efficiency code', and whether this was ever discussed in any of the Labour Conferences. If not, why not?

Shri Nanda: It was mentioned generally in a number of tri-partite meetings. The intention to make such a code was conveyed to the members and later, a draft was prepared, which is now being circulated.

Shri B. K. Gaikwad: Who were called on behalf of the employees to discuss about this?

Shri Nanda: The representatives of the Central organisations of the employees who attend the tripartite meetings.

साइकिल के टायरों व ट्यूबों का संभरण

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*६. { पंडित डा० ना० सिबारी :
श्री म० सा० द्विवेदी :

क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि साइकिल टायर व ट्यूब के निर्माताओं ने कई व्यापारियों को कोटा देना बन्द कर दिया है,

(ख) यदि हाँ, तो इसके क्या कारण हैं, और

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

उद्योग मंत्री (श्री मनुभाई साह) :

(क) जी, नहीं।

(ख) और (ग). प्रश्न ही नहीं उठने।

Pandit D. N. Tiwary: May I know whether any complaint has been received by the Government that these producers indulge in black-marketing and send their goods elsewhere?

Shri Manubhai Shah: The position this year is rather on the happier side. As against the internal demand of about 10 million tyres and 10 million tubes the production is going up to 11 million tyres and 11.5 million tubes and we have, therefore, earmarked an export quota of a million tyres and a million tubes. There is no question of black-marketing in cycle tubes and tyres.

सेठ सचल सिंह: क्या मंत्री महोदय को पता है कि ट्यूब और टायर्स इस वक्त

बाजार में दुगनी और त्रिगुनी कीमत पर बिक रहे हैं।

श्री मनुभाई साह: यहाँ पर इस समय साइकिल के टायरों व ट्यूबों की बात हो रही है जब कि मेम्बर साहब का मतलब शायद जापेट टायर्स से है और यह ठीक है कि उनके सम्बन्ध में जरूर बोड़ी सी दिक्कत है।

सेठ गोबिन्द दास: मंत्री मंत्री महोदय ने कहा कि हमारी आवश्यकता से अधिक अब टायर्स और ट्यूब्स बनने लगे हैं तो मैं जानना चाहता हूँ कि जो अधिक बन रहे हैं उनको क्या कोई बाहर भेजने की व्यवस्था की जायेगी?

श्री मनुभाई साह: येने बतलाया कि एक मिलियन टायर्स और एक मिलियन ट्यूबों को एक्सपोर्ट करने की हम कोशिश कर रहे हैं।

Aluminium Plant at Rihand

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*7. { Shri Ram Krishan Gupta:
Shri Bhakt Darshan:
Shri S. M. Banerjee:
Shri Panigrahi:
Shri Kalika Singh:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 873 on the 28th August, 1950 and state:

(a) whether negotiations between Shri G. D. Birla and M/s Kaiser Engineers of U.S.A. regarding capital participation and technical collaboration for the Aluminium Plant at Rihand have since been finalised;

(b) if so, the result thereof; and

(c) the nature of steps taken so far or proposed to be taken for setting up this Plant?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the House. [See Appendix I, annexure No. 2].

Shri Ram Krishan Gupta: In the statement, it is said that the Corporation is negotiating a dollar loan from the Export Import Bank of U.S. May I know the amount of loan which is sought to be secured from the Bank?

Shri Manubhai Shah: It will be about 10-20 million dollars

श्री भक्त दर्शन : मैं यह जानना चाहता हूँ कि इस समय (प्लांट) को लगाने के लिए केन्द्रीय सरकार उत्तर प्रदेश सरकार को कुछ सुविधाएँ देकर सतों पर लेना चाहती है या कोई और प्रकार का नियन्त्रण व प्रोत्साहन देने का विचार रखती है ?

श्री मनुभाई शाह : इंडस्ट्रिय डेवलपमेंट कंट्रोल ऐक्ट के जितने नियम हैं उनके अधीन सारी इंडस्ट्रीज इस कट्टी में चल रही हैं। उनके अलावा कोई सात नियन्त्रण नहीं हैं।

Shri Tangamani: May I know whether the Government will encourage the participation of Kaisers in the equity capital also? I find from the statement that the Birlas will have to contribute Rs 440 lakhs and the Kaisers, Rs 160 lakhs.

Shri Manubhai Shah: Yes, Sir 25 per cent equity participation by Messrs Kaisers of the United States has been permitted in this project

Shri S. M. Banerjee: The negotiations have now been completed. May I know whether a copy of the agreement or a gist of the negotiations will be laid on the Table of the House and whether the State or the Central Government will have any control over this plant?

Shri Manubhai Shah: As I have said earlier, the controls under the Act always exist. As far as the agreements are concerned, there are different agreements and if the hon. Member would indicate which particular agreement he is interested in, I will arrange to supply him the same. But I may say that this is in the nature of a private sector industry in which

the broad approval of the Government is given and generally agreements of such a nature are not disclosed unless somebody is specially interested in a particular agreement.

Shri Tangamani: May I know whether this aluminium plant which is going to be set up will be completed by the end of the Second Plan?

Shri Manubhai Shah: It cannot be in the obvious nature of things. It is a very big plant which will take at least three years and we expect the plant will be completed by the end of the second year of the Third Plan.

श्री भक्त दर्शन : जिस प्लांट से इसके कारे में अक्षयजित चल रही है, में काफ़ी चिन्ता हूँ कि गवर्नमेंट को कब तक आशा है कि इससे उत्पादन शुरू हो जायेगा?

श्री मनुभाई शाह : यह तो मैंने बताया कि तीसरी पंचवर्षीय योजना के दूसरे साल के अन्त में हमें उसके चालू होने की उम्मीद है और काफी तेजी से काम चल रहा है।

Shrimati Renu Chakravarty: What is the percentage of the total electricity capacity of Rihand which will be utilised for this plant and at what rate would it be given?

Shri Manubhai Shah: Actually, in the first four or five years of production, it may be about 30 per cent but later on it may go up to 60—70 per cent. One does not know how far Rihand will further be developed. So, the percentage cannot be ascertained from now

Puppetry in Film-making

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- *8. { Shri Subodh Hanota:
Shri S. C. Samanta:
Shri R. C. Majhi:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that a request was made to the Soviet Union by the Government of India for giving training facilities to Indians in the

techniques of employing puppetry in film-making;

(b) if so, whether this request has been accepted by the Soviet Union, and

(c) whether any agreement has been reached in this regard?

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): (a) An informal enquiry was made from the Government of the USSR whether they would be able to provide facilities for the training of some staff of the Films Division and All India Radio in the technique of puppetry

(b) The Government of USSR expressed their willingness to consider the request

(c) No, sir No proposal for training in puppetry is being considered at present

Shri S. C. Samanta: May I know how many persons are going to be sent abroad for this purpose?

The Minister of Information and Broadcasting (Dr. Keskar): It was explained earlier that we have at present no such proposal. The occasion for making this request was this. When a delegation had gone to attend the film festival in Moscow, in the course of a visit to the puppetry section, an enquiry was made casually.

Film Institute

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*2. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri Ram Krishan Gupta:
Shri Goray:
Shri Bhakti Darshan:
Shri Ajit Singh Sarhadi:
Shri D. C. Sharma:

With the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 161 on the 6th August, 1951 and state:

(a) the nature of progress made so far in setting up the Film Institute; and

(b) when it will start functioning?

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): (a) and (b) Suitable accommodation and necessary equipment are still being looked for. It is difficult therefore, to be precise about the date of its functioning.

Shri S. C. Samanta: What are the instruments that are not available? For the last one year, this is being discussed

The Minister of Information and Broadcasting (Dr. Keskar): I had occasion to explain before that foreign exchange will be required in some quantity in order to get equipment for the proposed Film Institute. Originally we had hopes of getting a large part of the equipment locally. Now, we find that it is not possible to do so. Mainly for this reason, we have not been able to make a start. We are trying to get the necessary equipment either by buying it from some of the existing concerns or, if necessary, by importing them. If we have to import them, it is possible that it may be still further delayed.

Shri Subodh Hansda: May I know whether the details of the courses and admissions had been worked out?

Dr. Keskar: The course is practically ready but as I said just now, until we get the necessary preliminary things done, we do not want to proceed further.

Shri D. C. Sharma: May I know if the Minister can give some firm date by which the institute will start functioning because it has been on the anvil for a long time?

Dr. Keskar: No, Sir I cannot give any firm date.

Shri Ansar Harvani: Has any assistance been sought for this from the

UNESCO and if any help has been given, what is the nature of the help?

Dr. Keskar: UNESCO has given help regarding our educational TV unit but not to this particular project.

Shri S. C. Samanta: As the accommodation is not available here, may I know whether the Government is thinking of shifting the institute to any other place, where accommodation may be available?

Dr. Keskar: We have got two or three alternative sites in view. The main difficulty will not be about accommodation but about equipment.

श्री भक्त वर्मान : मैं यह जानना चाहता हूँ कि इस फिल्म इंस्टीट्यूट को चलाने के लिए जिस तरह की व्यवस्था फिल्म डिबीजन की की गई है उसी तरह की की जायगी, पूर्णतया विभागीय प्रबन्ध होगा या कोई समिति कायम की जायगी और जिसमें कि वर सरकारी विशेषज्ञों का भी सहयोग लिया जायगा?

डा० केसकर : इसकी व्यवस्था विभागीय जरूर होगी लेकिन कुछ एक्स-पर्ट्स आवश्यक लिये जायेंगे क्योंकि इसमें ट्रेनिंग और टेकनिकल ट्रेनिंग का सवाल आता है। पहले तो सोचा गया था कि इन्विपमेंट कम होते हुए भी काम शुरू कर दिया जाय लेकिन अब कोर्स इसका तैयार किया गया तो मालूम हुआ कि काफी इन्विपमेंट के बिना इसको चलाना सम्भव नहीं है?

अमजीबी पत्रकार मजदूरी समिति

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*१०. { श्री भक्त वर्मान :
श्री स० मो० बनर्जी :
श्री पानिग्रही :
श्री वी० चं० शर्मा :
श्री मधुसूदन राव :

क्या अमजीबी पत्रकार मजदूरी १४ अगस्त, १९६६ के तारकित प्रश्न संख्या ४४८ के

उत्तर के सम्बन्ध में यह बतावे की क्षपा करेंगे कि:

(क) अमजीबी पत्रकार मजदूरी समिति की सिफारिशों को कार्यान्वित करने की दिशा में विभिन्न राज्यों में इस बीच क्या प्रगति हुई है ;

(ख) क्या सिफारिशों को लागू न करने पर किसी समाचार-पत्र संचालक के विरुद्ध अब तक कोई कार्यवाही की गई है; और

(ग) यदि हाँ, तो किस समाचार-पत्र के विरुद्ध और किस प्रकार की कार्यवाही की गई है ?

अम उपमंत्री (श्री आशिष शर्मा) :

(क) इस मस्य में यह सूचना मिली है कि समिति की सिफारिशों पर बहुत सी अखबारी संस्थाओं में अमल हो चुका है।

(ख) ऐसा कोई मामला सरकार के ध्यान में नहीं लाया गया।

(ग) प्रश्न नहीं उठता।

Shri C. K. Bhattacharya: Sir, will the reply be kindly read in English also?

Mr. Speaker: The answer may be read in English also.

Shri Abid Ali: (a) From the available reports it appears that quite a large number of newspaper establishments have already implemented the recommendations of the Committee.

(b) No such case has been brought to our notice.

(c) Does not arise.

श्री भक्त वर्मान : क्या केंद्रीय सरकार के ध्यान में यह बात आयी है कि अमजीबी पत्रकारों की समिति ने जो सिफारिश की थी उसको लागू करने के बारे में अभी तक बहुत से राज्यों में कोई वैधानिक नहीं बधायी

श्री है। सासकार बम्बई और पश्चिमी बंगाल में तो वहाँ के मंत्रिमंडल के माननीय सदस्य तक इसका विरोध करते रहे हैं। ऐसी दशा में क्या केन्द्रीय सरकार इस बारे में कोई सख्त कदम उठाना चाहती है, या राज्य सरकारों के प्रतिनिधियों से परामर्श करके इसके लिए कोई रास्ता निकालना चाहती है ?

श्री आबिद अली : जहाँ तक हमें मालूम है बम्बई और बंगाल में भी उनके ऊपर अमल किया गया है। अगर वहाँ कोई खास दिक्कत मालूम हुई हो और माननीय सदस्य या कोई और हमें उसके बारे में बतलाएगा तो उनके अनूकूल मदद दी जाएगी।

Shri Joachim Alva: Is Government aware of the impending strike by the Press Trust of India employees? Does the impending strike arise out of the recommendations of the Wage Board Award? May I know what action Government has taken in hand to settle this dispute and avert the strike?

The Minister of Labour and Employment and Planning (Shri Nanda): Sir, I may say a word about this matter i.e. the strike that has been in the offing. We are going to meet tomorrow the representatives of both the parties to deal with this matter, and I hope something may be done to avert this strike.

Shri Ansar Harvani: Are the Government aware that a number of newspapers have been closed down and a number of journalists have been dismissed with a view to avoid implementation of the Wage Committee's award?

श्री आबिद अली : जी हाँ, कुछ बन्द तो हुए हैं।

Shri Muhammed Elias: Just now the hon. Deputy Minister stated that no complaints have been received in the Labour Ministry. We ourselves have personally brought many such complaints to the notice of the Ministry. May I know what action has been taken by Government on those

complaints about the non-implementation of the Wage Committee's award?

Shri Abid Ali: No specific complaint, as the hon. Member says, has been received; but it should be appreciated that this subject is within the State sphere, and whenever anything of that kind is received we send it to the State Government for taking appropriate action.

Shri S. M. Banerjee: I want to know the total number of newspapers who have implemented this recommendation, the number of those who have not implemented and the reasons for the same.

Shri Abid Ali: 118 have implemented, one has partly implemented it and 9 have agreed to implement it.

Shri B. C. Kamble: In his main answer the hon. Deputy Minister said: "From the available reports it appears" that there are no complaints. Will he be pleased to place those reports on the Table of the House?

Mr. Speaker: Order, order; in that context the word "reports" has got a different meaning altogether.

श्री ब्रज राम सिंह : क्या सरकार को यह पता है कि कुछ समाचार पत्रों ने नए नाम से समाचार पत्र निकालना शुरू कर दिया है जिससे कि स्तिफारिशों पर अमल न किया जा सके। क्या इस स्थिति को सुधारने के बारे में कोई कार्रवाई की जा रही है ?

श्री आबिद अली : हो सकता है कि ऐसा हो, लेकिन इस मामले में राज्य सरकारें अमल करती हैं। इलाहाबाद में तो हुआ है जो आनरेबिल मेम्बर भी जानते हैं।

श्री ब्रज राम सिंह : आप क्या कर रहे हैं उसके लिए ?

Shri Nanda: I wish to point out that the information before me shows, although it reveals that there has been considerable progress in the matter of implementation in various States that this progress is uneven. And, although

it is true that the States are responsible for this implementation we cannot feel ourselves entirely absolved from the responsibility of doing something about the matter. I feel that we will have to take up this question soon, in the sense that if at an early stage we do not find that practically all the establishments have implemented the recommendations we may have to consider some further legislative provision about it. I find that there was no provision for penalties for non-implementation. We may have to do something about that. Also, the current procedure under the Industrial Disputes Act may not be entirely and very conveniently applicable to that, and something will have to be done about it.

Shri Braj Raj Singh: What is then being done in the Allahabad case for the present?

Shri Nanda: That is, I think, before the Tribunal.

Shri Panigrahi: May I know the number of working journalists who have been dismissed so far in the different States and the number of papers which have been closed down with a view not to implement the award?

Shri Abid Ali: If the hon Member gives separate notice the information will be obtained and supplied.

Shri Joachim Alva: Just as the Registrar of Newspapers is keeping a record of existing newspapers, has Government got a record of the newspapers that have gone to the wall after the Wage Committee submitted its report, especially those newspapers which gave a good fight during the freedom struggle and have closed down as a result of the Wage Committee's decision?

Shri Abid Ali: We have a rough idea about it; the hon. Member also knows that.

श्री जयस बर्मान : माननीय मंत्री जी ने कहा कि इन निर्बंधों को कार्यरूप में परिष्कृत करने का भार राज्य सरकारों पर है। लेकिन दिल्ली तो सीधी केन्द्रीय शासन के अन्तर्गत है। क्या वहाँ के लिए केन्द्रीय सरकार अपनी जिम्मेवारी महसूस करती है? वहाँ पर एक अद्येजी डैनिक पत्र है जो कि बी० श्रेणी में होना चाहिए लेकिन वह अपने को डी० श्रेणी में समझता है जिससे कि कर्मचारियों को पैसा न देना पड़े। क्या इस बारे में भी सरकार कुछ विचार कर रही है?

श्री आशिष बर्ली : माननीय सदस्य भगर इस बारे में ज्यादा सूचना और तफटीक देने तो जरूरी कार्रवाई कर दी जाएगी।

Shri C. K. Bhattacharya: Will the hon. Minister kindly state who is the authority to decide as to which papers fall in which class?

Shri Nanda: If a dispute arises it can go before the machinery under the Industrial Disputes Act, for procedure of conciliation and, later on, of adjudication. But, as I have pointed out a little earlier, I do not think this is really a very convenient procedure in this case and we are thinking of doing something about this matter.

Shri C. K. Bhattacharya: I want to know whether this question can be decided before a dispute arises between the employees and the employers. Is there any authority to decide as to which papers fall in which class even before a dispute arises so that there is no dispute at all?

Shri Nanda: That is part of the decision as to what paper is to be in what class.

Mr. Speaker: The hon. Member is making a suggestion that even before a dispute actually arises there must be some authority to decide this.

Shrimati Benu Chakravarty: The hon. Member wants to know whether

there is any machinery for the categorisation of the newspapers.

Shri Nanda: The answer to that has already been given. There should be somebody; we will do something about it.

Shrimati Benuka Ray: In view of what the hon. Minister has said, would he consider bringing the amending legislation during the course of this session?

Shri Nanda: Sir, I have given some inkling of what we propose to do about the matter.

Shrimati Benuka Ray: Would he consider doing it during this session?

Shri Nanda: It may be so, if the time of the House permits such a course.

T.V. Sets

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- *11. { **Shri Vajpayee:**
Shri Assar:
Shri Muhammed Elias:
Shri Rameshwar Tanti:

Will the Minister of Information and Broadcasting be pleased to state:

(a) the number of television sets installed in and around the Capital in furtherance of the experimental television service of the All India Radio;

(b) the average strength of the audience that attends any particular television programme of the All India Radio;

(c) whether Government has taken note of the criticism that most of the programmes arranged are too 'pedantic'; and

(d) Government's reactions hitherto in respect of the experiment?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Twenty-one television sets have been installed in the Community Centres and around Delhi. The average viewing audience is estimated at 150 to 200 persons per centre. It is

hoped to increase the number of sets to about 60 soon.

(c) and (d). Government has seen some press criticism about these programmes. However, it was made clear at the very outset that these programmes are predominantly educational in character and meant for schools and community centres. In spite of this explanation, some critics expect the programmes to be of an entertaining type, which is not possible as this is not the main purpose for which the unit has been started. This experimental unit also hopes to serve the purpose of assessing the value of this medium for educational and cultural work.

It will take some time before an evaluation can take place and the work of this programme is put on a stable basis.

Shri Vajpayee: Has the Government prepared any programme for the installation of TV sets in other cities of India as well?

Dr. Keskar: As the experimental unit's range does not go beyond 15 to 20 miles, the question of distributing the sets in other parts of the country does not arise for the present.

Shri Assar: May I know whether the Government proposes to set up a non-official committee to suggest programmes for the TV sets?

Dr. Keskar: These are not general programmes. They are meant for schools and community centres. There is a committee being formed, of educationists and people connected with community work, in order to help in the formulation of this programme.

Shri Muhammed Elias: Just now the hon. Minister said that in 21 community centres television sets have been installed. May I know what policy has been adopted by the Government to choose these places to set up these television centres?

Dr. Keskar: That is done by a committee of the All-India Radio officials

from out of a large number of applications from community centres in Delhi. We have had naturally more applications than we have been able to satisfy but a list has been prepared and as sets come in they will be given to the other centres in the order of merit which has been prepared.

Shri Supakar: What is the total capital invested and what is the foreign exchange content in this programme?

Dr. Keskar: There is another question regarding this, but I may inform the hon. Member that the total expenditure is round about Rs 2½ lakhs of which the foreign exchange content would be less than Rs 15,000

Kirtinagar Colony

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- *12. { **Shri D. C. Sharma:**
Shri Naval Prabhakar:
Shri Bhakt Darshan:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 712 on the 24th August, 1959 and state the further progress made so far in completing the development work in Kirtinagar Colony set up by the Rehabilitation Housing Corporation?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): The balance of work in respect of sewerage is expected to be completed by the end of the current year. 85 per cent of the work has already been done.

Shri D. C. Sharma: What part of the total funds allocated for the construction of this colony has been spent so far and what is left now to be spent?

Shri P. S. Naskar: The construction work and other works like the laying of roads, water-supply, etc. were done by the Corporation which is just looking after this colony. The Government does not allocate funds directly.

श्री नवल प्रभाकर : क्या मातृकीय मंत्री जी यह बताने की कृपा करेंगे कि इस कालोनी को कारपोरेशन को कब तक हस्त प्रोवर कर दिया जायगा?

Shri P. S. Naskar: I have not got the information with me at the moment.

Shri Naval Prabhakar: rose—

Mr. Speaker: The hon. Minister has given all the information that he has in his possession at present.

श्री भक्त दर्शन : मैं यह जानना चाहता हूँ कि यह जो मसला बहुत दिनों से चल रहा है, कब तक इससे इतनी देर क्यों हो रहा है ?

Shri P. S. Naskar: The essential services have not been unduly delayed. For a certain technical reason, only the water-supply and the sewage could not be completed so far, but I can assure the House they are likely to be completed within this year

Export of Dried Prawns

*14. **Shri Kadiyan:** Will the Minister of Commerce and Industry be pleased to state:

(a) the steps taken by Government in 1959 to increase the export of dried prawns to foreign countries;

(b) whether, as a result of these steps export of dried prawns has increased; and

(c) if so, to what extent?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) The following action has been taken during 1959 to promote exports of dry-prawns from India:—

(i) Dried Prawns are exported from India mainly to Burma, Ceylon, Mauritius, Cuba, Malaya and Hongkong—Burma accounting

for 70 per cent of the total exports. In May, 1959, the Burmese Purchase authorities suspended imports from India due to slight increase in prices. Timely intervention by Government facilitated exports for the time being and long term arrangements are being made with the Government of Burma.

(ii) Prawns have been included in the schedule of items available for export from India in the various trade agreements concluded from time to time.

(iii) Prawns are also being displayed in the various exhibitions and trade fairs held abroad from time to time.

(iv) A Registered Exporters' Association is being formed at Cochin for organising the export trade on sound lines and regulating the quality of dried prawns exported.

(b) As a result of these steps most of the accumulations of dried prawns, lying packed for Burma have since been cleared. Although the result of the other steps mentioned above cannot be linked up directly with exports, it has been observed that exports of prawns to Ceylon, Singapore, Hongkong and Mauritius, which normally import prawns in dried condition, has increased during the current year.

(c) No separate figures for dried prawns exports are available. 'Dried Prawns' as such are not classified separately in the Indian Trade Classification but are included under the head "Prawns, fresh, chilled, frozen, salted, dried or simply cooked".

Shri Kodiyam: From the statement I find that long-term arrangements are being made with the Government of Burma for the export of dried prawns. I want to know the total annual quantity of dried prawns to be exported to Burma under these long-term arrangements.

Shri Satish Chandra: Long-term arrangements are under contemplation. A delegation came from Burma recently and had discussions at Cochin. A Prawn Exporters' Association is being organised, and long-term arrangements are contemplated. They have not yet been finalised. The trade is in private hands. There was some difficulty a few months ago, it has been got over for the time being.

Shri Kodiyam: From the statement I also find that the Burmese purchasers suspended the import from India in May this year due to a slight increase in price. I want to know whether the Burmese authorities finally agreed to purchase these dried prawns according to the increased price or at a slightly decreased price?

Shri Satish Chandra: I said just now that in the month of May there was some difficulty. The Burmese stopped importing dried prawns suddenly from India. They alleged that the prices had been increased by our exporters suddenly and they could not purchase at those prices. The Government of India intervened, a delegation came and as a result of the delegation's visit most of these bags of dried prawns which were lying at Cochin port had been cleared.

Shri Tangamani: In regard to item (c) of the question may I know how much of dried prawns was being exported to Burma? I want to know the quantity and the value.

Shri Satish Chandra: I have not got the figure for dried prawns alone. In the trade classification they are all included together. It may be dried prawns, fresh, chilled, salted or cooked. They are all put together. So, I cannot give the figures separately for dried prawns.

Shri Tangamani: I mean the prawn variety.

Shri Satish Chandra: They are all included under a single head.

Shri Tangamani: The main importer from India was Burma and owing to certain reasons that import was

stopped. That is why I was interested to know the quantity which was being imported by Burma.

Mr. Speaker: The hon. Minister has not got separate figures for prawns, etc.

Shri Warrior: How much stock is lying idle at Cochin and how much is expected to be exported to Burma? How much does Burma expect to import from here?

Shri Satish Chandra: 5,000 bags were lying at Cochin port when this dispute arose. 4,000 bags have already been cleared and 1,000 bags are in the process of being exported now to Burma.

Shri Punnoose: May I know whether the Government have made any effort to find fresh, new markets for these commodities anywhere else and with what result?

Shri Satish Chandra: Dried prawns are exported mostly to Burma and Ceylon, and frozen and chilled prawns go to the United States and Sweden. The exporters themselves are being organised into a registered association for the promotion of exports. Government will extend to them as much help as possible.

Nuclear Tests in the Sahara

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- Shri Narasimhan:
Shri Sadhan Gupta:
Shri Warrior:
*15. Shri T. B. Vittal Rao:
Shri Kediyan:
Shri Rameshwar Tantia:

Will the Prime Minister be pleased to state:

(a) whether any representation was made by India to France on the nuclear tests planned by France in the Sahara;

(b) whether any other country in the African continent protested or asked India's support in such protest; and

(c) if so, the attitude of the Government of India to such a request?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). The question and the draft answer have become out-of-date because of subsequent developments. A resolution sponsored, among others by India has just been passed by the General Assembly requesting the French Government not to proceed with the tests.

Shri Narasimhan: What are the prospects of the proposed tests being abandoned?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Well, that is anyone's estimate. We hope they will be abandoned.

Shri Warrior: A report has appeared in the press that the French Government is again trying to have their tests in Africa. What more steps can we take in that matter?

Shri Jawaharlal Nehru: We have no further steps in view at the present moment. I do not think it will be necessary.

Shrimati Kenu Chakravarty: May I know, in this resolution, when it was adopted in the General Assembly, what were the nations of Asia and Africa who opposed it? Was it completely unanimous from the point of view of the Afro-Asian nations?

The Minister of Defence (Shri Krishna Menon): The resolution was fully supported by the Asia-African countries. There was another resolution, milder in character, which was defeated.

Broadcasting Station at Darbhanga

*16. Shri Anirudh Sinha: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the Government of Bihar have forwarded a memorandum

to the Centre for opening a broadcasting station at Darbhanga;

(b) whether Government have considered the proposal; and

(c) if so, the decision thereon?

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): (a) Yes, Sir.

(b) and (c). Darbhanga receives good reception throughout the year from the 20 KW MW transmitter at Patna and the local talent find an adequate outlet through the Station at Patna. Moreover there is no scope for additional stations in the plan at present. It has not been, therefore, possible to consider the proposal favourably.

श्री अनिरुद्ध सिंह : क्या मंत्री महोदय को इस बात का ज्ञान है कि वहाँ के सार्वजनिक जीवन में मिथिला की संस्कृति और भाषा का एक खास स्थान है और इसका केन्द्र दरभंगा है ? यदि हाँ तो इन बातों को मद्देनजर रखते हुए क्या स्वतः ही भारत सरकार बहाराखियो स्टेशन खोलने के प्रश्न पर विचार कर रही है ?

श्री अरुणा और प्रसारण मंत्री (डा० कोसकर) : मिथिला का वहाँ की और भारत की संस्कृति में क्या स्थान है इसका सरकार को काफी ज्ञान है और उस संस्कृति के लिए जो कुछ हम कर सकते हैं प्रयत्न करेंगे। फिलहाल पटना के स्टेशन से मिथिला के सांस्कृतिक कार्यक्रमों के लिये जो कुछ हो सकता है वह किया जाएगा। नया स्टेशन खोलने के बारे में जो कठिनाइयाँ हैं, वहाँ बता दी गई हैं और फिलहाल कोई नया स्टेशन खोलना कठिन है। लेकिन मैं माननीय सदस्य का इस तरह ध्यान दिखाना चाहता हूँ कि कार्यक्रम बढ़ाने के लिए नया स्टेशन खोलने की जरूरत नहीं है। जो पुराना स्टेशन है वहाँ से कि सारे मिथिला के लोग कार्यक्रम सुन सकते हैं वहाँ से भी सांस्कृतिक कार्यक्रम बढ़ाने का संभव है और बढ़ाये जायेंगे।

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श्री अनिरुद्ध सिंह : मैं जानना चाहता हूँ कि क्या पटना रेडियो स्टेशन से मैथिली भाषा में भी कार्यक्रम प्रसारित किए जाते हैं ?

डा० कोसकर : मैथिली में सांस्कृतिक कार्यक्रम प्रसारित होते हैं।

श्री बीनारायण दास : जबकि तृतीय पंचवर्षीय योजना में नए ब्राडकास्टिंग स्टेशन खोलने के सम्बन्ध में विचार किया जा रहा है, मैं जानना चाहता हूँ कि क्या इस पर भी विचार किया जा रहा है ?

डा० कोसकर : अगर इसके लिए सपना मिल सकेगा तो इस सम्बन्ध में विचार करेंगे।

श्री कमलनयन बजाज : क्या मैं जान सकता हूँ कि नए स्टेशन खोलते समय किन किन चीजों पर खास तौर से विचार किया जाता है, कौन-कौन सी चीजें ध्यान में रखी जाती हैं ?

डा० कोसकर : इसका जवाब देने में काफी समय लगेगा। लेकिन मैं इतना माननीय सदस्य को कह सकता हूँ कि फिलहाल कोई नया स्टेशन खोलने की योजना नहीं है।

Wage Board for Sugar Industry

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

Will the Minister of Labour and Employment be pleased to refer to the reply given to Starred Question No. 1026 on the 1st September, 1959 and state:

(a) whether the remaining 33 sugar factories have since implemented the recommendations of the Wage Board for the award of interim relief to workers in Sugar Industry; and

(b) if not, the steps being taken by Government for effective implementation of the same?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) According to the information available, 17 more factories have started implementing the recommendation.

(b) Efforts continue to be made by State Governments to persuade the remaining factories also to implement the recommendation.

Shri T. B. Vittal Rao: Out of the 32 factories, may I know the number of factories that have still to implement the interim award?

Shri L. N. Mishra: 125 factories have implemented and 15 remain.

Shri T. B. Vittal Rao: May I know whether the Government have ascertained from the mill-owners the reasons for not implementing this?

Shri L. N. Mishra: It is expected that most of the factories will implement the recommendations. There has been some delay.

Shri T. B. Vittal Rao: May I know whether the Wage Board has indicated to Government as to when they will submit their final award?

Shri L. N. Mishra: Sometime in September, 1960.

Shri Tangamani: On a previous occasion, we were told that 108 out of 146 factories have started implementing this. Today we are told that 17 more have started implementing it. Are we to take it that 125 out of 140 factories have already implemented the recommendations contained in the interim report of the Wage Board?

Shri L. N. Mishra: Yes; they have started implementing the recommendations.

Shri S. M. Banerjee: May I know whether the Wage Board has collected all evidence and if so, the reason for so much delay? May I know whether after the final report, it will be implemented from a back-date?

Shri L. N. Mishra: It is difficult to say about implementation with ret-

rospective effect. They have collected the evidence, they are visiting places and they expect to complete the report by September, 1960.

Shri S. M. Banerjee: If the evidence has been collected, why should there be so much delay?

Shri L. N. Mishra: They are visiting a number of places. They are yet to visit some places. After that, they will compile the figures and complete the report.

Shri T. B. Vittal Rao: May I know whether the Chairman of the Wage Board has indicated to Government that he will be able to submit the report by September, 1960 or is it the Government's own idea?

Shri L. N. Mishra: We have got information that they will submit the report by September, 1960.

The Minister of Labour and Employment and Planning (Shri Nanda): May I make it clear that when we set up a board, we do not control its speed. It has to look after itself. If it wants any facilities from us, we are prepared to give them but we cannot tell it in advance that it must do it within a month or two months. It must do its work properly.

Shri T. B. Vittal Rao: It is more than two years since it was appointed. He says they will submit the report after one more year. We would like to know the reason for the delay. After all there are only 140 factories covering 2 laks of workers.

Shri Nanda: There are representatives of workers and of employers and the Chairman on the Board. They determine what steps they have to take and what information they have to collect. There is an interim award which has been very largely carried out. Since the Members are keen about it, I can again get in touch with the Board and convey to them the feelings of Members.

Shri Tangamani: What is the State-wise break-up of the factories which

have not implemented the interim award?

Shri L. N. Mishra: Bihar 3, Madhya Pradesh 1, Madras nil, Orissa 1, Uttar Pradesh 9 and Punjab 1, total 15.

Shri K. N. Pandey: May I know whether it is a fact that the delay in submitting the report is due to the fact that they have to enquire into four things, viz., wage rates, scales of different categories, bonus and gratuity?

Shri L. N. Mishra: Yes.

Residential Flats in Indra Market

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 *18. { **Shri Amjad Ali:**
Dr. Gangadhar Siwa:
Shri Arjun Singh
Bhadauria:
Shri S. A. Mehdi:

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 1302 on the 9th September, 1950 and state:

(a) whether residential flats Nos. 1, 8, 15, 21, 22 in Indra Market were released from auction though declared unallottable;

(b) if so, the reasons therefor; and

(c) whether the first instalment of cost realized from these flats will be returned now that the flats had been declared unallottable?

The Deputy Minister of Rehabilitation (Shri F. S. Naskar): (a) and (b). It is regretted that due to a clerical error in the reply to Starred Question No. 1302 on the 9th September, 1950, it was stated that only one residential flat was valued at Rs. 9,859 after allowing rebate for the half end wall. In fact there are 8 such flats Nos. 1, 7, 8, 14, 19, 21, 22 and 28 in which this rebate was to be given and for the purpose of allotability the price to be considered would be Rs. 9,859.

(c) The first instalment will not be returned since the flats are now allottable.

श्री अर्जुन सिंह भदौरिया : क्या मैं जान सकता हूँ कि क्या माननीय मंत्री महोदय ने अगस्त महीने में इंदिरा मार्केट, सब्जी मंडी के बारे में कोई आदेश निकाला था कि सभी फ्लैट एलाट कर दिए जाएँ ?

Shri F. S. Naskar: No.

श्री अर्जुन सिंह भदौरिया : जवाब हिन्दी में दिया जाए ।

श्री पू० शं० नास्कर : जी नहीं ।

श्री अर्जुन सिंह भदौरिया : क्या माननीय मंत्री जी को यह मालूम है कि ६ सितम्बर, १९५१ को जो प्रश्न का उत्तर दिया गया था वह सही नहीं था ?

श्री पू० शं० नास्कर : मैंने सौरभजन जवान में यह कह दिया है कि क्वेरिशन एरर से ऐसा हुआ ।

श्री अर्जुन सिंह भदौरिया : क्या मंत्री महोदय को मालूम है कि एक फ्लैट नम्बर ६ जिस की कीमत १०,०६० थी, उसको एलाट किया गया था, यदि हा, तो ऐसा क्यों किया गया ?

श्री पू० शं० नास्कर : १०,०६० जिसको कीमत होती है वह मान-एलाटेबल है और १०,००० तक जिसको कीमत होती है वह एलाटेबल होता है ।

Dr. Gangadhar Siwa: When the flats were declared to be auctioned and unallottable on 9th May, 1950, I would like to know why it was done.

Shri F. S. Naskar: In the original answer, due to a clerical error, it was said that one flat was declared allottable. We have corrected it and now we find that 8 flats are allottable

Bogus Registration of Plots

*19. **Shri Amjad Ali:** Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the

reply given to Starred Question No. 1276 on the 9th September, 1959 regarding bogus registration of plots in the office of the Settlement Commissioner (Government Built Property), New Delhi and state the further action taken in the matter?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): Steps are being taken to cancel the lease deeds and the official found responsible is being prosecuted.

Shri Amjad Ali: May I know for how long this process of bogus registration is likely to continue?

Shri P. S. Naskar: We deal with cases that come to our notice immediately.

News Agencies

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*21 { Shri Tangamani:
Shri Radha Raman:

The Minister of Information and Broadcasting be pleased to refer to the reply given to Short Notice Question No 16 on the 12th September, 1959 and state:

(a) whether the applications received from the News Agencies for recognition have since been considered;

(b) if so, the decision taken thereon; and

(c) the names of the News Agencies which have been granted recognition?

The Minister of Information and Broadcasting (Dr. Keshkar): (a) Only two applications were received by Government, one of which has been withdrawn for redrafting according to the conditions laid down by Government. The other is an application for expansion of service.

(b) and (c). No question of recognition arises. Government has only laid down conditions for the simple purpose of granting certain special facilities for communication.

Shri Tangamani: May I know the names of the news agencies which have been granted recognition by the Government?

Shri A. C. Joshi: I require notice for this question.

श्री अजराम सिंह: क्या पार्लियामेंटरी सेक्रेटरी महोदय को माफूम है कि हिन्दुस्तान समाचार समिति हिन्दी के टेलिप्रिन्टर की सरकार से कई सत्रों से मांग कर रही है, सरकार के पास यह मशीन मौजूद है और जो शर्तें सरकार ने निर्धारित की हैं उन को भी समाचार समिति पूरा करती है, लेकिन उसको टेलिप्रिन्टर नहीं दिया जा रहा है ?

Shri Raghunath Singh: What is the reply? We want to know the reply.

Mr Speaker: The Question Hour is over.

Shri Braj Raj Singh: May I submit that this is a way of evading the question? This should be allowed to be answered.

Shri Muhammed Elias: With regard to the adjournment motion that we have given notice of, we are not raising it but we would like to submit ..

Mr. Speaker: Order, order. The hon Member should not interrupt like this. The Question Hour is over. I can only say that hon Ministers should try to be here during Question Hour, unless, of course, the other House is also sitting. Now the hon. Parliamentary Secretary is not able to answer the question. So, I expect, and the hon. Members here expect, the hon. Minister to be present here to answer the questions and not to create the impression that there is anything to be avoided or evaded. I do not think such allegations ought to be made. (Interruptions). Order, order. I would request all hon. Ministers to be present, as far as possible.

Shri Tangamani: The last question has not been answered.

Mr. Speaker: I will allow this question another time.

Shri Vajpayee: I request that Starred Question No. 30 may be taken up now.

Mr. Speaker: Not now.

**WRITTEN ANSWERS TO
QUESTIONS**

**Indian Trade Agency Building in
Tibet**

*19. **Shri Ajit Singh Sarhadi:** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 326 on the 6th August, 1959 and state whether any progress has been made in the construction of the Trade Agency Building in Igantse, Tibet?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): As will be seen from the correspondence released recently in the Second White Paper, no material progress has been made in the construction of the Indian Trade Agency at Gyantse. Despite repeated interruptions in work, the local Engineer has been able to start construction of a few servants quarters in the old Agency Premises.

Export of Manganese Ore

*20. **Shri Damani:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there is a proposal to allow additional quota on an *ad hoc* basis to the Manganese ore exporters with a view to increase the export; and

(b) if so, the details of the proposal?

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

(a) No, Sir.

(b) Does not arise.

Rebate to Displaced Persons

*21. **Shri Chuni Lal:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether Government intend to pay rebate to those displaced persons from West Pakistan who occupied

houses in urban areas but had been allotted land in rural areas equal to the value of the houses to which they would otherwise have been entitled in rural areas; and

(b) if so, what instructions, if any, have been issued in this connection?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The question of giving rebate to the displaced land allottees in the rural areas who are in occupation of urban evacuee houses in Punjab, because no house could be allotted to them in the rural areas along with the land, is under consideration.

(b) Does not arise.

Export of Jute

*23. **Shri Rameshwar Tantia:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that India of late is facing serious competition from Pakistan in regard to jute exports to foreign countries; and

(b) if so, the countries where the export of Indian jute has declined?

The Minister of Commerce (Shri Kanungo): (a) Exports of jute sackings have, of late, declined. Various factors, including competition from Pakistan have contributed to this decline.

(b) Australia, West Africa, Belgium, Cuba, Iran, Burma, East Africa and Peru.

Central Information Service

*24. **Shri J. B. S. Bist:** Will the Minister of Information and Broadcasting be pleased to state the progress made in the formation of Central Information Service?

The Minister of Information and Broadcasting (Dr. Keskar): The recommendations of the Union Public Service Commission for the initial gradation of the service under Rule 5 of the Central Information Service

Rules are awaited. It is hoped to constitute the service actively on the receipt of the Commission's recommendations.

Electrolytic Copper

*25. { Shri Warier:
Shri Kodiyar:
Shri V. P. Nayyar:

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

(a) the estimated requirement of electrolytic copper for the next five years; and

(b) the existing and proposed indigenous capacity for the period?

The Minister of Industry (Shri Manubhai Shri): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

(a) The requirements of electrolytic copper (including those for manufacture of copper conductors and thin gauge wire for commercial use like zari-making etc.) only for the coming five years are estimated as under:—

1959-60	about	30,000 tons
1960-61	"	40,000 tons
1961-62	"	50/55,000 tons
1962-63	"	65,000 tons
1963-64	"	80/85,000 tons

(b) A licence under the Industries (Development and Regulation) Act, 1951, for the manufacture of electrolytic copper with an annual installed capacity of 8,400 tons has been granted to M/s. Indian Copper Corporation, Ghatsila (Bihar).

Indo-Pakistan Border Disputes

{ Shri A. M. Tariq:
Shri Shree Narayan Das:
Pandit D. N. Tiwary:
Shri M. L. Dwivedi:
Shri Harihar Chandra Mathur:
Shri Sadhan Gupta:
Shri Hemu Barua:
Shri Bibhuti Mishra:
Shri N. E. Munkswamy:

{ Dr. Ram Subhag Singh:
Shrimati Ha Falchoudhuri:
Shri Hem Raj:
Shri Ram Krishna Gupta:
Shri Sripakar:
Shrimati Renu Chakravarty:
Shri D. C. Sharma:
Shri Arjun Singh Bhadouria:
Shri Sarja Pandey:
Shri Asaar:
Shri Vajpayee:
Shri Daljit Singh:
Shri P. C. Borooah:
Shri Ajit Singh Sarhadi:
Shri Aurobindo Ghosal:
Shri Amjad Ali:
Shri Subiman Ghose:
Shri Prakash Vir Shastri:
Shri N. C. Laskar:
Shri U. L. Patil:

*26.

Will the Prime Minister be pleased to refer to the Joint Communiqué issued on the 1st September, 1959 by him and the President of Pakistan at Falam regarding the proposal of holding a high-level conference on border disputes and state:

(a) whether any conference has taken place between the representatives of India and Pakistan; and

(b) if so, the results thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir.

(b) A statement on this subject is being made after question hour.

Export of Salt

*27. { Shri Panigrahi:
Shri Anrudh Sinha:
Shri Karni Singhji:
Shri Bhanja Deo:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1264 on the 9th September, 1959 and state:

(a) whether the State Trading Corporation has entered into any contracts with foreign buyers by now for export of salt;

- (b) if so, with which countries;
- (c) whether contracts with Indian suppliers have also been signed by now; and
- (d) the extent of increase in the export of salt since the State Trading Corporation took the responsibility for its export?

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

(a) Yes, Sir.

(b) Japan.

(c) Not yet.

(d) Exports of sea salt are canalized through S.T.C. Since June, 1959. The quantity exported during June to September, 1959 was 1,01,890 tons against 82,785 tons exported during June to September, 1958.

Loans Due from Displaced Persons

*28. Shri Ram Krishan Gupta: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that huge amounts as loans are due from displaced persons;

(b) if so, the total amount due so far;

(c) the nature of steps taken or proposed to be taken to recover this amount; and

(d) the results thereof?

The Deputy Minister of Rehabilitation (Shri P. S. Naikar):

Eastern Zone

(a) Yes.

(b) Rs. 20.95 crores (including interest).

(c) and (d). Steps are taken by the State Governments and the Union Territories to recover the loans according to rules in force in the respective States. In cases of real hardship, penal measures are not taken, as it is likely to retard the progress of rehabilitation. Recently the existing terms and conditions for recovery of loans have been liberalized and it is

hoped that the pace of recovery would improve.

Western Zone

(a) and (d). The information is not available and it is felt that the time, labour and expense involved in its collection will not be commensurate with the results to be achieved. As most of the loans are being adjusted as public dues under the Compensation Scheme, the amounts due are not likely to be "huge".

तिब्बत से प्राये गैर-तिब्बती शरणार्थी

{ *२९. श्री जगत कर्मान : क्या प्रबन्धन बोर्डो ११ अगस्त, १९५९ के तारांकित प्रश्न संख्या २८६ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि तिब्बत से प्राये शरणार्थियों में जो बाकीस गैर-तिब्बती शरणार्थी पाए गए थे उनकी पहचान और उनके पूर्व करिब के बारे में की गई जांच का क्या परिणाम निकला है ?

बैबैसिक-कार्य बोर्डो के सभा सचिव (श्री तावत झली खा) : जांच-पड़ताल अभी पूरी नहीं हुई है ।

Indian Delegation for participation in China's Celebrations

{ Shri Vajpayee:
Shri Shree Narayan Das:
*30. { Shri Bibhuti Mishra:
Shri N. E. Muniswamy:
Shri Rameshwar Tanti:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that China did not invite any official delegation from India to participate in the decennial celebrations of the Chinese Republic;

(b) if so, India's reaction to this exclusion; and

(c) whether invitations had been issued to private individuals or bodies?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b) An invitation was received, by Government on the 27th September for participation in the National Day celebrations of the Chinese Republic on 1st October. Because of the shortness of time as well as for other reasons, it was not possible for the Government of India to accept it

(c) Yes

Aluminium Plant in Salem

*31. { Shri T. B. Vittal Rao:
Shri Tangamani:
Shri Ram Krishan Gupta.
Shri N. E. Muniswamy:
Shri Vidya Charan Shukla:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 907 on the 28th August, 1959 and state.

(a) whether Government have since examined the report of the Italian firm regarding the setting up of an Aluminium Plant in Salem (Madras), and

(b) if so, the result thereof?

The Minister of Industry (Shri Manubhai Shah): (a) and (b) Based on the report of the Italian firm an application for grant of a licence under the Industries (Development & Regulation Act, 1951, for the setting up of a plant to manufacture 10,000 metric tons of aluminium ingots has been received from Shri R Venkataswamy Naidu, Coimbatore. The Government of Madras have recommended the application. The application is under consideration.

Forged Passports

{ Shri J. B. S. Bist:
Shrimati Da Falchoudhuri:
Shri Ram Krishan Gupta:
Shri Halder:
Shri Kalika Singh:
Shrimati Masda Ahmed:

{ Shri Rameshwar Tanti:
Dr. Ram Subhag Singh:
Shri Hem Barua:
*32. { Shri Aurobindo Ghosal:
Shri S. A. Mehdi:
Dr. Gangadhar Siva:
Shri Arjun Singh
Bhadauria:

Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to the report that 36 persons with forged Indian passports tried to enter the U.K. in the third week of October, 1959;

(b) whether any inquiries have been made of the nationality of the holders of these passports,

(c) whether Government intend launching any prosecution against them, the travel agencies which made arrangements for their passage and those responsible for the issue of these passports; and

(d) whether there is any plan to tighten the measures further?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) to (c). Altogether 52 persons were detained by the British authorities on the ground that the passports held by them were forged. All these persons were sent back to India by the U.K. authorities. On their arrival in Bombay they were arrested for alleged offences under the Indian Penal Code. Enquiries into their nationality as well as the offences with which they are charged are proceeding. Police enquiries are also proceeding with regard to the travel agencies and any other persons who may have been involved in the preparation or the use of forged documents.

(d) Government have under consideration various measures designed to prevent travel on forged passports and in particular to prevent illegal emigration to the U.K. of illiterate persons not conversant with English.

Mahatma Gandhi's Samadhi at Rajghat

23. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:
Shri Naval Prabhakar:
Shri Bhakt Darshan:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No 1031 on the 1st September, 1959, and state:

(a) whether Government have scrutinised the estimate for the Samadhi of Mahatma Gandhi at Rajghat;

(b) if so, the result thereof; and

(c) the nature of steps taken so far for the construction of the Samadhi?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The estimate has been scrutinised and sanctioned.

(c) Tenders for the work of pile foundations have been invited. Detailed drawings and estimates for the other parts of the project will now be prepared by the Central Public Works Department before the award of contracts and physical commencement of the work.

Radio Station in Sikkim

*24. Shri J. B. S. Bist: Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Starred Question No. 2069 on the 27th April, 1959 and state:

(a) when the radio station in Sikkim is likely to go on the air,

(b) the languages in which programmes will be broadcast, and

(c) whether Government have any plans to establish similar radio stations in other border regions such as in North U.P. and Ladakh or to beam special programmes for these areas in their local languages or dialects?

The Minister of Information and Broadcasting (Dr. B. V. Keskar): (a) and (b). Details regarding the setting up of the proposed radio station in Sikkim are being worked out. It is not possible at this stage to indicate any precise date for its completion or the composition of the programmes.

(c) There are no plans for establishing radio stations in these border regions. A number of A.I.R. Stations are already broadcasting programmes for the border regions. It is proposed to expand them.

Spun Silk Mill in Assam

1. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 473 on the 14th August, 1959 and state the nature of progress made so far in establishing a Spun Silk Mill in Assam?

The Minister of Industry (Shri Manubhai Shah): A statement is given below:

STATEMENT

- 1 Construction of buildings at Jagi Road is nearing completion.
- 2 An agreement has been concluded with a Japanese firm for the import of machinery on deferred payment basis.
- 3 Arrangements have been made for procuring machinery items available in India.
- 4 Arrangements have also been made for water supply and electricity.
5. The State Government of Assam have decided to form a Private Limited Company under the Indian Companies Act with an authorised capital of Rs. 70 lakhs in shares for running the

Mill. The Memorandum and the Articles of Association of the Company are being finalised by the State Government.

6. Arrangements are also being made by the State Government to obtain the services of an expert from Japan.

The mill is expected to go into production at the end of 1960.

Construction of Shops and Stalls in Government Employees Colonies

2. Shri Dhanagar: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that Government propose to build some shops, stalls and flats in the newly built colonies for Government employees in the South of Delhi; and

(b) when will the construction be completed?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes. Shops, etc., are already under construction in a number of newly built colonies.

(b) Depending on the number of units to be constructed in the various colonies and the dates of commencement of work, the construction is expected to be completed between December, 1959 and December, 1960.

Export Quotas of Groundnut Oil

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

(a) the total quantity of groundnut oil for which export quotas have been issued by Government from 1st April to 31st October, 1959; and

(b) the names of the ports from which this groundnut oil has been shipped?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) No specific quantity was released. Those established shippers who have utilised the allotments made to them in 1958 are granted licences equal to their quota as and when they complete shipment.

(b) Madras, Bombay, Bhavanagar, Veraval, Porbandar and Bedi (Jamnagar).

Employment Opportunities in Bombay State

4. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that employment opportunities in Bombay failed to improve during the year 1958-59;

(b) the total number of vacancies notified in public sector and those in private sector during the above period; and

(c) the number of industries closed down?

The Deputy Minister of Labour (Shri Abid Ali): (a) Employment opportunities are improving but such improvement may not be commensurate with the increase in the number of employment seekers.

(b) Public Sector	49,433
Private Sector	3,506
	<hr/>
Total	52,939
	<hr/>

(c) Complete information is not available.

Unemployment in Bombay State

5. Shri Pangarkar: Will the Minister of Labour and Employment be pleased to state:

(a) the comparative figures of the registered unemployed persons during the last six months in Bombay State;

(b) the number of unemployed graduates, intermediates and matriculates registered during the same period; and

(c) the facilities available for training in technical and vocational subjects to fulfil the needs for skilled personnel and to solve the unemployment problem in that State?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The information is given in statements I and II below:—

I. No. on Live Register at end of the month.

Month	No. on the Live Register at end of the month.
(1)	(2)
1959	
April	1,74,736
May	1,77,747
June	1,87,520
July	1,95,101
August	1,99,709
September	2,01,468

II.

CATEGORY	No. on the Live Register at end of each quarter.		
	March '59	June '59	September '59
(1)	(2)	(3)	(4)
Matriculists	49,809	58,003	60,694
Intermediates	2,326	3,202	3,399
Graduates	3,867	5,014	5,599

(c) At present there are 20 Industrial Training Institutes in the State of Bombay for which 192 seats in

vocational trades and 5,023 seats in technical trades have been sanctioned, under the Training Schemes for Craftsmen, under the D.G.R. & E. Scheme.

Production of Magnesia Clinker

6. Shri Vidya Charan Shukla: Will the Minister of Commerce and Industry be pleased to state:

(a) the present annual production of magnesia clinker in the country;

(b) how much of it is required for internal consumption;

(c) whether it is a fact that there is considerable scope for the export of magnesia clinker to Japan; and

(d) if so, what steps are being taken to promote its export to Japan?

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

(a) About 47,000 tons.

(b) About 30,000 tons

(c) Yes, Sir

(d) Exports to Japan are already improving.

Manufacture of Cars, Jeeps and Trucks

7. Shri Anirudh Sinha: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of cars, jeeps and trucks produced by the different automobile manufacturers during 1958 upto the 30th September, and

(b) the percentage of indigenous components used by different units?

The Minister of Industry (Shri Manubhai Shah):

	Nos
(a) Cars	8080
Jeeps	3942
Trucks (including buses)	13672

(b) The percentages of indigenous content in the (main models of) vehicles produced in the country are as follows:

Name of the Unit	Model of vehicle	Percentage of indigenous content
1. M/s Hindustan Motors Ltd; Calcutta.	(i) Hindustan Ambassador Car	73.4%
	(ii) Bedford Truck	Scheme started recently
2. M/s Premier Automobiles Ltd., Bombay	(i) Fiat '1100' car	56.6%
	(ii) Dodge 3 ton 165" W.B. Truck	62%
3. M's Standard Motor Products of India Ltd., Madras	Standard '10' car	49.4%
4. M's Tata Locomotive & Engg. Co. Ltd., Bombay	Tata-Mercedes-Benz 165" W.B. Truck	64.4%
5. M/s Ashok-Leyland Ltd., Madras	Leyland 'Comet' 163" W.B. Truck	62%
6. M/s Mahindra & Mahindra Ltd., Bombay	Willys Jeep	66.1%

These percentages are worked out by comparing the C.I.F. price of the imported components (finished and semi-finished) with the ex-factory cost of the vehicle in the country.

Lemon Grass Oil

8. **Shri A. K. Gopalan:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of lemon grass oil exported from Kerala during 1956-57 and 1957-58;

(b) the price prevailing during the same period; and

(c) whether the price has declined?

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

(a) State-wise export figures are not available. The total exports from India for the two years were 22.10 and 30.50 lakh lbs. respectively.

(b) 1956-57 Rs. 69.50 per 16.5 lbs.
1957-58 Rs. 50.00 per 16.5 lbs.

(c) The price has shown an upward trend in 1959.

Industrial Estate at Batala

9. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 23 on the 3rd August, 1959 and state the up-to-date progress made in constructing buildings for the Industrial Estate at Batala in district Gurdaspur?

The Minister of Industry (Shri Manubhai Shah): The land has been taken possession of for Industrial Estate at Batala. The site plan has been prepared and the Town Planner is making the layout plan of the Estate. The responsibility for planning and construction of Industrial Estates is that of the State Government.

Tungsten Carbide

10. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 24 on the 3rd August, 1959 and state the decision since taken on the schemes for the manufacture of tungsten carbide by private entrepreneur?

The Minister of Industry (Shri Manubhai Shah): The schemes received were considered and it has been decided

(1) to grant a licence to one new unit for the manufacture of tungsten powder (from the ore stage) tips and tools with a capacity of 24 tons per annum capable of being expanded to 60 tons

(2) to grant a licence to an existing unit manufacturing tungsten carbide from imported powder for the capacity of 6 tons per annum already achieved by it

(3) that parties undertaking the processing of assembling/bracing of tips, could do so, if they so desired.

Acquisition of Land in Lhasa

11. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 47 on the 3rd August, 1959 and state the further progress since made in regard to the proposal to acquire certain lands and buildings in Lhasa (Tibet)?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The land has since been taken

over by the Chinese Military Control Commission who are not willing to sell it. The proposal has therefore fallen through.

Indians Arrested by Chinese

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

(a) the total number of Indian citizens arrested or held in custody by the Chinese from border areas of India during 1959-60 so far,

(b) the steps taken to get them released, and

(c) the number of Indian citizens still in Chinese custody?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru). (a) So far as we know about 37 Indian citizens or Indian protected persons are detained by the local Chinese authorities in Tibet.

(b) and (c) The Government of India have taken up the question of the release of these persons with the Chinese authorities at various levels. All possible and reasonable steps will be taken to get the release of these arrested persons.

Migration of Indians from Ceylon

13. Shri D. C. Sharma: Will the Prime Minister be pleased to state the number of Indians who have migrated from Ceylon to India since June, 1959?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): 2,622 Indian nationals left Ceylon during the period from 1st June, 1959 to 30th September, 1959, 1,258 of them on being served with quit notices by the Government of Ceylon and 1,364 voluntarily.

Atomic Fuel Fabrication Plant

14. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No 19 on the 3rd August, 1959 and state the latest position with

regard to the setting up of an atomic fuel fabrication plant in the country?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Apart from a few minor finishing items, the building has been completed. All the equipment has been commissioned and tested for performance under continuous production scale operations and sample fuel elements for the Canada-India Reactor produced in the plant were sent to Atomic Energy of Canada Ltd. on October 3, 1959, for irradiation tests.

Unemployed Graduates Registered with Employment Exchanges

15. Shri D. C. Sharma: Will the Minister of Labour and Employment be pleased to state the number of unemployed graduates remaining on the Live Registers of various Employment Exchanges in India as on the 1st September, 1959?

The Deputy Minister of Labour (Shri Abid Ali): 43,909 as on 30th September, 1959. This is the latest quarterly figure available.

Goa

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

(a) the number of displaced families which have come from Goa since June, 1959 due to conditions prevailing there;

(b) where they have been settled;

(c) whether Government have rendered any financial or other assistance to them; and

(d) if so, the nature thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). There have been no reports of displaced families having come from Goa since June 1959 as a result of conditions prevail-

ing there. However, some individual Goans including five political prisoners released by the Portuguese authorities have reached Bombay.

(c) and (d). Whenever Government are approached for financial or other assistance such requests are considered sympathetically and such assistance, as is possible, extended.

Industrial Development of Delhi

17. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to state the total amount spent by the Central Government on the industrial development of Delhi during the First and the Second Five Year Plan periods separately?

The Minister of Industry (Shri Manubhai Shah): An amount of Rs. 69.61 lakhs and Rs. 144.97 lakhs was spent by the Central Government for industrial development of Delhi during the First and Second Plan (1956-59) periods respectively.

Industrial Estate at Agra

18. Shri D. C. Sharma: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 22 on the 3rd August, 1959 and state the up-to-date progress made in the construction work of Industrial Estate at Agra?

The Minister of Industry (Shri Manubhai Shah): A statement is given below:—

STATEMENT

The Uttar Pradesh Government propose to construct 120 sheds in the Industrial Estate at Agra. The construction work in respect of 31 sheds has been entrusted to the Improvement Trust, Agra and that in respect of the remaining 89 sheds has been entrusted to P.W.D. Agra. The construction of 64 sheds has been completed. 53 more sheds are at various

stages of construction the details of which are as follows:—

	Units
1. Foundation ready	5
2. Plinth level	8
3. Window level	6
4. Truss level	34
	53

Agra Electric Supply Co. is making arrangements to supply 360 kW to the Industrial Estate from the existing supplies.

The Executive Engineer, Local Self Government Engineering Department, Agra, is making arrangements for water supply. Work on distribution system and over-head tank is to be started shortly.

Import and Export of Cotton

19. { Shri Shree Narayan Das:
Shri Ram Krishan Gupta:
Shri Ajit Singh Sarhadi:
Sardar Iqbal Singh:

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

(a) whether there has been any shortage in cotton supply at home during 1950 so far;

(b) if so, the extent of such shortage estimated,

(c) whether as a result of such shortage, there has been any liberalisation of cotton imports,

(d) if so, the extent of such liberalisation giving the value of imports,

(e) how these imports compare with the figures of the previous year,

(f) whether the shortage of cotton at home has affected the export programme of cotton; and

(g) if so, the extent to which export would be affected?

The Minister of Commerce (Shri Kanungo): (a) to (g) A statement giving the required information is given below:—

STATEMENT

(a) to (e) Scarcity of supplies of cotton might have been felt by a few mills on account of a small carry-over at the end of the last season consequent on a comparatively low crop during that season. This scarcity was to a certain extent accentuated in the beginning of the season due to reported failure of cotton crop in certain areas but the position has changed as further reports about cotton crop during the current season are not discouraging. No liberalisation of imports has, therefore, been made so far. Government are, however, watching the situation.

(f) and (g) The exports had in fact increased in the last season. The position for the current season can be assessed only at a later stage.

Indian Property in Ceylon

20. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No 2165 on the 4th September, 1950 and state at what stage stands the question of claiming compensation on account of damages caused to the properties of Indian nationals in Ceylon?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The question of claiming compensation on behalf of Indian nationals can be considered only if the Government of Ceylon decide to pay compensation to their own nationals, which they have not so far done.

Barter Deal with U.S.A.

21. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No 318 on the 11th August, 1950 and state at what stage stands the barter proposals for U.S. cotton against Indian mica?

The Minister of Commerce (Shri Kanungo): The barter proposal for U.S. Cotton against Indian mica has been rejected since American Cotton

is already being imported under FL. 480 Programme and mica is being exported through normal trade channels.

Shipment of Bauxite

22. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 1941 on the 1st September, 1959 and state:

(a) whether the negotiations with Japan for shipment of bauxite from India have since been concluded; and

(b) if so, the result thereof?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). Discussions held recently in Japan showed that there is no immediate prospect of export of Indian Bauxite to Japan for the Aluminum Industry.

Surgical Instruments and Appliances

23. { Shri R. C. Majhi:
Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Pangarkar:

Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 823 on the 3rd March, 1959 and state:

(a) the recommendations made by the Panel for Surgical Instruments and Appliances in its report; and

(b) the steps taken so far to implement the same?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A statement is laid on the Table of the House. [See Appendix I, annexure No. 3].

Chemical Analysis of Ferro Alloy

24. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:

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

(a) whether comments on the draft

standards for methods of chemical analysis of Ferro Alloy have been received;

(b) if so, the nature of the comments received; and

(c) whether any further comments are necessary?

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

(b) and (c). The comments that have been received are with a view to modifying certain methods included in the draft standards. These comments will be examined by the Sectional Committee concerned of the Indian Standards Institution scheduled to meet about the end of December, 1959 or early in January 1960, before the standards are finalised.

Co-operative Societies in Coal Fields

25. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:

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

(a) how many Co-operative Societies are at present functioning in the coal fields of West Bengal;

(b) what are the functions of those societies;

(c) whether any grant-in-aid is given to those societies; and

(d) if so, the amount of grant-in-aid given upto now?

The Deputy Minister of Labour (Shri Abid Ali): (a) 32.

(b) To provide loan financier and consumer goods to members at reasonable rates.

(c) Yes.

(d) Upto the month of September, 1959, a sum of Rs. 804 has been paid.

Import of Dammer Batu

26. { Shri S. C. Samantia;
Shri Subodh Hanada:

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

(a) what is the yearly consumption of Damodar Batu (Dhupresin) in the country;

(b) how much has been imported during the last three years (year-wise);

(c) whether the internal resources have been fully tapped,

(d) how much is available from the Andaman and Nicobar Islands;

(e) whether the import licence for Gum Arabic has been tagged together with Dammer Batu Licence; and

(f) if so, whether in this process indigenous Dammer Batu is facing a crisis?

The Minister of Commerce (Shri Kanungo): (a), (c) and (d). Precise information is not available

(b) Dammer Batu (Dhupresin) is not specifically shown in the Indian Trade Classification. Import of resin batu during 1957, 1958 and 1959 (January—July) has been as follows—

Year	Quantity (in cwts.)	Value in '000' of Rs.
1957	52,013	1,481
1958	31,873	2,205
1959 (January-July)	36,303	1,939

(e) Since April—September, 1959 licensing period, Dammer Batu is shown under a separate item vide S. No. 49(a) in Part IV of the Import Trade Control Schedule.

(f) Does not arise in view of the answer to part (e) above.

247(A) LSD—4.

Remodelling of Tehar Village (Delhi)

27. Shri Valvi: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that the work of remodelling of Tehar Village on Najafgarh Road in Delhi has been started; and

(b) what will be the cost of this remodelling?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The Delhi Development Authority is doing that work. We are informed that engineering survey and detailed estimates etc have been completed by that Authority and the actual development work will now be started.

(b) About Rs 770 lakhs

Fertiliser Plant at Bombay

28. Shri Basumatrī: Will the Minister of Commerce and Industry be pleased to state

(a) whether it is a fact that the Nangal Fertilisers Ltd. have submitted a report to Government on their negotiations with the oil companies on the price and availability of refinery gases for the proposed fertiliser plant at Bombay;

(b) if so, the salient features of the report, and

(c) the action taken by Government thereon?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) An interim report has been received from the Hindustan Chemicals and Fertilisers Limited

(b) Negotiations have not so far been finalised and it will be premature to disclose information on the subject.

(c) Does not arise.

**Rehabilitation of Displaced Persons
in U.P.**

29. { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Rehabilitation and Mincery Affairs be pleased to state the amount given to U.P. Government during 1958-59 for the rehabilitation of displaced persons from East Pakistan in U.P.?

The Deputy Minister of Rehabilitation (Shri F. S. Naskar): A sum of Rs. 51.08 lakh was sanctioned during 1958-59 for the rehabilitation of 1032 agriculturist families from East Pakistan in U.P. Of these 592 families have already been moved to the rehabilitation colonies.

**Tibetan Buddhist Monastery in
Jalpaiguri**

30. Shri P. C. Borooah: Will the Prime Minister be pleased to state:

(a) whether it is a fact that a Tibetan Buddhist Monastery will be set up in Jalpaiguri (West Bengal); and

(b) if so, the details thereof?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). There is no proposal to establish a Tibetan Buddhist monastery in Jalpaiguri. It is proposed, however, to convert the Buxa Tibetan Refugee Camp in West Bengal into a permanent place of residence for about 1,500 student Lamas from Tibet, to enable them to continue their religious studies.

Entry of Pakistanis in Jammu

31. Shri P. C. Borooah: Will the Prime Minister be pleased to state:

(a) whether it is a fact that three Pakistanis entered into the Indian territory on the night of 17/18 September, 1959 and tried to take away some cattle from the village of Brambla in Deva Batala Area about 50 miles West of Jammu; and

(b) if so, the action taken in the matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) On the night of September 17/18, 1959, three PAK/POK civilians carried away one head of cattle from village Brambla about 2½ miles West of Akhnur and about 1½ miles on our side of the cease-fire line.

(b) The villagers chased the cattle lifters and recovered the cattle. There were no casualties.

Indian Temple at Baku

32. Shri P. C. Borooah: Will the Prime Minister be pleased to state:

(a) whether it is a fact that there is an Indian temple at Baku in the U.S.S.R.; and

(b) if so, whether there is any proposal to trace its origin and history and study the inscriptions?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) There are the remains of an old monastery and temple at Baku. Inscriptions on it are in Sanskrit, Gurmukhi and Persian. Travelers have described it as "Ateshgah" or a temple of fire worshippers. It appears that there was an Indian colony at Baku in the old days, but it has not been proved that the temple is Indian in origin.

(b) There is no proposal for further investigations into this matter. A summary of an article on the "History of the Temple of Fire-Worshippers at Surakhan" by Madame Ashurbeli is placed on the Table of the House. [See Appendix I, annexure No. 4.] This gives some account of this temple.

शिमला में गवर्नमेंट आफ इंडिया प्रेस
की नई इमारत

३३. { श्री क्या देव :
श्री रामकृष्ण गुप्त :

क्या निर्माण, कावात और संभरण मंत्री
वह बताने की कृपा करेंगे कि:

(क) क्या शिमला में गवर्नमेंट आफ
इंडिया प्रेस के नये भवन के निर्माण की

योजना को अन्तिम रूप दिया जा चुका है; और

(क) यदि हाँ, तो उसका कार्य कब शुरू होगा ?

निर्माण, आवास तथा संभरण उपमंत्रि (जी अमिल कुं० खन्ना) : (क) शिमला में गवर्नमेंट आफ इंडिया प्रेस के नये भवन के निर्माण की योजना अभी पूर्ण रूप से नहीं बनाई जा सकी क्योंकि इसके लिये चुना हुआ स्थान उपलब्ध नहीं हो सका है।

(ख) सवाल पैदा ही नहीं होता।

शिमला में सरकारी कर्मचारियों के निवास स्थान

३४. { श्री वष देव :
श्री रामकृष्ण गुप्त :

क्या निर्माण, आवास और संभरण मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या सरकार को यह ज्ञात है कि शिमला में सरकारी कर्मचारियों को विशेष कर उन कर्मचारियों को जिन्हें कम वेतन मिलता है, आवास की बड़ी कठिनाई हो रही है और उन्हें दफ्तर पहुंचने के लिये कई मील चलना पड़ता है, और

(ख) यदि हाँ, तो सरकार का इस विषय में क्या कार्यवाही करने का विचार है ?

निर्माण, आवास तथा संभरण मंत्री (श्री क० ब० रेड्डी) : (क) नहीं।

(ख) सवाल पैदा ही नहीं होता।

रबड़ के जूतों का आयात

३५. { श्री वष देव :
श्री रामकृष्ण गुप्त :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५८ में जापान से कितने मूल्य के रबड़ के जूते मंगवाये गये; और

(ख) क्या इस आयात को रोकने तथा स्वदेशी उत्पादन बढ़ा कर देश की आवश्यकताओं को पूरा करने की कोई योजना है ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) १९५८ में १०,०३१६० मूल्य के रबड़ के फुटरीयर आयात किये गये, जिनमें रबड़ के जूते भी शामिल हैं।

(ख) चालू फाइसेस अवधि में रबड़ वाले बूटों तथा जूतों के आयात की अनुमति नहीं दी गयी है। देश में अब इनका काफी उत्पादन हो रहा है जिससे न केवल देश की आवश्यकताएं पूरी हो सकती हैं, बल्कि इन्हें विदेशों को भी भेजा जा सकता है।

हिमाचल प्रदेश में खादी का विकास

३६. { श्री वष देव :
श्री रामकृष्ण गुप्त :

क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि.

(क) खादी में विकास के लिये हिमाचल प्रदेश में कितने केन्द्र काम कर रहे हैं; और

(ख) इन केन्द्रों में कौन-कौन सी चीजे बनाई जाती हैं ?

उद्योग मंत्री (श्री मनुभाई साहू) :

(क) नौदह केन्द्र।

(ख) इन केन्द्रों में (१) पट्टू (२) गुमदा (३) टर्बांड (४) लोहिया (५) कबल (६) नमदे (७) मफलर आदि बनाये जाते हैं।

Automatic Looms for Punjab

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

(a) whether it is a fact that the Punjab Government has requested

the Central Government for providing 500 automatic looms to avert a crisis in the textile industry in Amritsar;

(b) if so, the action taken by Government thereon; and

(c) the total expenditure to be incurred on that account?

The Minister of Commerce (Shri Kanungo): (a) No such request has been received from the Government of Punjab.

(b) and (c). Do not arise

Loans to Industries at Faridabad

38. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to state the names of the Industries at Faridabad which have taken loans from the Rehabilitation Ministry and the conditions under which these were given?

The Minister of Industry (Shri Manubhai Shah): A statement giving the information is laid on the Table of the House [See Appendix I, annexure No. 5]

Export of Fruits

39. Shri Ajit Singh Sarhadi: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 259 on the 6th August, 1959 and state:

(a) whether any measures have been taken to augment export of fruits to different countries; and

(b) if so, with what results?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) Yes, Sir. Our Missions abroad have been asked to stimulate imports of Indian fruits. Tin plate allotments are made to exporters of processed and tinned fruits.

(b) Exports are showing an upward trend.

Film Workers

40 Shri D. C. Sharma: Will the Minister of Labour and Employment

be pleased to refer to the reply given to Starred Question No. 1149 on the 4th September, 1959 and state:

(a) the progress made in regulating the working and service conditions of film workers; and

(b) the result thereof?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). As already stated the Government of Bombay is attending to this matter.

International Film Festivals in 1959-60

41 Shri D C Sharma: Will the Minister of Information and Broadcasting be pleased to state the names of Indian films that were sent to International Film Festivals held during the year 1959-60 so far?

The Minister of Information and Broadcasting (Dr. Karkar): a statement is laid on the Table of the House [See Appendix I, annexure No 6]

Documentary Films on Power Projects

42 Shri D. C. Sharma: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that Government have decided to produce documentary films on various power projects of the country, and

(b) if so, the broad details of the programme?

The Minister of Information and Broadcasting (Dr. Karkar): (a) Films on power projects are being produced since 1949. In fact they form an important section of our film production.

(b) A list of films produced already and those now under production is placed on the Table of the House. [See Appendix I, annexure No. 7.]

Export of Cotton Piecegoods

42. { Shrimati Parvathi Krishnan:
Shri Nagi Reddy:
Shri Warrior:

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

(a) what was the total quantity of cotton piece-goods exported in 1958 and 1959 up-to-date, and

(b) what was the earning therefrom?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):
(a) and (b) The quantity and value of cotton piecegoods exported from India in 1958 and during January-July 1959 were as follows—

	Quantity (‘000’ Yds)	Value (‘000’ Rs)
1958	616,740	45,48,86
1959 (up to the end of July)	388,125	28,65,28

Employees State Insurance Scheme

44. { Shri Kunhan:
Shri T. B. Vittal Rao:

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

(a) the progress made so far with regard to extension of medical benefits to the families of insured workers under the Employees’ State Insurance Scheme,

(b) when the scheme is likely to be extended to Ahmedabad,

(c) the number and names of other places where this benefit is also likely to be extended, and

(d) how many beds have been reserved in the various sanatoria for T.B. patients covered by the Scheme?

The Deputy Minister of Labour (Shri Abid Ali): (a) Medical benefit has been extended to 4,04,500 family units (i.e. 12,13,800 beneficiaries)

(b) The State Government had decided to implement the Scheme in Ahmedabad during the Second Plan period, but no target date has been so far fixed

(c) Medical benefit under the Scheme is likely to be extended to families of insured persons in nine more places, viz, Alleppey, Quilon, Trichur, Ernakulam, Alwaye, Alagappanagar, Trivandrum, Kozhikode and Feroke by the end of January, 1960.

(d) 684

San Francisco International Film Festival

45. Shri S A Mehdi: Will the Minister of Information and Broadcasting be pleased to state

(a) whether some Indian films had been entered for the Third Annual San Francisco International Film Festival, and

(b) if so, the names of the films?

The Minister of Information and Broadcasting (Dr. Keekar): (a) Yes, Sir,

(b) (i) Feature film
“Apur Sansar” (Bengali)

(ii) Documentary films

(1) “Radha Krishna” (English)

(2) “Taj Mahal” (English)

Development of Hilly Regions of Punjab

46. { Shri Hem Raj:
Shri Daljit Singh:
Shri S C. Samanta:
Shri D. C. Sharma:

Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No 73 on the 3rd August, 1959 and state

(a) whether the Programme Adviser of the Planning Commission has since discussed the proposals for the development of hilly regions of

Punjab with the State Government; and

(b) if so, the result thereof?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The Programme Adviser is discussing the proposals with the Punjab Government on 19th November, 1959.

Development of Tea Industry in Punjab

47. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to state:

(a) the money spent by the Indian Tea Board for the development of tea in the Punjab and Himachal Pradesh in the years from 1955 to 1958 year-wise, as well as item-wise; and

(b) the money allotted by it for development during 1959-60, item-wise?

The Minister of Commerce (Shri Kanungo): (a) Nil.

(b) With a view to reorganising and rehabilitating the tea industry in the Punjab, the Tea Board, as early as 1957, agreed to render financial assistance for the setting up of a Central Tea Factory in Kangra. The Government of Punjab were requested to draw up a detailed scheme for the purpose. No such scheme has so far emanated from the State Government.

A provision of Rs. 1 lakh has been made in the sanctioned Budget Estimates of the Board for 1959-60 for the Project.

In the meantime, the Director of Production Control attached to the Tea Board, who carried out an inspection of the tea industry in Kangra and Himachal Pradesh in February 1959, has expressed doubts about the feasibility of the Scheme due to several reasons. The objections put forward by this officer have been communicated to the Punjab Government. The State Government have very recently informed the Central Government that they have set up a

Committee to go into the question of setting up a Co-operative Society for running a Tea factory. Government are awaiting the considered views of the State Government in the matter.

The Director of Production Control has also expressed an opinion that the first essential pre-requisite for putting the tea industry in Himachal Pradesh on a sounder footing is an improvement in the method of tea cultivation in the larger number of small growers' estates. He has recommended the setting up of an advisory service for the small growers. In pursuance of this recommendation, the Government of India have sanctioned the creation of the post of one Field Advisory Officer in the Tea Board for Kangra and Mandi for advising the small growers of these areas on improved and upto-date methods of tea cultivation. The post is expected to be filled up shortly.

Match and Bidi Industries

48. Shri Dasaratha Deb: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the match and bidi industries of Tripura have sought any protection from competition of products imported from outside; and

(b) if so, whether Government proposes to give them any such protection?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Only one unit manufacturing Safety Matches in Agartala in Manipur State has represented the matter and the matter is under consideration of the State Administration.

Pulp and Paper Mill in Assam

49. Shri Basumatari: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any proposal had been submitted by the Government of Assam to set up a Pulp and Paper Mill in that State;

- (b) if so, the details thereof; and
(c) the progress made so far?

The Minister of Industry (Shri Manabhai Shah): (a) The Government of Assam have not submitted any proposal to set up a Pulp and Paper Mill in their States;

- (b) and (c). Do not arise.

House Building Co-operative Societies in Delhi

54. { Shri Radha Raman:
Shri K. B. Malviya:

Will the Minister of Works, Housing and Supply be pleased to lay a statement showing:

(a) the number of house-building co-operative societies that exist in Delhi and how many of them have acquired lands or have succeeded in building houses;

(b) the facilities Government offer to such societies;

(c) whether Government have formulated any definite scheme to regulate and help these societies to function on healthier lines; and

(d) if so, the details thereof?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) and (b). The relevant information is being collected from the Delhi Administration.

(c) and (d). Co-operative societies of industrial workers with incomes not exceeding Rs. 350 per month are eligible for the grant of financial assistance from the Central Government for construction of houses based on 25 per cent of the approved cost as outright grant and 65 per cent as long-term loan. Co-operative societies of persons with incomes not exceeding Rs. 500 per month are also eligible for grant of loan assistance under the Low-Income Group Housing Scheme for construction of houses. Both the schemes are administered

through the Delhi Administration which renders necessary assistance to the prospective house-builders.

Import of Air Conditioning Equipment

51. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any preference is given to Hospitals in importing air conditioning equipment; and

(b) if so, the total value of imports of air conditioning equipment for use in Hospitals in 1958-59?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) Separate figures of import of air conditioning equipment for use in Hospitals are not available.

Migrations from Pakistan

52. Shri Daljit Singh: Will the Prime Minister be pleased to state:

(a) the number of applications for migration certificates received during the second and third quarter of 1959 in the office of the Indian Deputy High Commissioner in Dacca; and

(b) the number who were granted migration certificates during the same period?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The figures requested in the question are as follows:—

	2nd Quarter	3rd Quarter
(i) Number of applications received	1586	1844
(ii) Number of migration certificates issued	778	1038
(iii) Number of persons covered	1759	2242

Note: Migration certificate is issued in favour of the head of the family only and not for each individual member of family separately.

Calcium Carbide

53. Shri V. P. Nayar: Will the Minister of Commerce and Industry be pleased to state the estimated annual requirement of Calcium Carbide when the three Steel Projects in Public Sector go into full production?

The Minister of Industry (Shri Manubhai Shah): When the three Steel Projects in Public Sector go into full production the annual requirements of calcium carbide are estimated to be 20,000 tons.

12.02 hrs.

OBITUARY REFERENCES

Mr. Speaker: I have to inform the House of the sad demise of four of our friends, namely, Shri K. M. Jedhe, Dr. John Matthai, Syed Mohammad Ahmad Kazmi and Rev. J. J. M. Nichols Roy.

Shri K. M. Jedhe was a sitting Member of Lok Sabha from the Baramati Constituency of Bombay State. He was also a member of the former Central Legislative Assembly, Constituent Assembly of India and the Provisional Parliament. He passed away at Poona on the 12th November, 1959, at the age of 63.

Dr. John Matthai was a member of the former Legislative Assembly of India in the years 1936 and 1946. He was also a member of the Constituent Assembly of India and the Provisional Parliament. He was Minister for Industry and Supply in the year 1946-47, Minister for Transport and Railways in the year 1947-48 and Minister for Finance in the years 1948-50. He was Vice-Chancellor of the Kerala University at the time of his death. He passed away at Bombay on the 2nd November, 1959 at the age of 73.

Syed Mohammad Ahmad Kazmi was a member of the Provisional Parliament and the First Lok Sabha. He was also a member of the former Central Legislative Assembly in the

years 1934-45 and of the Constituent Assembly of India in the years 1949-50. He died at Allahabad on the 29th October, 1959 at the age of 67.

Rev. J. J. M. Nichols-Roy was a member of the Constituent Assembly of India. He was also a member of the former Central Legislative Assembly in 1948. He died at Shillong on the 1st November, 1959 at the age of 73.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may stand in silence for a minute to express its sorrow.

(The Members then stood in silence for a minute).

12.04 hrs.

POLICEMEN KILLED IN SINO-
INDIAN BORDER INCIDENT

Mr. Speaker: Acharya Kripalani and a few others have written to me about a reference being made here to the death of several policemen in Ladakh, who have been killed by other forces. Of course, we all honour those great men and may their souls rest in peace. We send our condolences to the bereaved families. But such incidents occur constantly and, therefore, it is not usual.....

Shri Nath Pai (Rajapur): They should not occur.

Mr. Speaker: If there is a fight on the border, or if a war goes on where somebody is the aggressor and somebody dies, we cannot go on referring to them, however great they may be.

Shri Surendranath Dwivedy (Kendrapara): There is no war.

Mr. Speaker: We express our sympathy for those persons who have lost their lives and we commend their active work. But I would only urge

upon hon. Members not to repeat mentioning such matters here, because many such things may happen. Fortunately, nothing more is happening there at the moment. Everyday we cannot be bringing up here such matters. Then it will also be making invidious distinction between one and another by this great House. Of course, we express our deep sympathies to the families of the bereaved; certainly. But, let it not be repeated here from time to time. That is all I can say.

Shri Nath Pal: We should ask the Chinese not to repeat it.

Mr. Speaker: For the present, it is done.

12.06 hrs.

MOTIONS FOR ADJOURNMENT

SINO-INDIAN BORDER INCIDENTS

Mr. Speaker: I have received notice of some adjournment motions on various subjects. There is one by Shri Mohan Swarup, saying—

“great anxiety is prevailing throughout the country regarding undue delay on the part of Chinese Government in releasing the ten Indian border policemen.....”.

They have now been released, I think.

“.....and returning the nine dead bodies of policemen died in the barbarous encounter provoked by the Chinese troops in Eastern Ladakh near Chang-Chenmo Valley. It is gathered that the Chinese Government are pressing the captured Indians to confess misconceived facts to suit their (Chinese) false claims and bad motives.”

That is out of date. Then there is another, saying:

“That Chinese Armies have occupied two thousand square miles of our territory.....”.

The hon. Prime Minister has informed me that he will make a statement regarding the Chinese border incidents. Let us hear him.

Acharya Kripalani (Sitamarhi): I have given notice of an adjournment motion and I would like to say a few words on that.

Mr. Speaker: About the border incidents?

Acharya Kripalani: About the adjournment motion, of which I have given notice, with your permission, Sir, I would like to say a few words before the Prime Minister says anything.

Mr. Speaker: Is it necessary? Let us, first of all, hear him.

Shri Nath Pal (Rajapur): Very necessary.

Shri Frank Anthony (Nominated Anglo-Indians): No.

Mr. Speaker: What I feel is that nothing will be gained by an adjournment motion. Certainly, we must have a regular debate on this matter. After the hon. Prime Minister makes a statement, I would certainly allow it. It is a very serious matter. The House and every hon. Member is exercised over this question. But I do not think every hon. Member should be allowed to speak on the adjournment motion. It is a serious matter and the House has taken notice of it.

Shri Nanshir Bharucha (East Khandesh): Will Government undertake to have a regular debate on the External Affairs Ministry?

Shri Braj Raj Singh (Ferozabad): Before the Prime Minister replies, he must know what the adjournment is about and what our views are in the matter.

Mr. Speaker: I need not repeat what the adjournment motion is to the

[Mr. Speaker]

House. It relates to the border incidents. Everybody knows it.

Acharya Kripalani: My adjournment motion refers to:

"the failure of the Government to take prompt and effective action against unabashed violation of India's sovereignty by China on 21st October, 1959, when Chinese troops penetrated deep into Indian territory and ambushed our Police patrols engaged in their normal duties, resulting in the death of nine and kidnapping of ten policemen, which failure has caused grave sense of insecurity in the minds of the public as to the Government's ability to maintain the integrity of our frontiers."

Sir, I have been to the frontier and I know that people are very apprehensive of what is happening. They also feel that the Government is not taking necessary steps to put a check to this aggression. I have further found that in the Kalimpong area, many Chinese have recently opened curio shops.....

An Hon. Member: What?

Acharya Kripalani: Curio shops.

I have also found that in the Kalimpong area, many Chinese have recently opened curio shops in the villages where there can be no possible purchaser of such goods, nor do the foreign visitors go to those parts of the country. From day to day propaganda is being carried on by our Communist friends in these areas, telling the people of the benefits of Chinese rule. This makes our people very apprehensive and I would like to know what steps the Government is taking to see that all these activities are promptly put a stop to.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Sir, it was my intention to lay on the Table of the House a White Paper, No. 2, and at that time make some further remarks.

Shri Vajpayee (Bairampur): On a point of order, Sir.

Mr. Speaker: There is no point of order.

Shri Vajpayee: The laying of the White Paper is included in the list of business. The list of business cannot be entered upon unless the adjournment motions are disposed of.

An Hon. Member: He is right.

Shri Vajpayee: Let the hon. Prime Minister make a statement and the Adjournment motion be disposed of first. Then the White Paper should be laid on the Table.

Shri Tyagi (Dehra Dun): I think he is right.

Mr. Speaker: He is making a statement in reply to what Acharya Kripalani has said. So, we are on the adjournment motion now. As part of the statement he may file this paper and when we come to the other item, viz., papers to be laid on the Table. I will say that this has already been done.

Shri Jawaharlal Nehru: I was not actually going to put in the paper now. But that is for you to decide. It is immaterial whether I do it now or half an hour later. What I was saying was that I had intended making some submissions to you and to the House at that time. But since the hon. Member opposite has put forward his motion for adjournment, if you will permit me I shall more or less say the same thing now.

This motion for adjournment as well as a large number of others all relate to these border incidents and happenings and I entirely agree with some of the hon. Members, who have put them forward, that these matters should be fully discussed in this House. It is not a question, as one hon. Member just asked me, that we will have a debate on external affairs, but I am going to suggest that there

should be a special debate on this particular matter of the border areas

Shri Braj Raj Singh: This evening?

Some Hon. Members: No

Shri Jawaharlal Nehru: I do not know if the hon Member wants to sit tonight for it

Shri Braj Raj Singh: The adjournment motion should be admitted and a debate should be had today

Shri Jawaharlal Nehru: I was going to suggest that this debate should not take place for one full week for the reason that I want this House to have all the papers in this connection. There the debate will be more fruitful and Government will have the benefit of the advice of this House on the steps which it has taken or intends to take

Some of the papers are going to be placed before the House when I place the White Paper on the Table of the House, but, naturally, events take place with such rapidity sometimes that one cannot keep pace with them. So, the latest papers are not included in these. Some have appeared in the public press, like a letter addressed to me by Premier Chou En-lai. Now, today a little while ago an answer by me to Premier Chou En-lai was handed over to the Chinese Ambassador in Delhi to be forwarded to the Chinese Prime Minister. It would be helpful, I think, that the House should know the contents of this reply

Shri Raghunath Singh (Varanasi): He is not audible

Shri Jawaharlal Nehru: It would be helpful if the House knew the contents of Government's reply to the Chinese Government's letter. But it would not be proper for me to publish the letter or place it on the Table of the House before it has been received by Premier Chou En-lai. That is not the custom. I have to wait, therefore, till it is received by him. Then

I should gladly place it on the Table of the House as well as some other papers. The House will then be in a better position to discuss it. I have no objection to a discussion at any time, but the discussion will be somewhat inhibited by the fact that an important document is not before the House. That is my only difficulty. I was, therefore, going to suggest to you, Sir, that we should fix a date convenient to the House and to you, Sir, but allowing adequate time for this letter to be delivered there. Then we can place it before the House and other papers. So, my own suggestion would be to have the debate early next week, preferably on Tuesday next week. I do not want at the last moment to find that I have not got the papers ready which I have to get

Also, on Monday the other House is starting

An Hon. Member: Make it Wednesday

Shri Jawaharlal Nehru: and there are various statements and other things to be made there—not in this connection but other matters. So, I was thinking that Tuesday might be the proper day for it. But I am in the hands of the House and you, Sir. I do not think anything will be lost by having a full debate on this early next week, while something might be lost by our trying to have the debate before we have all the facts before us

There are some other factual matters in this connection which I intended to say. If you permit me I shall state them now. It is not merely an answer to Acharya Kripalani's motion, but some facts and statements which I wish to make, most of which are really known to the House. But I thought I might put them in order

Since this House adjourned at the end of the last session there has been an important and tragic incident in the Ladakh area, which incident had occurred on October 21, in Chang

[Shri Jawaharlal Nehru]

Changmo valley resulting in the death of nine members of the Indian Police patrol party and the capture of ten members of the party by the Chinese forces. Apart from this, one constable, Makhan Lal is still untraced and unaccounted for. The news of this incident, as the House knows very well, was received in India with great surprise and resentment. It was a matter of grave concern to the Government of India. A strong protest was lodged with the Chinese Government, who gave a different narrative of events in regard to this incident. Thereafter, the Ministry of External Affairs sent a long note to the Embassy of China in India dealing with this incident and connected matters in some detail. All these papers are given in this White Paper which I should subsequently or now place on the Table of the House.

Subsequently, a letter dated 7th November, from Premier Chou En-lai was received by me. It has not been possible to include this letter in the White Paper, but the Chinese Government has already given publicity to it and it has appeared in the Press. I have today sent a reply to Premier Chou En-lai to this letter through the Embassy of China in India. As I have said, it will not be proper for me to place copies of this reply on the Table of the House before it has been received by Premier Chou En-lai. I hope, however, to do so within a few days.

I do not wish to discuss at this stage the contents of my reply as it would be better to do so when the full reply is available to hon. Members. I might mention, however, that Premier Chou En-lai had made certain interim proposals with a view to eliminate the possibility of any border clash in future. We agree that it is highly desirable to take necessary steps for the avoidance of any border clash and to follow this up later by attempts at a peaceful settlement of the disputes relating to the frontier. But

the proposals that Premier Chou En-lai has made in his letter, which has already been made public, seem to us to be impracticable. We have, therefore, made some other proposals which, in our opinion, are practicable and which would put an end to the risk of a border clash.

Premier Chou En-lai also suggested in his letter that the two Prime Ministers might hold talks in the immediate future to discuss the boundary question and other outstanding issues between the two countries. I have always expressed my willingness to discuss any matter in dispute. But, if such a meeting is to bear fruit, as we want it to, we should first concentrate our immediate efforts at reaching an interim understanding, as suggested. Further, some preliminary steps are necessary to lay the foundation for our discussions. It should be remembered that there is a mass of historical data, maps, etc in connection with the frontier.

On the 14th November, the Chinese authorities handed over to our police officials the ten prisoners they had taken and nine dead bodies of our men. One constable named Makhan Lal is still unaccounted for and it must be presumed that he has also died.

According to earlier reports, we had been led to believe that Shri Karam Singh, Deputy Superintendent of Police, had been killed in the course of this clash. This report has been found to be incorrect as he is among the prisoners returned to us. He has been suffering from severe frost-bite. We are expecting a report from him. Communications have been difficult lately owing to bad weather.

After the Longju incident it had been decided to place the entire frontier of India in direct charge of our army. Further steps have been taken to this end.

I would submit, therefore, that we should consider this very important matter which has moved the entire country, and, of course, Members of this House, fully in a discussion in this House, instead of dealing with it in a piecemeal way in answer to questions. The House obviously realises the importance of this matter and the various aspects of it and I think we should consider it in all its aspects. That can only be done in a full discussion of it. I would suggest for your consideration that the debate on this might take place on Tuesday, the 24th.

Shri Frank Anthony: May I seek clarification on one point? It is rather an important point. I do not know whether the Prime Minister's attention has been drawn to it. It is a news item in the *Times of India* of 15th November:

"Shillong Nov 14. Seven Tibetan traders and their mules blown up by mines laid by Chinese troops near Longju. Chinese are planning elaborate defence of Longju the Indian outpost captured.."

Has any information been received?

Shri Jawaharlal Nehru: I have seen this item in the newspaper. We have received no information about it. I have become slightly reluctant to accept news unless it is very high. Anyhow, I am enquiring into this matter. It is difficult to enquire as to what might be done in a territory on which the Chinese forces are sitting. Obviously, we cannot. But, such enquiries as are possible are being made.

Shri Nath Pal: One small information. There are reports that the ten Indian policemen were subjected to interrogation and confessions of an implicating nature have been extorted from them. Have the Government any information regarding that and whether they were subjected to any such interrogation?

Shri Jawaharlal Nehru: Yes, Sir. Our own information is, and in fact, it has been stated by the Chinese Government that they have received statements from some of these people, Indian police prisoners with them. That means that they must have been subjected to interrogation. Otherwise, they would not have received this statement. We have not received any full account of this statement. But, some brief accounts have, I think, appeared, as far as I remember, in Hong Kong or somewhere, and we have also received some brief accounts. It is, I need not say, a very deplorable procedure to interrogate prisoners of this type. May I add, we have been anxious naturally to get a full report from these people who were released the day before yesterday, especially from Shri Karam Singh. But we have not received any report yet from him, because, as I said, weather conditions are bad for messages to be sent. I do not quite know how severe this frost-bite from which he is suffering is. Anyhow, we have been waiting for a report. That is another reason why I wanted to wait a little while to get a full report from our own men there.

Shri Naushir Bharucha: May I know if two days will be allotted for this debate?

Mr. Speaker: We will consider.

Shri Goray (Poona): Arising out of the information given just now by the Prime Minister, I would like to know this. A statement by Dr. Baliga in Hong Kong said that Shri Karam Singh was interrogated and he said that when they were ambushed, no mortars and bombs were used. Was that information conveyed to the Prime Minister by Dr. Baliga or by anybody else?

Shri Jawaharlal Nehru: That is a statement, I believe, made on behalf of the Chinese authorities that Shri

[Shri Jawaharlal Nehru]

Karam Singh said something to this effect. Dr. Baliga only heard the Chinese statement—he did not have any information of his own—and he repeated it, I believe. I do not remember that he said that to me. I saw him only for five or ten minutes. I was going away then to Dehra Dun. But, this statement has been made on behalf of the Chinese authorities.

Shri Goray: In what capacity had Dr. Baliga gone to China and interviewed Mao Tse Tung and Chou En-lai?

Shri Jawaharlal Nehru: A private individual, Dr. Baliga, as a large number of others including many Members of this House had been invited to go to participate in the National Day Celebrations in China on October 1st. But, owing to these various developments, Dr. Baliga did not think it fit and proper for him to participate in them and did not go on that occasion, but went subsequently about some weeks later. He went naturally as a private citizen and spent, I think, 10 or 12 days there.

Acharya Kripalani: For sight-seeing?

Shri Jawaharlal Nehru: No sight seeing at all. He is a very eminent surgeon. As a matter of fact, the Chinese Government is much beholden to him for his work as a surgeon.

Shri Naushir Bharucha: I wanted to know whether two days will be allotted. The Government has not said anything about it.

Raja Mahendra Pratap (Mathura): I beg to say one word. Ours is a great nation and our Parliament is one of the greatest in the world. We should not get excited about this tiny affair. I beg to say that now, when we have received a very kind and polite reply,....

Some Hon. Members: No. no.

Raja Mahendra Pratap: Hear me. When we have received a very polite reply from Mr. Chou En-lai and when our Prime Minister has received greetings on his birthday, I think, let us not get excited about it and consider the question from the world stand point. I, as a world federalist, am very sorry that some little people are making so much noise about some little things.

Shri Khadlikar (Ahmednagar): Has Government received any information why there was delay in handing over the dead bodies?

An Hon. Member: They were to be presented on the 14th to the Prime Minister.

Shri Jawaharlal Nehru: I am unable to answer that. That is a question which must be addressed to the Chinese Government. How am I to answer that?

Shri Naushir Bharucha: My question has not been answered, whether two days will be allotted.

Shrimati Kennka Ray (Malda): I wish to have a clarification. The hon. Prime Minister said that the defence have taken over the control of the entire border. Does it include the borders of Sikkim and Bhutan for whose defence we are responsible?

Some Hon. Members: Sure, sure.

Shri Jawaharlal Nehru: So far as Bhutan is concerned, we have stated repeatedly that any aggression on Bhutan would be considered aggression on India. But we keep no forces in Bhutan, and there is no intention of sending any forces. It is for the Bhutan Government to decide when and what kind of help they require from us. We have given them help in the way of training sometimes.

So far as Sikkim is concerned of course that is included definitely in

our immediate liabilities—protection I mean.

Shri Banga (Tenali): Would Wednesday suit the Prime Minister instead of Tuesday?

Mr. Speaker: He has already said that it might be taken up next Tuesday. The only question is whether it should be Tuesday or Wednesday.

Shri Banga: I am just asking whether Wednesday would suit him.

Shri Frank Anthony: Wednesday or Thursday.

Mr. Speaker: They want to know if Wednesday would be suitable.

Shri Jawaharlal Nehru: I do not mind; if the House prefers Wednesday. We can have it on Wednesday. There is no special astrological significance about it.

Mr. Speaker: Very well. So far as the time that is necessary is concerned, the debate will start on Wednesday.

An Hon. Member: Not Monday?

Mr. Speaker: Today is the 16th. On the 25th it will start. Hon. Members are aware that the time that is necessary is always decided by the Business Advisory Committee. I will call for a meeting and then it will decide. In view of the statement of the hon. Prime Minister, this cannot be disposed of in an adjournment motion this evening where we sit only for a couple of hours. Let us have a full-dress debate, as the hon. Members are anxious. The Hon. Prime Minister also has never said that it is not a serious matter. He would himself like to have a good debate on this matter.

Some Hon. Members: Two days?

Mr. Speaker: The Committee will consider that matter.

In view of the statement of the hon. Prime Minister I do not think it is

necessary to give my consent to those adjournment motions.

Shri S. M. Banerjee (Kanpur): What about the firing in Kanpur? We have been given a very scanty reply.

Shri Muhammed Elias (Howrah): The hon. Minister of Irrigation is going to lay a statement with regard to the floods in West Bengal. I wanted to know....

Mr. Speaker: Order, order. Hon. Members are always obstructive. I have already intimated him. The hon. Minister for Irrigation will certainly make a statement both with respect to the floods in Bengal and also the floods in Orissa. I have written and informed him. Why should he be anxious when I have told him it is not necessary to bring it up here?

Yes. Shri Banerjee. What does he want?

Shri S. M. Banerjee: I have to submit only one thing.

Shri Muhammed Elias: In view of the seriousness of this flood where five million people have been affected.

Mr. Speaker: Let there be five hundred thousand people.

Shri Muhammed Elias: I wish to know whether the House would be given an opportunity to discuss....

Mr. Speaker: I am unable to say now. He will make a statement for the time being. Let us see.

Shri Jagdish Awasthi (Bihar): On a point of order, Sir.

Mr. Speaker: Order, order.

Shri S. M. Banerjee: We have tabled an adjournment motion on this recent Kanpur firing which was very unfortunate. My intention was....

Mr. Speaker: Order, order.

Shri S. M. Banerjee: I will tell you one thing, why I moved it here. My intention is very clear. No normal firing rules were observed, and the Prime Minister was very kind enough to say some good words in respect of this Kanpur incident. My whole motion was that 18 persons including a ten-year boy were killed.

Mr. Speaker: Order, order. I am not going to allow.

Shri S. M. Banerjee: No judicial enquiry has been instituted by the State Government. There was a wholesale massacre in the city of Kanpur. The Prime Minister has made a statement. I would only request the Home Minister to make a statement.

Mr. Speaker: Will the hon. Member, Shri Banerjee, resume his seat or not?

श्री जगदीश अवास्थी : मान ए प्वाइट
आफ आर्डर सर। मैंने जो कानपुर की
पुलिस फायरिंग के सम्बन्ध में अपना काम
रुको भयवा स्थगन प्रस्ताव दिया था और
उसके लिए अपने जो यह लिख कर
भेजा है कि वह एक स्टेट सर्क्यूलर है
विषय यह है कि जैसा कि मैंने अपने
एडजोर्नमेंट मोशन में दिया है कि केन्द्रीय
सरकार का गृह मन्त्रालय एक पुलिस
फायरिंग सर्कुलर भेजता है और उसका ही
ग्राइडिंस में जो मॉड इकट्ठा हो जाती है
उस पर फायरिंग करते हैं और इसलिए
मैंने अपने एडजोर्नमेंट मोशन में लिखा
है।

"to discuss the failure of the Central Government in not withdrawing and revising the reactionary old Police firing circular named Hallet Circular issued to State Governments during British regime, in consequence of which police firing and other atrocities were inflicted upon the citizens of

Kanpur resulting in the death of 23 persons and injuries to several others."

श्री मान जी इसने....

Mr. Speaker: Order, order. I am not going to allow. The hon. Member will kindly resume his seat, then I will tell him.

I am really surprised at this. Again and again I have been saying it. Even though I say for particular reasons I am not going to allow an adjournment motion somehow they get up and then go on. I will have only to request them hereafter not to interrupt, and if they do interrupt, most unceremoniously I will have to ask them to withdraw from the House. An hon. Member comes to this House and tables an adjournment motion. He is not satisfied with what I have said. He can persuade me later on. Or, so far as this matter is concerned the hon. Member has somehow got information that in pursuance of an order from the Central Government, the Home Ministry, this firing in Kanpur resulted. Copies of the adjournment motions, when they are tabled here are sent to the Minister concerned, and I have ascertained that there is no factual basis, no such communication has been sent at all. In view of that merely because an hon. Member tables an adjournment motion, I am not going to allow, or give consent to it, when I find that there is absolutely no factual basis for it. In spite of my having told him that it was not so, that I was not going to give my consent, the hon. Member by way of a point of order raises it and then carries on. There is no meaning in it, trying to interrupt the proceedings.

Shri Jagdish Awasthi: The police firing has become an all-India question.

Mr. Speaker: The hon. Members will go to their States.

Shri S. M. Banerjee: Eighteen people have been killed.

Mr. Speaker: Will he resume his seat or not?

Shri S. M. Banerjee: I am returning, but I am appealing to your sense of impartiality and justice.

Mr. Speaker: If he interrupts, unfortunately I will be obliged to ask him to withdraw from the House. There is no other course. No, no. It is not right.

Shri P. N. Singh (Chandauli): On a point of information I wish to tell the House that no judicial enquiry has been instituted up till now.

श्री जगदीश अग्रवस्ती : अध्यक्ष महोदय, मैं निवेदन करूंगा कि इलाहाबाद में चार व्यक्ति मारे गये तो वहाँ की कार्यरिग के सम्बन्ध में राज्य सरकार ने न्यायिक जांच का आदेश दे दिया लेकिन वहाँ कानपुर में पुलिस की संघाघ्न गौली से २३ व्यक्ति मारे गये लेकिन अभी तक कानपुर की पुलिस कार्यरिग के सम्बन्ध में उत्तर प्रदेश सरकार के मुख्य मंत्री ने कोई न्यायिक जांच का आदेश नहीं दिया है ।

Shri S. M. Banerjee: Ladies have been molested. This was the sixth time in the history of Kanpur.

Mr. Speaker: I would request him to withdraw from the House for the rest of the day and also this hon. Member who has been repeatedly saying it—Shri Jagdish Awasthi. I hereby direct Shri Jagdish Awasthi to withdraw from the House for the rest of the day. I cannot put up with this kind of interruption.

Shri Jagdish Awasthi: Yes, I am ready to go.

Mr. Speaker: Order, order. Will he withdraw or not?

Shri Jagdish Awasthi: I will withdraw, but before doing so....

247 (A) LSD-6.

Mr. Speaker: I am not going to allow.

श्री बालूच (शारदापैठी) : श्रीमान्, मैं यह निवेदन करना चाहता हूँ कि यह ठीक सरासर अन्धकार की बात है कि देश में गौली चले और यहाँ पर उसकी चर्चा करने की भी इजाजत न मिले

श्री जगदीश अग्रवस्ती : श्रीमान्, मैं उस पुलिस गोलीकांड

Mr. Speaker: I shall not allow him to stay and make any more statements in this House. He is interrupting constantly. This is not the first time, I have noticed it regularly. He thinks....

Shri Jagdish Awasthi: No, Sir.

Mr. Speaker: He must withdraw from the House.

श्री जगदीश अग्रवस्ती : यहाँ पर पुलिस द्वारा बलात्कार होता है, गोलीकांड होता है और अन्य जुल्म होते हैं लेकिन हमें उनके खिलाफ जाच,अ भी नहीं उठाने दी जाती ।

“यह कल्ल भी करते हैं तो चर्चा भी नहीं होगी, हम माह भी भरते हैं तो हो जाते हैं बदनाम ।”

Mr. Speaker: Will he withdraw or not?

श्री जगदीश अग्रवस्ती : मैं बचन का रखूँ हूँ ।

(*Shri Jagdish Awasthi then withdrew from the House.*)

Shri S. M. Banerjee: Kanpur was converted into a slaughter house.

Mr. Speaker: All right. Shri Banerjee will also withdraw from the House.

Shri S. M. Banerjee: I am withdrawing, but with due apologies to you I will tell you, Sir, that Kanpur

[Shri S. M. Banerjee]

was converted into a slaughter house. (laughter). You laught at your own peril You are criminals, you have murdered people and you are laughing.

(Shri S. M. Banerjee then withdrew from the House).

जी यादव : यह बहुत ही गम्भीर घटना है कि २३ आदमी पुलिस कार्यालय से मर जाय और उसकी चर्चा भी न हो ।

Mr. Speaker: Shri Anthony.

Shri Braj Raj Singh: I may be kindly allowed to say a word.

Mr. Speaker: I have called Shri Anthony.

Shri Frank Anthony: You will not be able to hear me in this din.

I had submitted an adjournment motion and you were pleased not to give your consent. I bow to your ruling, but no reason was assigned, and I would ask you under the proviso to rule 60(1) to give the reason because apparently you have accepted it as being a matter of urgent public importance. The reason is that I should move it as a resolution presumably as a matter of urgent public importance, but no reason has been assigned. You have not been pleased to give any reason for disallowing it as an adjournment motion. I would ask you to please read it to the House, as it is an important matter, I submit with respect, and to give the reasons why you have been pleased to disallow it as an adjournment motion.

Mr. Speaker: The hon. Member is coming to the same thing, which other hon. Members also have been demanding as a right. There is no meaning in this. It is open to me to say that this is not the business of the House. He says that the Communist Party is responsible for all this, or the Communist Members....

Shri Frank Anthony: No.

Mr. Speaker: ...or a number of them, and, therefore, suitable action must be taken against them.

Shri Frank Anthony: That was not what I said. What I said was that because of the openly treasonable policies of the Communist Party in India and their approval of Chinese aggression and invitation to the Chinese to commit further aggression, they should be banned.

Mr. Speaker: I am really surprised at this. The hon. Member has been a long-standing Member of this Parliament.

Shri Frank Anthony: That is why I am asking.

Mr. Speaker: But this is a resolution. Anyhow, hon Members will judge for themselves whether it is a resolution or an adjournment motion. It reads thus:

"That in view of the increasingly grave threat to India's security by the Communist Party of India, whose openly treasonable policies and utterances are an approval of Chinese aggression and an invitation to further aggression, the Party be banned."

On an adjournment motion, the party has to be banned. I am really surprised at this.

Shri Braj Raj Singh: May I make one small submission? With respect to firing, there has been a definite policy of the Government here. They have been advising the State Governments as to how firing should take place, when it should take place, and in case of firing, what they should do and so on. But in this Kanpur firing, that has not been observed. As a matter of fact, I am told that twenty-three persons have been killed. So, they should take note of this and do whatever is necessary.

Mr. Speaker: I have repeatedly said that the matter of law and order is entirely in the hands of the State Government. There are Assemblies there, and there are Members there who are representing smaller constituencies than we do here. If, on account of any particular action on the part of the Central Government or at the behest of the Central Government, anything has been done, then that is a different matter, but I have ascertained from the Central Government that no such circular has been issued. It may be unfortunate that these incidents have occurred, but it is for those hon. Members to take it up there. We have not got any jurisdiction over it; we cannot clothe ourselves with jurisdiction over matters over which we have none.

Shri Braj Raj Singh: But the Central Government could advise the State Government.

Mr. Speaker: No, the Central Government have no jurisdiction.

Shri Braj Raj Singh: May I submit that as a mark of sympathy for those persons who have been killed, I and my party Members withdraw from the House?

(Shri Braj Raj Singh then left the House).

Shri F. N. Singh: As the Union Government have failed to advise the State Government to institute a judicial inquiry, we are leaving the House in protest.

श्री यादव : अध्यक्ष महोदय, चूँकि यह बहुत महत्वपूर्ण प्रश्न है और हमें यहाँ पर इसकी चर्चा नहीं करने दी जा रही है इसलिए हम भी उसके प्रोटैस्ट में बाकसाउट करते हैं ।

(Shri F. N. Singh, Shri Yadav and Shri L. Achaw Singh then left the House).

12-44 hrs.

PAPERS LAID ON THE TABLE

WHITE PAPER II CONTAINING NOTES, MEMORANDA AND LETTERS EXCHANGED BETWEEN THE GOVERNMENTS OF INDIA AND CHINA DURING SEPTEMBER-NOVEMBER, 1959.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I beg to lay on the Table a copy of White Paper II containing Notes, Memoranda and letters exchanged between the Governments of India and China during September-November, 1959.

I believe copies of this White Paper are available for all the Members, and arrangements have been made for distribution. [Placed in Library, See No. LT-1634/59].

AMENDMENTS TO PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) RULES, 1958.

The Minister of Works, Housing and Supply (Shri K. C. Reddy): I beg to lay on the Table, under subsection (3) of section 13 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, a copy of Notification No. GSR. 1205 dated the 31st October, 1959 making certain amendments to the Public Premises (Eviction of Unauthorised Occupants) Rules, 1958. [Placed in Library, See No. LT-1635/59].

SUGAR (SPECIAL EXCISE DUTY) ORDINANCE, 1959

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table under provisions of article 123 (2) (a) of the Constitution a copy of the Sugar (Special Excise Duty) Ordinance, 1959 (No. 3 of 1959) promulgated by the President on the 25th October, 1959. [Placed in Library, See No. LT-1636/59].

STATEMENTS SHOWING ACTION TAKEN BY GOVERNMENT ON ASSURANCES, PROMISES, AND UNDERTAKINGS ETC. GIVEN BY MINISTERS.

Shri Satya Narayan Sinha: I beg to lay on the Table a copy of each of the following statements showing the action taken by Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Second Lok Sabha:—

- (i) Supplementary Statement No. I Eighth Session, 1959 [See Appendix I, annexure No. 8].
- (ii) Supplementary Statement No. VIII Seventh Session, 1959. [See Appendix I, annexure No. 9].
- (iii) Supplementary Statement No. XII Sixth Session, 1958. [See Appendix I, annexure No. 10].
- (iv) Supplementary Statement No. XIV Fifth Session, 1953. [See Appendix I, annexure No. 11].
- (v) Supplementary Statement No. XXIII Fourth Session, 1958. [See Appendix I, annexure No. 12].
- (vi) Supplementary Statement No. XXIII Third Session, 1957 [See Appendix I, annexure No. 13].
- (vii) Supplementary Statement No. XXIX Second Session, 1957. [See Appendix I, annexure No. 14].

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): On behalf of Shri Kanungo, I beg to lay on the Table, under sub-section (6) of section 3 of the Essential

Commodities Act, 1955, a copy of each of the following Notifications:—

- (i) SRO. No. 1005 dated the 29th March, 1957; SRO No. 1788 dated the 1st June, 1957; SO. No. 337 dated the 29th March, 1958 and GSR. No. 800 dated the 13th September, 1958 making certain further amendments to the Cotton Control Order, 1955; [Placed in Library, See No. LT-1644/59].
- (ii) SRO No. 1386 dated the 4th May, 1957 making certain further amendment to the Cotton Textiles (Export Control) Order, 1949; and [Placed in Library, See No. LT-1645/59].
- (iii) SRO No. 3334 dated the 19th October, 1957 making certain further amendments to the Cotton Textiles (Control) Order, 1948. [Placed in Library, See No. LT-1646/59].

AMENDMENTS TO COFFEE RULES

Shri Satish Chandra: On behalf of Shri Kanungo, I beg to lay on the Table, under sub-section (3) of section 48 of the Coffee Act, 1942, a copy of Notification No. GSR. 1039 dated the 12th September, 1959, making certain further amendments to the Coffee Rules, 1955. [Placed in Library, See No. LT-1647/59].

SHIPPING DEVELOPMENT FUND COMMITTEE (EXECUTION OF CONTRACTS RULES.

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): I beg to lay on the Table, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958, a copy of the Shipping Development Fund Committee (Execution of Contracts) Rules, 1959, published in Notification No. GSR. 1199 dated the 31st October, 1959. [Placed in Library, See No. LT-1648/59].

**REPORT OF COIR ENQUIRY COMMITTEE
(PARTS I AND II) AND GOVERNMENT
RESOLUTION THEREON**

Shri Satish Chandra: On behalf of Shri Manubhai Shah I beg to lay on the Table a copy of each of the following papers:—

- (i) Report of the Coir Enquiry Committee, Parts I and II, and
- (ii) Government Resolution No. 42-SSI(B) (5)/55 dated the 24th August, 1959. [Placed in Library, See No. LT-1649/59].

**NOTIFICATIONS UNDER ESSENTIAL COM-
MODITIES ACT**

Shri Satish Chandra: I beg to lay on the Table, under sub-section (6) of section 3 of the Essential Commodities Act, 1955, a copy of each of the following notifications:—

- (i) GSR No. 1101 dated the 3rd October, 1959;
- (ii) GSR No. 1102 dated the 3rd October, 1959 making certain amendments to the Textile (Production by Powerloom) Control Order, 1956; and
- (iii) GSR No. 1103 dated the 3rd October, 1959 making certain further amendments to the Cotton Textiles (Control) Order, 1958. [Placed in Library, See No. LT-1650/59].

**STATEMENT SHOWING ACTION TAKEN
OR PROPOSED TO BE TAKEN ON CON-
VENTIONS AND RECOMMENDATIONS
ADOPTED BY ILO AT ITS 41st (MAR-
ITIME) SESSION.**

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table a copy of Statement showing action taken or proposed to be taken by the Government of India on the Conventions and Recommendations adopted by the International Labour Conference at its 41st (Maritime) Session held at Geneva in April-May, 1958. [Placed in Library, See No. LT-1651/59].

**AMENDMENTS TO INDUSTRIAL DISPUTES
(CENTRAL) RULES**

Shri Abid Ali: I beg to lay on the Table, under sub-section (4) of section 28 of the Industrial Disputes Act, 1947, a copy of each of the following Notifications making certain further amendments to the Industrial Disputes (Central) Rules, 1957:—

- (i) GSR No. 1151 dated the 17th October, 1959, and
- (ii) GSR No. 1152 dated the 24th October, 1959. [Placed in Library See No. LT-1652/59].

**AMENDMENTS TO DISPLACED PERSONS
(COMPENSATION AND REHABILITA-
TION) RULES**

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): I beg to re-lay on the Table, under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. GSR. 896 dated the 1st August, 1959 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. [Placed in Library, See No. LT-1653/59].

I beg to lay on the Table, under sub-section (3) of section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of Notification No. GSR. 1089 dated the 26th September, 1959 making certain further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955. [Placed in Library, See No. LT-1653/59].

PRESIDENT'S ASSENT TO BILLS

Secretary: Sir, I lay on the Table the following four Bills passed by the Houses of Parliament during the last Session and assented to by the President since a report was last made

[Secretary]

to the House on the 12th September, 1959:—

- (1) The Kerala Appropriation Bill, 1959,
- (2) The Appropriation (No. 7) Bill, 1959,
- (3) The Criminal Law (Amendment) Bill, 1959, and
- (4) The Travancore-Cochin Vehicles Taxation (Amendment and Validation) Bill, 1959.

Sir, I also lay on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following fourteen Bills passed by the Houses of Parliament during the last Session and assented to by the President since a report was last made to the House on the 12th September, 1959:—

- (1) The State Bank of India (Amendment) Bill, 1959,
- (2) The Kerala Local Authorities Laws (Amendment) Bill, 1959,
- (3) The Public Wakfs (Extension of Limitation) Bill, 1959,
- (4) The Road Transport Corporations (Amendment) Bill, 1959,
- (5) The Employment Exchanges (Compulsory Notification of Vacancies) Bill, 1959,
- (6) The Wakf (Amendment) Bill, 1959,
- (7) The Indian Electricity (Amendment) Bill, 1959,
- (8) The Banking Companies (Amendment) Bill, 1959,
- (9) The State Bank of India (Subsidiary Banks) Bill, 1959,
- (10) The Oil and Natural Gas Commission Bill, 1959,

- (11) The Government Savings Banks (Amendment) Bill, 1959,
- (12) The Government Savings Certificates Bill, 1959,
- (13) The Public Debt (Amendment) Bill, 1959, and
- (14) The Rajasthan and Madhya Pradesh (Transfer of Territories) Bill, 1959.

PARLIAMENTARY COMMITTEES— SUMMARY OF WORK

Secretary: I beg to lay on the Table a copy of the 'Parliamentary Committees—Summary of Work' pertaining to the Eighth Session of the Second Lok Sabha.

ESTIMATES COMMITTEE

SIXTY-SECOND REPORT

Shri Dasappa (Bangalore): I beg to present the Sixty-second Report of the Estimates Committee on the action taken by Government on the recommendations contained in the Forty-third Report of the Estimates Committee (First Lok Sabha) on Indian Airlines Corporation.

12.46 hrs.

STATEMENT RE. MISHAP AT BHAKRA

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): In my statement of 12th September, 1959, I informed the House that a 40-ton gate had been successfully dropped in the Cable Gallery and that water entering the Power House through that gallery had been diverted into the spillway through the two side openings made earlier. In addition to the flow through the cable

gallery, water was entering the Power House from another gallery at a higher elevation. By launching heavy fabricated steel girders in this gallery with the help of overhead cranes and winches the Project authorities succeeded in diverting the flow to the river on 6th October. The work bristled with difficulties and had to be done under extremely hazardous conditions. This still left the inflow from the spillway to be tackled. This inflow was caused by the collapse of one of the draft tube gates during the inundation of the Power Plant. With the help of the Naval Authorities the damaged gate was salvaged and another gate was put in position. With the dropping of this gate on the 25th October, 1959, the dewatering operations were completed. An examination of the power plant and equipment after the dewatering operations has shown that damage to the power house equipment which was previously estimated at Rs. 50 lakhs is not likely to exceed Rs. 30 lakhs. Erection work is now in full swing. The power house is expected to be ready for a trial run in August, 1960, while electricity will be made available to the Nangal Fertiliser Factory in September, 1960, as scheduled.

The dewatering of the Power House was no doubt an urgent and necessary operation on the successful completion of which the Project Authorities deserve to be congratulated. But the main problem is the choking of the right diversion tunnel for repairing the damaged Hoist Chamber. The Bhakra Board of Consultants met again in the last week of October and on 5th November to review the measures proposed earlier for repairing the damaged Hoist Chamber. They had before them the reports of experts who had been consulted by Mr. Slocum during his recent visit to USA and they also had the benefit of the advice of Mr. Deutheimer, a top-ranking engineer of USA and until recently Commissioner

of the U.S. Bureau of Reclamation, one who had been specially invited to participate in their deliberations and advise the Project authorities on the measures to be adopted to repair the damaged Hoist Chamber. The Board confirmed their previous advice that first priority should be given to the choking of the right diversion tunnel at the upstream end and generally approved of the steps taken by the Project authorities in pursuance of their recommendation to dump concrete wire crates to seal the mouth of the tunnel.

The dumping of crates started on the 10th October with the help of Army engineers. A contingent of 600 men under the command of a Lieutenant Colonel is now engaged on the work, which is expected to be completed in another two months or thereabouts. 4000 crates of plastic concrete and more than 700 pre-cast concrete blocks have already been dumped and the work is proceeding satisfactorily.

Although no definite date can be given, it is expected that the choking operations will be completed by April 1960. If, as we hope, the operations are successful, by that date, there will be no appreciable delay in the completion of the Bhakra Dam.

Shri Tyagi (Dehra Dun): This statement may be laid on the Table.

Mr. Speaker: How long is the statement? If it is a long statement, the Minister may kindly place it on the Table.

Shri A. C. Guha (Barasat): Both the statements may better be laid on the Table.

Mr. Speaker: How many more pages does the statement contain?

Hafiz Mohammad Ibrahim: 1½ pages more.

Mr. Speaker: The rest of the statement will be laid on the Table.

Shri D. C. Sharma (Gurdaspur): A date may be fixed for discussion of the statement of the Minister.

Mr. Speaker: That is not done now.

Hon. Members have been very anxious about Bhakra.

Shri Tyagi: We read it immediately it is laid on the Table.

Mr. Speaker: Hon. Members ought not to be impatient like this. This is a serious matter. Hon. Members tabled some adjournment motions also on this. Now the hon. Minister wants to tell the House what steps have been taken. I am really surprised that hon. Members are so impatient.

Shri Goray (Poona): We cannot follow the hon. Minister.

Mr. Speaker: That is exactly because hon. Members go on talking.

Shri Asoka Mehta (Muzaffarpur): We are keeping quiet. We are trying to follow.

Shri Tyagi: We want to read the statement.

Mr. Speaker: In the case of a big statement, a summary alone may be read out to the House and the statement kindly laid on the Table.

Hafiz Mohammad Ibrahim: I lay the rest of the statement on the Table.

Statement

By way of abundant caution, work on certain alternative plans for repairing the Hoist Chamber are also under way and these plans will be put into effect only if the degree of choking achieved by the method of dumping concrete blocks does not come up to our expectations.

The total expenditure on repairs upto the end of October 1959 was Rs. 14 lakhs. Although it is difficult

to indicate at this stage a precise estimate of the cost of the repairs, the indications are that the total cost will not exceed Rs. 1.2 crores. This is over and above the expenditure that would normally have been incurred on the plugging of the Hoist Chamber and the right diversion tunnel.

In my statement of 24th August 1959, I told the House that the causes of the accident could not be ascertained until the mouth of the right diversion tunnel was closed and the water drained from the Hoist Chamber. The Hoist Chamber is still full of water and access to it is not yet possible. The Enquiry Committee will, therefore, have to wait until such time as the operations, now under way, to plug the mouth of the diversion tunnel reach a stage when the flow of water into the Hoist Chamber will be effectively checked.

In addition to the normal compensation admissible under the Workmen's Compensation Act, the Punjab Government have sanctioned a compensation of Rs. 5000/- for the family of each of the workmen involved in this mishap. They have also undertaken to educate their children upto graduate standard free of cost. In the case of a Sectional Officer who lost his life, the Punjab Government have sanctioned a compensation of Rs. 8000/-. As he was not entitled to any compensation under the Workmen's Compensation Act, the Government have under consideration the question of sanctioning a suitable gratuity in his case.

Reports have appeared in the Press questioning the suitability of the dam site, the wisdom of increasing the height of the dam and using the diversion tunnel with the adjunct of a Hoist Chamber for regulating the supply of water for irrigation during the period of construction. The decision to construct the dam at the present site was taken after years of careful thought and investigation and after consulting the world's topmost engineers from

1946 onwards. The height of the dam was originally proposed to be 680 ft. It was found necessary to dig the foundation some 40 ft. deeper in the upstream clay band portion. As the accepted engineering practice is to measure the height of the dam from the deepest point in the foundations the dam height rose from 680 ft. to 740 ft. even though the top level of the dam remained the same as before. Nor was the regulation of storage supplies through the right diversion tunnel an after thought. It was an integral part of the schemes prepared in 1946 and 1949. Such an arrangement was absolutely essential for ensuring continuity of supplies to the old Sindh Canal and the only modification made subsequently was that instead of the regulating arrangements being a permanent feature, they were to be put out of commission as soon as the dam rose to a sufficiently high level to enable the second tier of dam outlets to function.

12.54 hrs.

STATEMENT RE: INDO-PAKISTAN CANAL WATERS DISPUTE

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): With your permission, I would like to lay on the Table of the House a statement on the latest developments regarding the Indo-Pakistan Canal Waters Dispute.

Mr. Speaker: How long is the statement?

Hafiz Mohammad Ibrahim: 1½ pages.

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

Hafiz Mohammad Ibrahim: I lay the statement on the Table of the House

Statement

In my statement of 8rd August 1950 on the Indo-Pakistan Canal Waters

question, I apprised the House of the position as it had emerged after Mr. Black's discussions in Delhi and Karachi in May last. I also informed the House that on the basis of the understandings reached by the President of the Bank with the Governments of India and Pakistan, discussions would be resumed in London from 5th August to work out Heads of Agreement for an International Water Treaty and to discuss all outstanding issues.

During the discussions held in London in August-September 1950, considerable progress was made in the working out of certain Heads of Agreement. Agreement was also reached in regard to some aspects of Indian uses on the Western rivers. Preliminary discussions were also held in regard to the basis of arrangements for the regulation of supplies from the Eastern rivers during the transition period.

Discussions have since been resumed in Washington from the 19th October 1950. The Heads of Agreement formulated in London and certain other Heads of Agreement worked out in the course of the discussions in Washington are now being elaborated into the text of an International Water Treaty. A number of Annexures to the Treaty, however, still remain to be worked out. These Annexures will cover irrigation and hydro-electric uses on the Western rivers by India, arrangements for the regulation of supplies of the waters of the Eastern rivers during the proposed transition period of 10 years and various procedural matters pertaining to arrangements for future co-operation and for resolution of disputes, if any, that may arise later in connection with the implementation of the Water Treaty.

While it is too early to predict the final outcome, I am glad to inform the House that the trend of these talks in recent months indicates that there are good prospects of arriving

at a satisfactory settlement of this long-standing dispute.

11.55 hrs.

STATEMENT RE: ACCIDENT TO AGRA-ALLAHABAD PASSENGER TRAIN

The Deputy Minister of Railways (Shri Shah nawas Khan): I regret to apprise the House of an unfortunate head-on collision which took place at Bidanpur station on the Allahabad-Kanpur section of the Northern Railway between No. 2 AGA Down Agra Cantt.—Allahabad Passenger and Up Ratlam Goods Special train on 20th October 1959.

According to the details, No. 2 AGA Down Agra Cantt.—Allahabad Passenger train was to be received on the main line at Bidanpur, while the loop line was occupied by the Up Ratlam Goods Special train. The Passenger train, however, came on the loop line instead of the main line and collided head-on with the stationary Goods train at about 20.01 hours. As a result, three persons including a railway employee were killed and thirty-one including 19 railway employees injured. Among the injured, six received grievous injuries while the remaining sustained simple injuries. Medical assistance from Railway, Civil, Military and private doctors was immediately rushed to the site of the accident. Twenty-seven of the injured were subsequently admitted in the Northern Railway Hospital and the Motilal Nehru Hospital at Allahabad and treated there, of whom 22 have since been discharged. Of the five persons still in hospitals, the condition of one of them is still serious. The remaining four are progressing satisfactorily.

The damage to the rolling stock and permanent way has been estimated at Rs. 77,000.

The Government Inspector of Railways who investigated the accident has concluded his enquiry. According to his provisional finding, the accident has been due to failure of human element. The staff at fault is being suitably dealt with.

Shri P. E. Patel (Mehsana): There was one accident on the Western Railway ten days ago at Chhapri. How is it that no reference is made in the statement to that?

Mr. Speaker: Only when there is a big accident, it is brought to the notice of the House. It is not as if every small accident is reported to the House.

12.57 hrs.

STATEMENT RE: INDO-PAKISTAN BORDER CONFERENCE

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): The House is aware that the Prime Minister of India met the President of Pakistan at Palam air port on September 1, 1959. During their talks it was agreed that a high level conference at Minister level should be held to discuss the disputes and incidents on the Indo-East Pakistan border with a view to eliminating, as far as possible, the causes of these disputes and devising procedures for expeditious demarcation of boundaries and for dealing promptly with any disputes and incidents that may occur.

This Minister-level conference was held from 15th to 22nd October, 1959; discussions were held at Dacca from the 18th to 20th October and at Delhi on other days.

I am taking this early opportunity to place on the Table of the House the following documents, which embody the agreements reached at this Conference:

(1) Copy of the Joint Communiqué issued by the Governments

of India and Pakistan on 24th October, 1959;

(ii) Copy of the agreed decisions and procedures to end disputes and incidents along the Indo-East Pakistan border signed by the Secretaries of the two Governments;

(iii) Copy of the Ground Rules formulated by the Military Subcommittee of the Indian and Pakistan Delegations and other detailed arrangements arrived at to maintain peaceful conditions along the Indo-East Pakistan border areas; and

(iv) Copy of letters exchanged between the Secretaries of the two Governments on the further follow-up of transit and visa facilities and promotion of trade between West Bengal and East Pakistan.

The principal features of these agreements are:

(i) Pakistani authorities withdraw from the portion of Tukurgram taken over by them last year.

(ii) Government of Pakistan drop their claim to the villages in the Kushiyara river region.

(iii) Government of India agree to adopt a rational boundary in the Patharia Forest Reserve region so that the current difficulties of the residents of East Pakistan regarding supply of bamboo, and small timber are remedied and there is no dislocation in the life of the border population. This rationalization of the boundary will give to East Pakistan about twelve square miles of the Patharia Forest Reserve proper and about five square miles to its north.

(iv) Detailed agreed procedures for expediting demarcation work, for orderly exchange of territorial jurisdiction following completion

of demarcation and for maintenance of peace in the border areas so that there is no dislocation in the life of the population of these border areas.

(v) Re-affirmation by both Governments of their determination to implement the Nehru-Noon Agreement in full and to devise legal and other procedures necessary for expeditious implementation. Necessary preparatory studies for implementation of the various items of the Nehru-Noon Agreement will be undertaken by both Governments, though field operations, in connection with the implementation of that Agreement, will have to await the advice of the Supreme Court on the reference made to them and the enactment of necessary legislation in accordance with the advice of the Supreme Court.

The distinguishing feature of this conference has been the spirit of mutual accommodation in which agreements have been reached by negotiation. This, to my mind, is the best guarantee of effective implementation of these agreements by both sides.

The implementation of the agreements has already begun. The Pakistan authorities are withdrawing this morning from the part of Tukurgram occupied by them.

Shri Panigrahi (Puri): As a result of these adjustments, what is the total mileage of area which has been given to Pakistan and what is the total mileage of area we have got?

Mr. Speaker: Is it possible to say what exactly is the area we have gained and what we have lost?

Shrimati Lakshmi Menon: I have already indicated it

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): There are no absolute figures about it. It cannot easily be measur-

[Shri Jawaharlal Nehru]

ed. But what is very important is the removal of a dispute over a large area, which was a matter of frequent dispute. That is a great advantage. They only main area mentioned in this, apart from Tukergam, is the Patharia Forest, which is a forest, as its name implies. A greater part of the forest area has gone to Pakistan but one part has been kept with India.

12 am.

Shri Panigrahi: May I ask whether the dispute is completely settled or there are other disputes also?

Shri Jawaharlal Nehru: I think it might be said that the disputes on the eastern border have been settled—the whole matter in connection with Trigura.

Shri Achar (Mangalore): Is it only a part of Tukergam or the whole of it which has been vacated?

Shri Jawaharlal Nehru: Only a small part was in their possession—about 200 acres. The rest was always in our possession. They are vacating that area.

Shri Tyagi (Dehra Dun): How many square miles is the area which is now going to be passed on to Pakistan according to this agreement?

Mr. Speaker: That has been asked.

Shri Tangamani (Madurai): May I know whether the boundary has been demarcated? On a previous occasion, we were told that in this area the boundary was yet to be demarcated and some miles were also given.

Mr. Speaker: He asks whether in pursuance of this agreement the boundary is being demarcated.

Shri Jawaharlal Nehru: Yes, Sir. It is going to be demarcated.

12.55 hrs.

COMPANIES (AMENDMENT) BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

Shri A. C. Gaha (Barasat): Sir, I beg to move that the time appointed for the presentation of the Report of the Joint Committee on the Bill further to amend the Companies Act, 1956, be extended upto the last day of the first week of the next session.

Mr. Speaker: The question is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill further to amend the Companies Act, 1956, be extended upto the last day of the first week of the next session."

The motion was adopted.

INDIAN PENAL CODE (AMENDMENT) BILL*

The Minister of Home Affairs (Shri G. B. Pant): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Penal Code.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Penal Code".

The motion was adopted.

Shri G. B. Pant: Sir, I introduce the Bill.

CONSTITUTION (EIGHTH AMENDMENT) BILL*

The Minister of Home Affairs (Shri G. B. Pant): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Speaker: The question is:

*Published in the Gazette of India Extraordinary, Part II—Section 3, dated 16-11-1959.

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Shri G. K. Faut: Sir, I introduce the Bill.

HAJ COMMITTEE BILL*

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Sir, I beg to move for leave to introduce a Bill to establish a Committee in the Port of Bombay for assisting Muslim pilgrims to Saudi Arabia, Syria, Iraq, Iran and Jordan and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to establish a Committee in the Port of Bombay for assisting Muslim pilgrims to Saudi Arabia, Syria, Iraq, Iran and Jordan and for matters connected therewith."

The motion was adopted.

Shrimati Lakshmi Menon: Sir, I introduce the Bill.

11.05 hrs.

ARMS BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri Datar on the 1st September, 1950, 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 may continue his speech.

Shri U. C. Patnaik (Ganjam): Sir, last session a number of amendments were moved by us but they have lapsed. They have not yet been moved by some of us. We have given

notice today and we request you to waive the objection regarding time in respect of our amendments which we are tabling today and also the Government amendments which are being tabled today.

Mr. Speaker: Very well. I shall waive notice.

The Minister of State in the Ministry of Home Affairs (Shri Datar): Mr. Speaker, Sir, this Bill, as amended by the Joint Committee, was taken into consideration during the last session and I had just begun when it was adjourned to this session. I will be brief so far as the main points are concerned.

I had already pointed out that the Government were anxious to sponsor a Bill in accordance with the assurances given on two or three occasions. The hon. Member, Shri Patnaik, had brought forward a Bill as early as 1954 and the Government had promised to look into the whole matter and to have it examined by the State Governments. We got the views of the State Governments and after examining them we placed before this House a Bill which was referred to the Joint Committee of both Houses of Parliament. We have now the advantage of a number of improvements made by the Joint Committee. It is in this background that the present Bill has to be taken into consideration.

This Bill was piloted by the Government at the instance of a number of hon. Members with a view to liberalise the provisions consistent with the need to maintain law and order because there was, oftentimes, abuse of the provisions of the Arms Act. That is the reason why the Government had to take a middle course of having the largest measure of liberalisation in the provisions on the one hand and also to see to it that they were not abused. Though it is termed as Arms Bill all that has been done is to provide for licensing firearms only or some others arms for which a licence is necessary. In

*Published in the Gazette of India Extraordinary, Part II, Section 2, dated 16-11-1950.

[Shri Datar]

respect of arms other than fire-arms, normally, we will find that no licence is necessary at all. But when there are extraordinary circumstances and it becomes necessary for the Government to regulate the use and exercise of such arms, then only, power is taken to meet the extraordinary situation created by such circumstances, which need not be detailed here. Though it is called Arms Bill, this Bill normally deals with the fire-arms, their use, transfer, purchase, etc.

Secondly, we have made it possible in certain cases for the citizens of India concerned to possess arms of certain type for crop protection or other *bona fide* use. The Joint Committee dealt with this question and certain very important amendments of a far reaching character were accepted and therefore, the Bill, as reported by the Joint Committee, constitutes a considerable improvement upon what it was originally when it was introduced.

A number of hon. Members in both the Houses as also in the Joint Committee made a point that often, there were long delays in the grant of such licences and that they were not good. It has now been made clear that there ought to be expeditious disposal of all applications for the grant of arms licences.

Then, as you will find, an appeal also has been provided. Normally, the reasons for the rejection of an application for holding arms will be given but when there are higher interests, when the interests of the country require otherwise, when in public interests it would not be proper to disclose the reasons, it is only then that the reasons are not given. But, all the same, the appellate authority will go through the whole affair and will see whether refusal of the arms was due to certain over-riding circumstances. If there are no such circumstances, arms would be granted as a matter of course.

Under the existing law, as it has been for a number of years, you will find that every year a licence was required to be taken. We have now raised the period to three years for the purpose of preventing inconvenience and hardship to the persons who desire such licences. Normally, the period would be three years except under certain circumstances. When a licence is required for a shorter period or when tourists and other persons are there who require it for a smaller period, naturally a licence would be granted for a smaller period, but the prescribed period is the normal period for which a licence should be required and a licence would be granted.

I may also point out here that so far as domestic weapons are concerned, they are entirely exempted from the definition of the word "arms" as it has been given in the present Bill, the Arms Bill. Thus we have kept the weapons used for domestic purposes out of this Bill; they are completely excluded.

Arms other than fire-arms do not generally require a licence except when there are extraordinary circumstances requiring the exercise of special powers for regulating the use of arms. I might point out here, again, briefly, that ordinarily it is only fire-arms that come within the purview of the present Bill; that is, you will find a great improvement so far as the powers to be used under this Bill are concerned.

Then I would pass very briefly over the various improvements effected in the provisions of the Bill. In clause 2, you will find that the word "prohibited" has been defined as including also bombs, grenades etc. That was suggested by a number of hon. Members and that has been accepted.

In clause 3, the scope has been widened. It has now been said to be not only for the purpose of sport but also for *bona fide* use. The wording has, therefore, been purposely enlarged.

In clause 4, you will find the exceptional circumstances to which I have made a reference. They have been noted down there and it has been stated that even under exceptional circumstances, the arms to which this particular clause has to apply have to be specified. It was pointed out during the discussion in the Joint Committee that this would have very wide repercussions and any weapon that may not have been ordinarily intended to be brought under regulation was likely to be brought under regulation. Therefore, it was considered advisable by the Joint Committee that before the powers under clause 4 were used, the weapons to which the regulation or the restrictions were to apply had to be specified in the notification itself. That has been accepted.

There are subsequent clauses where the word "conversion", which was not there, has been put in. "Conversion" is the use of a weapon for a purpose other than the one originally intended. That was a slip, an inadvertent slip, and that has been made good now and the word has been used wherever it was considered necessary.

There is also the provision for the purpose of putting identification marks on the arms. In the arms laws in various States I have found that identification marks have to be put in and they are not to be erased. That has been made clear now. A longer period has also been given, because it is quite likely that after the Act comes into force, many people will take some time to know that there is need for putting in identification marks. The period originally fixed was only six months, but that has been extended to one year at the desire of the Joint Committee members.

Then, in certain cases—you will kindly see clause 9—arms were to be given under certain circumstances. The period originally fixed has been brought down from 18 years to 16 years. In clause 9(1)(a), it has been stated:

"Notwithstanding anything in the foregoing provisions of this Act,—

(a) no person,—

(i) who has not completed the age of sixteen years...."

Originally the period was 18 years. We have now reduced it to 16 years at the desire of a number of associations and also some hon. Members.

You will also find that sub-clause (2) has been specifically added which says:

"Notwithstanding anything in sub-clause (i) of clause (a) of sub-section (1), a person who has attained the prescribed age-limit may use under prescribed conditions such fire-arms as may be prescribed in the course of his training in the use of such fire-arms."

By addition of this sub-clause, you will find, training has been facilitated.

So far as clause 10 is concerned, sub-clause (b) has been purposely added with a view to make it possible for a *bona fide* tourist to bring to India his own arms in reasonable quantities. The explanation also makes it clear that ordinarily the period would be six months.

I would now invite the attention of the House to clause 13. It is one of the important clauses where it has been made possible for people to get arms as a matter of course. I would invite the attention of the House to sub-clause (3) where it is said:

"The licensing authority shall grant....."

The wording may be noted. Then it says:

"a licence under section 3 where the licence is required—".

Then, in sub-clause 3(a)(1), it is said: "for a smooth-bore gun for protection or sport or in respect of a muzzle loading gun to be used for *bona fide* crop protection:". This provision was

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already there. It has now been further made clear that if the weapon that was allowed generally was not sufficient to meet the particular purpose of crop-protection in any locality, in that case, it would be open to the licensing authority to grant a licence for other weapons also. This proviso has been purposely introduced, because when the Bill was under consideration by the Joint Committee a number of hon. Members, including my hon. friend, Shri Patel, made a suggestion that it would not be useful, that it would not meet the requirements, as he pointed out, of every case for the purpose of crop protection. I would, therefore, invite his attention to the proviso which says:

"Provided that where having regard to the circumstances of any case, the licensing authority is satisfied that a muzzle loading gun will not be sufficient for crop protection, the licensing authority may grant a licence in respect of any other smooth bore gun as aforesaid for such protection,...."

I now pass on to clause 14. Clause 14 is of a usual nature, because there would be circumstances under which a licence will have to be refused. I would not make further reference to this except to point out that in sub-clause (1) (b) (i) (3), it is said: "to be for any reason unfit for a licence under this Act". The criticism was that this would lead to very wide powers to the licensing authority and that they might be abused under certain circumstances. I have looked into the matter. I have found that there are stronger words used in this connection in the Acts of some of the other States. All that has been done by the Committee is, in sub-clause (ii), the words "public safety" have been added after "public peace". After all, peace has also to be maintained but the House is aware that there are possibilities of certain acts being done which would endanger public safety also. Therefore, a number of hon. Members suggested in the Joint Com-

mittee that these words should be added and, therefore, their suggestions have been noted.

I would not again refer to clause 15 which grants a period of three years which is the duration of the licence. I might point out here that there has been no change except the putting in of the words "public safety" in the rest of chapter III.

When we come to chapter IV, we will find that oftentimes, the Government require powers to demand the production of the licence, etc. Oftentimes, this is by-passed in a number of ways and that is the reason why in clause 19(2), we have added:

"may require him to give his name and address and if such officer considers it necessary,"

and then the words "seize from that person the arms or ammunition which he is carrying" are put in. These are the two healthy precautions that have been laid down. If, for example, a man has certain arms without a licence, but if he gives the names and addresses, that might be one circumstance to be taken into consideration, because it is quite likely that he might not know that there might be certain extenuating circumstances. Therefore, in a small number of cases, the supplying of names and addresses may be sufficient.

Secondly, there should be no arbitrary seizure of arms. What has been laid down is, that the officer "may require him to give his name and address" etc. That means the officer who is going to seize the particular arms will have to be satisfied that there are certain reasons why a particular extreme action of seizing from him the arms or ammunitions is necessary. That is the reason why a preliminary stage has been laid down according to which the seizing authority should not seize as a matter of course, but will have to seize only when he finds that it is absolutely necessary to do so.

Then, in sub-clause 21, the period has been increased from 15 days to 30 days. About the offences, may I point out that the extent of sentence that has been attached to the different offences depends upon the nature and the gravity of the offences. Therefore, different sentences have been provided for the different categories of offences.

I would also invite the attention of the House to clause 25(b) which says:

"acquires, has in his possession or carries in any place specified by a notification under section 4 any arms of such class or description as has been specified in that notification,"

I have made a reference to it on an earlier occasion. Therefore, for the reasons stated, it has been repeated here. In respect of all those offences which have been referred to in the earlier section, naturally, no reference was formerly made to conversion, and, therefore, the word "conversion" had to be introduced in a number of sub-clauses in clause 25. You will find that the period varies and the highest period that has been found necessary to be prescribed is seven years under clauses 26, 27 and 28. There has been a slight amendment to clause 29. It says:

"Whoever purchases any fire arms or any other arms of such class or description as may be prescribed or any" etc.

Again, the need to prescribe the particular category of arms has been repeated here also. Clause 31 may kindly be noted. Whenever an offence is repeated, then the repetition of such an offence increases the magnitude of that offence and, therefore, the punishment has to be doubled. Under clause 31, it is said:

"Whoever having been convicted of an offence under this Act is again convicted of an offence under this Act shall be punishable with double the penalty provided for the latter offence."

It is hoped that the offence at best, and at his risk, will be repeated only twice and not more. In some of the foreign Acts, I have found that they have further added that in case an offence is committed for the third time, the punishment shall be not merely double but treble of the original punishment. But here we believe that perhaps that provision may not be necessary. That is the reason why one repetition of the same offence has been provided for with an enhanced punishment or sentence.

I would then invite the attention of the House to clause 33 which deals with offences by companies. The proviso is there for the purpose of giving relief to those persons or granting exemptions to those persons from criminal liability where they themselves were not aware of the circumstances under which the companies had to carry out certain requirements of the Act. The proviso reads thus:

"Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge " etc.

Without his actual knowledge, if some offence has been committed by a director or an officer, then this particular person against whom a charge has been laid, as a member of the company or as an employee of the company, can prove his complete absence of knowledge and that he exercised all diligence to prevent commission of such an offence after it came to his notice. Therefore, these two salutary safeguards have been provided in the interests of those who were ignorant but who took all necessary precautions to prevent the commission of such an offence.

Then I pass on to chapter VI. I would here invite the attention of the House to clause 35. There also there was considerable discussion, and it was felt that all persons in joint occupation

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should not necessarily be made liable as a matter of course. That is the reason why this clause was considerably improved, and I was happy to find that those Members of the Joint Committee who had raised this question were satisfied with the improvement that was suggested by me before the Joint Committee. I would read it and explain to you how the position has been made extremely clear and how to a large extent provision has been made for the purpose of protecting those persons who had nothing to do with it during joint occupation. Clause 35 reads thus:

"Where any arms or ammunition in respect of which any offence under this Act has been or is being committed are or is found in any premises, vehicle or other place in the joint occupation or under the joint control of several persons, each of such persons in respect of whom there is reason to believe that he was aware of the existence of the arms or ammunition in the premises, vehicle or other place shall, unless the contrary is proved, be liable for that offence. . ."

Normally, as you are aware, under the penal law, when a certain offensive article is found with a person, he is normally liable to punishment, but when there is joint occupation, in that case, according to the provision in the Arms Bill, what was done was this. When certain offensive articles are found from a vehicle or any other place or premises, all the members in general occupation were to be held liable, unless one of them proved that he was not aware of it and hence entitled to exemption on the ground of *bona fide* ignorance. It was considered that before any such presumption is drawn against him, the officer must further find out whether there is reason to believe that he was aware of the existence of the arms or ammunition. In fact, a particular restraining clause has been intercepted here between the finding of arms in the place

of general occupation of many people and the drawing of an adverse inference against him, *viz.*, exercise of discretion by the magistrate concerned in respect of whom there is reason to believe that he was aware of the existence of the arms and ammunition. So, this has been purposely introduced with the object of preventing any hardship to the persons who are not aware of it. The authorities concerned, who have to deal with this must have some reason before them to believe that he was aware of the existence of the arms and ammunition in the premises. Only then the court will proceed against him as a matter of presumption. Still, it is open to the *defence to prove the contrary*. Two safeguards are introduced. No presumption can be drawn against him unless in the opinion of the officer concerned, there was reason to believe that he was aware of the existence of the arms. If he comes to the conclusion that there was no such reason, naturally he would be protected. These great safeguards have been introduced for the purpose of preventing persons from being made liable under clause 35 as a matter of course.

So far as rule-making power is concerned, I would invite attention to clause 44(3), according to which whenever rules are made, they have to be placed before the Houses of Parliament. Formerly a certain period had to be completed within one session. But oftentimes, it was very difficult. Now, it has been stated that this period need not be completed in one session, but it might be completed in more sessions of Parliament than one. The new formula generally accepted in this connection is this:

"Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions."

That means the period of 30 days can be counted not only in respect of the remaining days of one session, but the other session also can be taken into account. Then sub-clause (3) says:

"... and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

So, the privilege of making changes in the rule or cancelling the rule altogether vests in Parliament. It is the duty of Government to place the rules for 30 days by counting the periods of the two sessions together. So, a very healthy practice is being developed in this connection and that has been followed in this respect as well.

In the last clause, nothing very serious has been done except that in clause 45(b)(iii), the following has been added:

"or by any member of such other forces as the Central Government may, by notification in the Official Gazette, specify" etc

So, you will find that a large number of very welcome departures from the original provisions or improvements have been made in the provisions of this Bill. So far as the dissenting notes are concerned, I need not say much except to point out that at least two or three hon. Members have gracefully accepted the position that there has been a considerable improvement in the provisions of the Bill. Naturally, there might be certain cases where hon. Members may not be satisfied, but the larger and the overriding interests of public

security and public interest have also to be taken into account. I submit that on the whole we have here an improved edition of the Bill, which was good enough, but in view of the innumerable suggestions made by hon. Members, we have to a very large extent succeeded in improving the provisions consistently, as I stated, with the over-riding reasons of public interest and public safety. I hope the improved Arms Bill be approved of by hon. Members.

Mr. Speaker: Motion moved:

"That the Bill to consolidate and amend the law relating to arms and ammunition, as reported by the Joint Committee, be taken into consideration."

There are no motions for further reference to a Select Committee. There are some amendments to individual clauses.

Some Hon. Members rose—

Mr. Speaker: Hon. Members who have originally participated in the discussion should wait.

Shri Naushir Bharucha (East Khands): Otherwise the business will collapse today.

Shri D. C. Sharma (Gurdaspur): Kindly note down the names.

Mr. Speaker: I need not note down the names. As and when hon. Members stand, I will call them.

Shri D. C. Sharma: What is the time allotted?

Shri Datar: 4½ hours.

बंजित ठाकुर दास नार्गब (हिंसार) जनाब स्पीकर साहब, मैं उन प्रश्नोत्तर में से हूँ, जिन्होंने इस बिल को ज्वॉइंट कमेटी को भेजे जाने के मृतान्तिक बहस में अपनी कांटीब्यूशन करने के लिये वेयर से ख़ास इजाजत ली थी। इस वक़्त मैं ज्यादा बक़्त नहीं लूंगा, क्योंकि मैं जानता हूँ कि हमारे पास सिर्फ़ साढ़े चार घंटे बक़्त हैं और वह निहायत इम्पोर्टेंट बिल है।

[पंडित ठाकुर दास जार्ज]

हमारे हीम मिनिस्टर साहब ने बड़े जोर जोर से इस बात की सिकारिग की है कि वह हाउस इस बिल को मान ले। इसमें कोई शक नहीं है कि इस बिल के बारे में उन्होंने जो क्लेम किया है कि पहले बिल के मुकाबले में यह बड़ी भारी इम्प्रूवमेंट है, मैं इसको मानने के लिये तैयार हूँ। अन्य बातों में क्रिसवाके बड़ी भारी इम्प्रूवमेंट हुई है और मिनिस्टर साहब ने उनका जिक्र किया है, इसलिये मैं उनको रिपीट नहीं करना चाहता हूँ। इस बिल में जो दफ्ता १३ का प्राविजन किया है, वह उस वादे के मुताबिक ही है, जो कि मिनिस्टर साहब ने किया था। लेकिन मुझे यह कहने में जरा भी ताम्मुल नहीं है कि इस सिलसिले में हूँ जो उम्मीदें थी कि किस तरह का थाम्ब एक हिन्दुस्तान में बनाया जायेगा, वे पूरी नहीं हुई हैं और हमें सस्ता मापूरी हुई है।

पहली गवर्नमेंट ने थाम्ब एक बना कर सारे हिन्दुस्तान को एक तरह से डिस-थाम्ब कर दिया था। उसके बारे में और क्रिटि-सिष्म को छोड़ कर महात्मा जी की क्रिटि-सिष्म तो हाउस के हर एक मेम्बर को मालूम है कि यह इन्कैस्ट एक्ट है। महात्मा जी ने थमरेज के हाथ गवर्नमेंट को इस बारे में चिट्ठी लिखी थी, जिसमें यह चिक्र किया गया था कि इस एक्ट के जरिये हिन्दुस्तान को इन्कैस्ट कर दिया गया है, उसकी स्विटि को मार दिया है, हिन्दुस्तान में एक ऐसी क्रिडा पैदा कर दी है, जिसमें लोग हथियारों के इस्तेमाल को मूल जामें। आजादी मिलने के बस बरस बाद हमें यह उम्मीद थी कि अब जो बिल बनाया जायेगा, वह लिबरल होगा। मैं मानता हूँ कि यह बिल लिबरल है, लेकिन वह उतना लिबरल नहीं है, जितना कि हम उम्मीद करते थे। आगरेविल मिनिस्टर साहब ने यह दुस्त प्ररमाया है कि यह बिल लिबरल है, लेकिन मैं जर्ज

करना चाहता हूँ कि उनको बलिक वेजमी की जो चिक्र है, पीस के लिये जो थिंथ-पावरिय पैशन है, उस की बजह से इस बिल में ऐसी चीजें बा गई हैं, जो कि नहीं मानी चाहियें थी। हिन्दुस्तान सारी बुमिया से ज्यादा पीस-सबिग मुल्क है। घुनाइटेड नेशन्स ने करार दिया है कि इस मुल्क में कम से कम जरायम होते हैं। यहाँ के लोग निहायत पीस-सबिग हैं, बड़े टानरेंट हैं और एगरेशन करना नहीं जानते। बहुत बोडे से थंगरेज वालीस करोड़ हिन्दुस्तानियों पर हुकूमत करते रहे। हमारी कंट्री टर्बुलेंट कंट्री नहीं है— वह निहायत पीसकुल कंट्री है। इसलिये यहाँ पर इतना मम्त थाम्ब एकट बनाने की हरगिज जरूरत नहीं थी। दर-असल एक ऐसे मुल्क में, जो सबियों के बाद आजाद हुआ है, थाम्ब का रकना एक फडामेंटल राइट होना चाहिये था। यह बात मैंने पहले भी जर्ज की थी। मैं उसकी बजुहात में इम बक्त नहीं जाना चाहता हूँ। गो कि यह कास्टीब्यूशन में दर्ब फंडामेंटल राइट्स में दाखिल नहीं है, लेकिन फिलवाके यह हर हिन्दुस्तान का फंडामेंटल रा ट है कि वह थाम्ब रख सके। मैं यह भी जर्ज करना चाहता हूँ कि मारे फंडामेंटल राइट्स कास्टीब्यूशन में बर्ज नहीं हैं। बोट करने का, स्टैंड करने का राइट बिल्कुल फंडामेंटल है, लेकिन वह कास्टीब्यूशन में बर्ज नहीं है। पीनल कोड सारे मुल्क का कानून है और एक पुराना कानून है। उसका दफ्ता २६ में हर सल्ल को यह हक दिया गया है कि वह अपने जित्त और दूसरे के जित्त को, अपनी प्रापर्टी और वीर की प्रापर्टी को बचा सके। अगर उसको यह हक दिया गया है, तो उस हक को इस्तेमाल करने के जरिये भी तो उसको दिये जाने चाहिये। इसलिये हर भावनी का हक है कि वह हथियार रख कर अपने को, अपने पड़ोसी को, अपने रिस्तेवार को, बलिक हर हिन्दुस्तानी को बचा सके और अपनी और दूसरों की प्रापर्टी

को बचा सके। यह सभी मुमकिन है, अगर वह अपने पास आम्बं रख सके। इस के बिना बायोथाने-कानून के एक बड़ी बजह थी। उन्होंने जिज्ञा या कि हिन्दुस्तान एक ऐसा मुल्क है, जिसमें इस तरह के बाकयात हुये हैं कि लोग मुल्कों को सहते हैं, जबर-दस्तियों को सहते हैं और वे इतने आबाद नहीं हैं कि वे अपने हकों को बचा सकें। इसलिये हम उनको बिलायत से ज्यादा सैल्फ-डिफेंस का राइट देते हैं। यह बजह थी, जिसकी जिज्ञा पर उन्होंने हिन्दुस्तान को इतना बढ़ा राइट दफ्ता २६ के मातहत दिया। इस दफ्ता के होते हुये आज आम्बं एक्ट के जरिये लोगों को आम्बं से महकम करना और ऐसे लिमिटेडान् रखना, जिस से वे सरीही तौर पर आम्बं का फायदा न उठा सकें, जायज नहीं है। गवर्नमेंट इस बिल में ऐसे प्राविजन रखती कि यहाँ पर किसी भी शस्त्र को, जो कि आम्बं लेना चाहे, लाइसेंस लेने में कोई मुश्किल न होती। उससन उन आम्बं को जो कि फायर-आम्बं की डेफिनीशन में नहीं आते, आम्बं में नहीं दाखिल करना चाहिये था। गवर्नमेंट ने इस बिल का नाम फायर-आम्बं बिल के बजाय आम्बं बिल रखा है, लेकिन इसमें सब शरायत फायर-आम्बं के मुताल्लिक है। लेकिन मैं भ्रंज करता चाहता हू कि बेहतर होता कि दफ्ता ४ को किसी तरह से कर्ष कर दिया जाता और गवर्नमेंट के पास ऐबसोल्यूट पावर न होती। दफ्ता ४ में जिज्ञा है कि स्पेसिफाइड सर्कमस्टांसिज में गवर्नमेंट नोटिफिकेशन जारी करेगी, लेकिन उसमें यह दर्ज नहीं है कि वह नोटिफिकेशन किस धरते के लिये जारी रहेगी। अगर एक दफ्ता नोटिफिकेशन जारी हो जाये, तो मुझे ताज्जुब नहीं होगा कि वह कभी भी न हटाया जाये। हर मुल्क में गवर्नमेंट ऐसी ही है, जैसी कि हमारे मुल्क में है। हर एक गवर्नमेंट पीस और पब्लिक सेफ्टी चाहती है। मैं यह चाहता हू कि गवर्नमेंट एक टेम्पोरेरी रीरिवल के लिये हुकम

जारी कर सके और जब रीरिवल के बाद वह हुकम अपने प्राय रीवैकल हो जाये।

12.45 hrs.

[SERIMATI RENU CHAKRAVARTY in the Chair].

ऐसा न होने पर हालत यह होती है कि कोई नोटिफिकेशन जारी कर दिया जाता है और बत्तों तक उसको हटाने की जरूरत नहीं महसूस की जाती है। मैं तो यह समझता हू कि गवर्नमेंट का ऊर्ज यह होना चाहिये था कि वह इस मुल्क में चीप मैन्युफैक्चर आफ आम्बं करती। अगर किसी मुल्क में आम्बं मौजूद नहीं है, तो अगर सारे कानूनों को भी हटा दिया जाये, तो लोग आम्बं लेने कहा से? गवर्नमेंट ने आम्बं का मैन्युफैक्चर बन्द कर दिया है। जब लोगों को आम्बं मिलेंगे ही नहीं, तो वे किस तरह से उनका इस्तेमाल सीखेंगे और अपनी और दूसरों की हिफाजत और अपनी और दूसरों की प्रायटी की हिफाजत करेंगे? गवर्नमेंट को खुद आम्बं का मैन्युफैक्चर करना चाहिये था, ताकि सब लोग सहूलियत से उनको ले सकते। प्राय चीन ने हम पर हमला किया है। मैं समझता हू कि अगर हमारे यहाँ आम्बं एक्ट न होता, तो प्राय चीनियों को हम पर हमला करने की हिम्मत न होती। प्राय यह समझ में आता है कि हमने बारह बरसों तक गलती की है, बेवकूफी की है। प्राय हमारे देश में काफ़ी आम्बं नहीं है। प्राय एम्प्लीशन की कीमत चौगुनी हो चुकी है पहले के मुकाबले। जिस देश में आम्बं एंड एम्प्लीशन नहीं है, उसने यह कहना कि आम्बं एक्ट ऐसा है, वैसा है, फ़िजूल है। गवर्नमेंट अपने जिम्मे ले कि यहाँ पर आम्बं एंड एम्प्लीशन सस्ते पैदा किये जाये और वह लोगों को इस काबिल बनाये कि वे उनको हासिल कर सकें और उनको इस्तेमाल करना सीख सकें। मुझे याद है कि १९४७-४८ में इस तरह की गवर्नमेंट चली थी कि बाहंर प्राविसेज में राइफल बनाने

[वंचित छात्र दाख जार्जव]

शुक्र की गई थीं। हर डिस्ट्रिक्ट में वे शुक्र की गई थीं, लेकिन 1956 के बाद जब काश्मीर का जगड़ा खत्म हुआ, तो सब भागना खत्म हो जाते। भाव देना भर में कोई मुचमेंट नहीं है। लेकिन मैं समझता हूँ कि भाव देना में इस प्रकार की फिदा है जिसमें कि यह जरूरी है कि हर एक के पास डिस्ट्रिक्ट आफ दी कंट्री के लिये आर्म्स मौजूद होने चाहिये ताकि बहुत जरूरत वह उनका इस्तेमाल कर सके। आर्म्स की दो तरह से जरूरत पड़ती है। इनकी जरूरत न सिर्फ परसन और प्रापर्टी के लिये ही होती है बल्कि मुल्क को हमले से बचाने के लिये भी इनकी जरूरत पड़ती है। कोई भी मुल्क उस वकत तक सेफ नहीं हो सकता है जब तक कि वहां पर रहने वाले लोग कंट्री को सेव करने के लिये आर्म्स का इस्तेमाल करने के काबिल न हों। मुल्क की रक्षा करना हर एक का पहला फर्ज है और इसके लिये यह जरूरी है कि लोग पूरी तरह से घाग्द हो ताकि वे इस काम को पूरा कर सकें। अगर आप आर्म्स नहीं देते हैं तो यह काम नहीं हो सकता है।

मुझे स्विटजरलैंड जाने का मौका मिला था। वहा पर मैं इस बात को सुन कर हैरान रह गया कि थेट वार में किसी मुल्क ने उसकी तरफ आंख उठा कर नहीं देखा और न ही उसके पास कोई रेग्युलर आर्म्स थी लेकिन फिर भी चौबीस घंटे के अन्दर पांच लाख बर्द और औरतें अपने हाथों में हथियार लेकर देश की रक्षा के लिये मौजूद थीं। मैं समझता हूँ कि अगर लोगों के पास हथियार होते तो जो सूरत जम्मू और काश्मीर में पैदा हुई है और नेफा में हो रही है वह पैदा न होती और चीन की यह हिम्मत न होती कि वह हमारी तरफ आंख उठा कर देख सके। हो सकता है कि इस मामले का हल एक दो बरस में निकल आये, इसका कोई फैसला ही चाये लेकिन ताहब क्या पारंटी

है कि यह चीज रिफर नहीं होगी और ऐसी बात फिर कभी नहीं होगी। मैं समझता हूँ कि बड़ी गिबरल प्राविजंस इस एक्ट के अन्दर होगी चाहिये थीं। इसके अन्दर होना यह चाहिये था कि चीप आर्म्स या तो मैयुकेन्बर किये जायेंगे या फिर इस तरह के आर्म्स के मैयुकेन्बर को एनकरेज किया जायेगा। या तो इस तरह के आर्म्स लोगों को बनाने की इजाजत दी जायेगी और अगर ऐसा नहीं किया गया तो गवर्नमेंट खुद इनको बनायेगी और रीजनेबल प्राइस पर लोगों को देनी ताकि लोग उनको रख सकें और बहुत जरूरत उनका इस्तेमाल कर सकें। जब तक यह नहीं होता है तब तक आप कुछ भी इसमें रब मैं सन्तुष्ट नहीं हो सकता।

हमारे देश में पीसफुली लोग रहते हैं और आपको कोई डर नहीं होना चाहिये। मैं समझ सकता हूँ कि जो भी एडमिनिस्ट्रेटर होता है उसको देखना होता है कि पीस एंड आर्डर कायम रहे और हमको कायम रखने की उसकी पूरी जिम्मेदारी होती है और उसका विभाग भी बैसा ही होना चाहिये जैसा कि आपका है। मैं आपकी इस बात की कदर करता हूँ, मैं इसको एप्रेशियेट करता हूँ। लेकिन मैं समझता हूँ कि आपका विभाग भी साफ होना चाहिये। आपको भी यह समझना चाहिये कि हम बहुत पीसफुल हैं, बहुत टालमेंट हैं, किसी से जगड़ा नहीं करना चाहते हैं, जबर्दस्ती किसी की जायदाद में हिंसा नहीं लेना चाहते हैं। गांधी इत्यादि में हम देखते हैं कि चीजें पड़ी रहती हैं, बलिदानों में फसलें पड़ी रहती हैं, कोई चोरी नहीं करता है। ये सब चीजें मेरे मायक बोस्त जानते हैं। इस मामले में बर्द करना चाहता हूँ कि गवर्नमेंट को देखना चाहिये और अपनी इस जिम्मेदारी को महसूस करना चाहिये कि देश में चीप आर्म्स

बन्धुकीनगर हों और लोगों को रिड्यूस्ड स्ट्रेन्थ पर मिलें ।

जब मैं इस बिल की प्राविजंक्ट को देखता हूँ तो मैं यह कहे बर्गर नहीं रह सकता हूँ कि ये बहुत हाबू हैं । मैं देखा करता था कि पोलिटिकल मोटिव की बिना पर लोगों को इस आर्म्स एक्ट के तहत सात-सात साल की कैद की सजा दे दी जाया करती थी । अजीब प्राविजंस पहले एक्ट में थी । मुझे कुछ के साथ कहना पड़ता है कि उन प्राविजंस को इसमें इम्पोर्ट कर दिया गया है और इसमें भी सात-सात साल की कैद की सजा मामूली बातों के लिये प्रावाइड कर दी गई है । दफा २५ में जहाँ से आर्मेन्स एंड पेनेल्टीज गुरू हांती है वहाँ दो तरह की सजायें, दूसरी मजाओ के अनावा, बताई गई हैं । एक के लिये तीन साल की सजा प्रावाइड की गई है और दूसरे के लिये सात साल की । अगर कोई अपने पास हथियार रखता है और उसको छिपाने की कोशिश करता है तो उसको तीन साल की कैद की सजा दी जा सकती है और अगर कोई अन-लाफुन परपञ के लिये रखता है तो सात साल तक की कैद की सजा हो सकती है । आप यह भी जानते हैं कि ज्वायट आक्यूपेशन पर सैकड़ों मुकदमात हुये हैं । कई बाम्ब केसिस हुये हैं । अलीपुर केस बहुत मशहूर केस हुआ है । एक कुनबे के घर में यह चीज पाई गई और उसने कह दिया कि हम नहीं जानते, ज्वायट आक्यूपेशन में यह चीज आती है । यहाँ पर चार भाई भी रहते हैं, बाप भी रहता है । यही बात लाहौर केस में हुई । बाद में चल कर कानून ने करार दिया कि हेड आफ दी फीमिली जिम्मेदार है और पहली प्राविजंस को बदल दिया । पहले जो बेनिफिट आफ डाउट एक्पूज को दिया जाता था उसको भी घब सक्त किया जा रहा है ।

मैं अर्ज करना चाहता हूँ कि जितनी प्राविजंक्ट इस में रखी गई हैं वे सब की सब

पुराना जो एक्ट था, उस में से नक्स करके रख दी गई हैं । पुराने एक्ट को तो पुरानी गवर्नमेंट ने अपने वर्ष के लिये बनाया था और वह समय में था सकता था । वह चाहती थी कि देश इमैस्कुलेंट हो जाए और उसको लोगों से डर था । आज हमको लोगों से डर नहीं होना चाहिये । अगर कोई आदमी हमला करता है तो करोड़ों आदमी ऐसे होंगे जो गवर्नमेंट का साथ दगे । मैं समझता हूँ कि इस गवर्नमेंट की मेटेलिटी में और ब्रोल्ड गवर्नमेंट की मेटेलिटी में रात दिन का फर्क होना चाहिए था । लेकिन वह बदलती हुई मेटेलिटी आज इन प्राविजंस में रिफ्लैक्ट नहीं है । मैं समझता हूँ कि अगर आप आर्म्स एक्ट की प्राविजंस को सक्त रखेंगे डिस्टेंट रखेंगे तो आप नये कानून की जो युटीलिटी है, उसको ही खत्म कर दगे । इस वास्ते मैं कहना चाहता हूँ कि जहाँ आपने सात साल की सजा रखी है उसको घटा कर तीन साल कर दीजिये और जहाँ तीन साल की रखी है, उसको घटा कर एक साल कर दिजिये । अगर आपने बहुत ज्यादा रेस्ट्रिक्शंस रखी तो ज्यादा जरायम होंगे और अगर कम रेस्ट्रिक्शंस रखी तो कम जरायम होंगे । उस सूरत में ज्यादा जरायम नहीं हो सकते । एक नरफ तो आज आप कहने हैं कि आर्म्स ले जाओ, इनको रखो लेकिन साथ ही साथ यह अखत्यार भी पुलिस वालों को देते हैं कि कहीं कोई मिल जाए जो कि आर्म्स ले जा रहा हो और परपञ आपने स्पेसीफाई नहीं किया है, तो वह कह सकता है कि अनलाफुन परपञ के लिए ले जा रहा था और वह इस बिना पर उस से उसी वक्त उसका नाम, बाप का नाम पूछ कर धर्म को सीज कर सकता है चाहे वह आदमी बसती करे और चाहे गलती न करे, दोनों ही सूरतों में धर्म को सीज किया जा सकता है । इस तरह का सक्त अखत्यार आप पुलिस को देने जा रहे हैं । तो मैं अर्ज करना चाहता हूँ कि इस में जो-जो नाजायज रेस्ट्रिक्शंस आप बना

[संसिड डाक्टर बास भाषण]

रहे हैं, उनको धाप हटा दें। दूसरे एक्ट्स की तरह से यह एक्ट भी होना चाहिए।

धाप इस में मूलधिम पर यह जिम्मा झाला जा रहे हैं कि बर्बन भाक प्रूफ उस पर हो और वह धपनी बात को साबित करे। इस तरह की चीजें इस में रखना जायज नहीं है। मैं ने बहुत से कानून देखे हैं पीनल कोड में कमिशन भाक प्राक्सिस में वफा ४४ और ४५ आस्ता कीजवारी में ही और भी है जिन में कहा गया है कि किसी को पता हो कि जुर्म हो रहा है तो उसका फर्ज हो जाता है कि वह इतिला दे। इस में धाप लिख रहे हैं कि किसी को पता हो और वह उसको जा करके इतिला न दे तो वह खुद मुजरिम हो जाएगा मैं मानता हूँ कि ऐसे जरायम हैं जिन के भन्दर इस तरह की प्राविजंज का होना जरूरी हो सकता है लेकिन इस तरह के कानून में इस तरह की चीजें रखना ठीक नहीं हैं। ये जरायम ऐसे नहीं हैं कि इस तरह की प्राविजंज रखी जाएं। फर्ज कीजिये कि एक घर के भन्दर एक भाई देखता है कि उसके बड़े भाई ने बिना लाइसेंस के पिस्टल रखी हुई है तो क्या धापका मतलब यह है कि वह जाए और जा कर के अपने भाई को पकड़वा दे ? इस वास्ते मैं कहता हूँ कि इस कानून को इतना सक्त नहीं बनाया जाना चाहिए।

हमारे मिनिस्टर साहब ने कहा है कि वह इजाजत देंगे, वह हुक्म देंगे, कि हर एक आदमी को लाइसेंस मिले और इस गज से उन्होंने कहा है कि उन्होंने इस बिल में शील डाण्ट के लफ्ज रखे हैं। यह बात तो ठीक है। आपने जो यह लिखा है कि *If there is good reason he shall be granted licence*. यह ठीक है। आपने जो यह लिखा है कि *to be of unsound mind*. . . . इस पर भी मुझे ज्यादा एतराज नहीं है। लेकिन जो धाप वे यह पब्लिक सेफ्टी और पब्लिक डिफेन्सिटी को खतरा हो ही न दिया जाए यह

लिखा है इस में मैं समझता हूँ कि धपर कोई फेर होंगे तो बहुत बोड़े होंगे। पब्लिक सेफ्टी धाप ने बचाई, पब्लिक पीस धापने बचावा फिर और क्या बजह रह गई कि उसको लाइसेंस न दिया जाए सिवाय इस के कि जैसे मेरे मायक दोस्त कहते हैं कि धपर कोई दूसरी पार्टी का होगा तो उसको लाइसेंस देते बकत एतराज किया जाया करेगा। पब्लिक सेफ्टी की गर्ज से नहीं, पब्लिक पीस एंड आर्डर की बजह से नहीं बल्कि इस बजह से कि (ए) और (बी) इस या उस पार्टी से तात्बुज रखता है इस वास्ते उसको लाइसेंस न दिया जाए। क्योंकि यह धावमी या वह धावमी डी० सी० या धानेदार की धालों में लटकता है इस वास्ते उसको लाइसेंस न दिया जाए। जब धाप एबसोल्यूट राइट हर एक को देते हैं लिबरल हो कर धाप यह चीज करते हैं, देशवासियों पर ट्रस्ट करते हैं तो फिर क्यों धाप इस तरह की चीज लिख देते हैं कि फार एनी रीजन अनफिट फार लाइसेंस, उसको न दिया जाए। मैं समझता हूँ कि इस तरह की चीज को हटा दिया जाए।

मैं यह भी चाहता हूँ कि लाइसेंस लेने में कोई दिक्कत न हो। मैं जानता हूँ कि किस तरह से लाइसेंस दिये जाते हैं। धापद उसका हमारे होम मिनिस्टर साहब को पता नहीं है। इसको देने बकत यह कहा जाता है कि म्याल सेविंग सर्टिफिकेट्स में रुपया दें दो, रेडकस में चन्दा दे दो। एक जमाना था जब कि लाइसेंस देते बकत गवर्नर से हाथ जब मिलावा जाता था तो वह एक धर्त रहती थी कि डिप्टी कमिश्नर को पचास रुपये दिये जायें और वह पचास रुपये बपुल किया करता था जैसे कि गवर्नर से हाथ मिलाने से हाथ में नहीं धावी हो। धाप भी लाइसेंस देते बकत देखने में धाता है कि बहुत ही जगह चन्दा बपुल किये जाते हैं।

यह बिलकुल ग्यावाब है। यह धाप के हुक्म से नहीं हुक, धाप के डीपकन से नहीं हुक,

मैक्सिम फीट यही है कि यह होता है। आप का बोझीयर ऐसा होगा चाहिए कि हर शस्त्र को आसानी से लाइसेंस मिल जाने। पहले यह चीज सब इन्स्पेक्टर के पास भेजी जाती है ताकि लाइसेंस बन से पहले वह रिपोर्ट करे। पहले सब इन्स्पेक्टर की मुट्ठी गरम की जाती है, फिर एस० डी० ओ० क पास जाती है, डिस्ट्रिक्ट मैजिस्ट्रेट के पास जाती है, फिर उस के क्लर्कों के पास जाती है। बड़ी मुश्किल से लाइसेंस मिलता है। आप ने क्या जराय रक्ख हैं हमारे सामने जिस से पता चले कि जो मुट्ठी को धीज करने का तरीका होता है उस में कोई रुकावट आई है या नहीं। अगर आप को पुरानी ही चीज रखनी है तो उस से कोई फायदा नहीं है। इस लिये बेहतर होता अगर आप यह रखते कि अगर दो महीने के अन्दर यह सब चीजें खत्म नहीं जाती तो लाइसेंस दे दिया जाएगा यहां पर "थ्रीम मांठ" के अल्फाज होवें चाहियें। आप इस के लिये कोई मियाद मुकरर कर दीजिये, दो महीने, तीन महीने, जिसके बाद लाइसेंस दे दिया जायगा। यह चीज बहुत जरूरी है, बिना इस के लाइसेंस न देने बराबर होगा क्योंकि इन्व्वायरीज तोछ: महीने आठ महीने तक चलती रहेगी। इस लिये मे अर्ज करूंगा कि जहां तक यह सवाल है, आज कल के तरीको को खत्म हो जाना चाहिये।

इस के अलावा इस के अन्दर एक अाप्त रक्का रखी गई है कि अगर किसी को लाइसेंस नहीं दिया जायगा तो उस की बज्जुहात दी जायेगी कि लाइसेंस क्यों नहीं दिया गया। इत इज एबेरी गुड आहडिया, नचिन कुछ बी कैडर। धानरेबस मिनिस्टर साहब ने लाइसेंस देने वाली अघारिटी का एक तरह से हाथ बंध दिया। यह बिल्कुल सही चीज है, लेकिन आप में यह भी रक्का है कि बज्जुहात नहीं भी दी जा सकती है। इस बात की इजाजत देते हुए उस का मुह भी रोक दिया है। उस के ऊपर अकर्ममेंट ने एक डाट भी लगा दी है कि अगर ऐसी बज्जुहात है जो कि पब्लिक इंटेरेस्ट

के खिलाफ है तो उनको लाइसेंसिंग अघारिटी नहीं भी लिख सकती है। आदमी को पता ही न चल सके कि उस के खिलाफ क्या बात है जिस से कि उसे लाइसेंस नहीं मिला। जिस आदमी को पता ही न चले कि उस के खिलाफ क्या है तो वह अपील क्या करेगा? जब आप इस चीज को रखते हैं तो इस को फूल भूक रखिये। हर अघारिटी को लिखन के लिये मजबूर कीजिये कि क्या बज्जुहात है ताकि जो भी शस्त्र चाहे वह अपील में जा सके और पूछ सके कि बज्जुहात ठीक है या नहीं और प्राया उस से पब्लिक इंटेरेस्ट सफर करेगा या नहीं। अगर कोई आदमी खराब है तो उसे खराब लिखा जाना चाहिये ताकि और लोगों को अक्ल आये कि फलां बज्जुहात से उसे लाइसेंस नहीं दिया गया और वह अपने को रिफार्म कर सके। लेकिन उन को अपने को रिफार्म करन का मौका देने के बजाय आप उन के रास्ते में रुकावट डालत हैं, और वह रुकावटें भी ऐसी कि जिन का किसी को पता भी न चल सके।

14 hrs.

इस की अपील किस को की जायेगी, आप इस में भी कुछ रिफार्म कर दीजिये। आप ने दरअसल जो चीज उठाई है और जिस के लिये आप रायइटली क्रेडिट सेते है कि आप ने लाइसेंस के मामले को बहुत लिबरलाइज कर दिया है, वह लिबरलाइजेशन कम्प्लीट नहीं होगा जब तक आप ऐसा रखेंगे कि सिवा एग्जिक्यूटिव अफिसर्स के कोई अपील को सुन नहीं सकेगा। जब आप लाइसेंस देते हैं अगर उस स्टेज आप आप ऐसा नहीं कर सकते कि जुडिशल अफिसर्स को रखें जो मे अर्ज करता हूं कि अपील के बास्ते जो कम से कम उसे रखिये। वहां पर ऐसा भी अफसर होगा जिस का फर्ज होगा कि वह पब्लिक सेफ्टी की तरफ ध्यान रखे, मैं नहीं चाहता कि आप सारी जगहों पर जुडिशल अफिसर्स को ही रखें, लेकिन जहां तक अपील का सवाल है, वहां पर आप सिर्फ एग्जिक्यूटिव अफिसर्स ही न

[पंडित ठाकुर दास भार्गव]

रखें, कुछ जजिमान आफिसर्स भी रखें ताकि जो प्रसंगी मतलब है वह पूरा हो सके।

आप ने जहाँ पर एक्सेप्लान रखें हैं उन में बच्चों की उम्र १८ बरस से १६ बरस कर दी है। जो कार भी कुछ अगर इस को और अच्छा नहीं कर सके ताकि बच्चे शुरू से उस का फायदा उठा सकें। आप ने जहाँ रिवायत दी है वहाँ स्पेसिफाइड थार्म्स के लिये ही इजाजत दी है। इन रेस्ट्रिक्शन्स को और कम कर सकें तो अच्छा है। लड़कों को और अच्छा थार्म्स में बनाने के लिये आप इस को १४ बरस से कर देते तो और अच्छा होता।

जिन लोगों को आप ने एक्सेप्लान किया है उन में आप ने दो तरह के प्रादमी रखे हैं। एक तो वह जिसे सजा हुई है और एक वह जिसको १०७ या ११० में बाइ एग्जिक्ट करना पड़ा हो। मेरी नोटिस में और बहुत से चीजों की नोटिस में कई लोग ऐसे भाये हैं जिन का १०७ और ११० में बालान हुआ है और जिन्हें सजा भी हुई है। वह सारे ऐसे नहीं होते जिन के लिये कहा जा सके कि वह थार्म्स रखने के काबिल नहीं है। १०७ में सजा होती है। दोनों पार्टियाँ डरती हैं कि दूसरी पार्टी वाले हमें मारेंगे और डर रखते हुए अपनी हिफाजत के वास्ते अगर कोई थार्म्स रखता है तो उस को ११० में कर दिया जाता है। लेकिन दोनों ही डर रखते हैं। दूसरी पार्टी को जिस ने बाइ दिया है, जिस से आप ने जमानत ली है, उसे आप एग्जिक्ट कर देते हैं और वह अपनी हिफाजत नहीं कर सकेगा। मेरी राय में ऐसी कोई चीज नहीं होनी चाहिये। यह ठीक चीज नहीं है जिस में किसी को नुकसान होता हो। एक के पास हाथियार है, दूसरे के पास नहीं है जो दूसरे के पास भी हाथियार होना चाहिये जो कि उस का चेक है। यह चेक दोनों के पास होना चाहिये। इसलिये १०७ जिन के खिलाफ है उन को भी इस के अन्तर्गत लाना चाहिये।

मैं ने यह थोड़ी सी चीजें इस बिल के बारे में ब्रॉड की है। इन के लिये मैं ने थर्मिनेट्स

भी दिये हैं। जिस बिल थर्मिनेट्स भूख होवि उस बिल में उन के बारे में ब्रॉड करूंगा।

भासिर में मैं यही ब्रॉड करूंगा कि और सब चीजों को छोड़ कर मैं जिस पर सब से ज्यादा जोर देता हूँ वह यह है कि प्राय इस के अन्तर्गत बच्चों रखें या न रखें, लेकिन थर्मिनेट्स कर दें कि गवर्नमेंट ऐसा इन्तजाम करेगी कि इस देश में चीथ थार्म्स बन सकें। वह उन को इतने सस्ते कर देगी कि हर एक मामूली घासबी उन को प्राइटेन कर सकेगा और उन को लेने के बाद कुछ सिक्थोर हो सकेगा। थार्म्स का रखना अपने पर भरोसा व खुदवारी सिखाता है और बहादुरी का प्रहसास करता है इसलिये नेशनल कैरेक्टर को मजबूत बनाने में मदद देता है।

Shri U. C. Patnaik: Madam Chairman, . . .

Mr. Chairman: Before the hon. Member begins to speak, I would request hon. Members to try to finish their speeches within 20 minutes. There are a very large number of Members who want to speak and there are a large number of amendments. I will take the opinion of the House a little later as to how long they want to take in a general discussion and on the amendments.

Shri Datar: The amendments have been received only just now. We might take up the clause by clause discussion tomorrow and have general discussion today.

Mr. Chairman: Before that, we shall have to consider whether the required time is there, because, actually there are only 40 minutes left according to the time that has been allocated. What would be the time required for disposing of the amendments. If we could know that, we can go on with the general discussion.

Shri Datar: I did not quite follow this time of forty minutes.

Mr. Chairman: After 5 o'clock today, we have only forty minutes tomorrow according to the old allocation of time. If we continue the general discussion, I think we would not be able to fully dispose of all the amendments within 40 minutes. Therefore, the House has to consider what will be the time required for dealing with the amendments.

Shri Raghbir Sahai (Budaun): I would like to submit that while it is true that the Business Advisory Committee, in considering the allocation of time for this, considered five hours sufficient, it did not anticipate the number of amendments that were going to come. We understand that during the last session, some 200 amendments had been received. As Shri U. C. Patnaik drew the attention of the Speaker this morning, all these amendments would be tabled perhaps tomorrow

Shri Datar: Some have already been tabled.

Shri Raghbir Sahai: But, we should bear in mind that the number of amendments tabled last time was very large. We should expect the same number of amendments this time also. It would be very necessary to extend the time for consideration of all these amendments and also for the general discussion of this Bill. I would submit, with your permission, that two hours might be added to the time that has already been given by the Business Advisory Committee.

Mr. Chairman: I suggest then, we continue the general debate now. After a little while, we can decide. Still amendments are coming. After a little while, I will take the opinion of the House as to what time will be required for the disposal of amendments. For the time being, we continue the general discussion.

Shri U. C. Patnaik: Madam Chairman, though we are not very much satisfied with the progress made and with the steps taken by the Ministry in certain respects, I must congratulate the Ministry on three allied measures that have been recently taken

in this respect: (i) the formation of Home guards and Village guards; (ii) the formation or encouragement of Rifle Associations; and (iii) the Arms Bill. As you will remember, during the first Lok Sabha, we were crying hoarse about certain home defence measures and we were all the time urging that our foreign policy should be based on a strong Home organisation. We are grateful to the Ministry that this time they have taken up all the three steps simultaneously.

About two years ago, they started reorganisation of the Home guards. They brought the Home guard Commandant from Bombay to reorganise it in the whole country. Of course, they say that in order to fight floods, fire and other things, they are reorganising the Home guards. Still, it is an organisation worth while having in the country and extending it from Bombay and from its partial existence in West Bengal to the rest of the country. Because, in the western countries, you know, the Home defence or civil defence is called the fourth arm of defence and very great emphasis is being laid thereon. It is being co-ordinated with the defence organisation, though under the Home Ministry. We are glad that after all, in spite of speeches on principles and policies, our Home Ministry has come to organise Home guards in our country also.

Then comes the Rifle association. You may remember, Madam, during the first Lok Sabha, we had passed a resolution here by unanimous consent, moved by 60 or 70 Members that Rifle Associations have to be developed and encouraged in this country. Of course, we are not very happy that it is not running on proper lines. We are sure the Defence Ministry and the Home Ministry have been taking steps to organise that movement and it is progressing satisfactorily though slowly.

Thirdly, about the Arms Bill. It is the old Arms Act of 1862, slightly modified in 1878 which has been continuing in this country all these twelve

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years after freedom. We moved certain Bills and other resolutions in this House to amend the old Arms Act so as to bring it in line with modern times and modern requirements. Opinions were asked for from various States on my old Bill, and we had very valuable opinions, and we are glad that the Home Ministry has formulated a Bill which is fairly good as far as it goes. But then we still feel that there is much that has to be done as regards the Bill.

We are amending an Act which was calculated to keep India in submission to the British rule. We are amending an Act which was intended to disarm the entire nation, and we are now going to bring it in conformity with a free India and the requirements of a free nation. Hence, we should change it really to fit into a free country's requirements.

The Bill has come again in the name of an Arms Bill. Ours is the only country in the world which had certain restrictions, very severe restrictions, on various types of arms like swords, knives, daggers, bows and arrows and all that. No other country in the world has got an Arms Act, at least the Government have not been able to show us any other country, any other instance where you have an Arms Act extending over knives, arrows and all that. We are told that ours is in substance a fire-arms Bill, but that it has got some special provisions for other arms. I am very sorry to say that it is not so. The hon. Minister has not been quite correct because under clause (4) of the Bill under clauses 20, 27 and 29 and under various other clauses, they can declare anything to be arms and then it becomes an arm, so that we cannot possess, acquire or go out with it. They could very easily bring all these under other sections of the Criminal Procedure Code and there was no necessity for Government to have a provision in this Bill that anything can be declared to be an arm by them in which case it becomes as heinous an

offence as possessing any other kind of weapon, even prohibited weapons.

The old Act had some safety in the sense that it said arms included bows and arrows, knives, this thing and that thing, but our present Bill leaves it to the Government at any time when it pleased, i.e., their local officers, to declare that in a particular part of the country arms shall also include knives, bows, arrows, anything which can be used as a weapon of offence or defence. They can declare anything to be a weapon of offence or defence, the possession of it becomes an offence, the acquisition of it or going out with it becomes an offence.

I can very well understand the Government saying that in certain troubled areas going out with a knife or a dagger or with an axe or with a spear or with something else is an offence. They can say that. They can say that very well under the Criminal Procedure Code or the Police Act or by some other Act, but they need not insert that in an Act like the Arms Act.

You imagine the difficulty of that area. Government notifies in the Gazette or somewhere that various items, undefined items, can be declared as arms. Then the person who has got a knife for his kitchen work or an axe for cutting wood will find himself in a difficult position. He will have to go and apply for a licence. He does not know what are the things for which he should get a licence. And you know the difficulty of getting a licence. So, I would urge upon the Government even now to accept the amendments on the subject and to bring our Act in conformity with all the other Acts of the world and see that it is confined to firearms alone.

Another point I would urge the Minister to consider is about these air guns, air rifles or air pistols. They are little toys, they do not use ammunition, they use only pellets and they are very useful for children, and young people to practise at home and

use them. In other countries except only one, there is not even registration for these things. But here in our country, of course during British rule there was a sort of uncertain regulation here and there. In certain States they were free, in certain States there was some prohibition or some licence was required for an air weapon which at the shortest range, could pierce five cardboards or so. Now we have got it as a general rule and we have got to take out a licence. We cannot all become members of rifle organisations, so we have got a difficulty there.

Then the main difficulty about arms which has been pointed out by the hon. Member who preceded me is about the unavailability of arms. He has suggested and very rightly suggested, that the Home Ministry should in co-ordination with the Defence Ministry and the Industries Ministry see that weapons and ammunition are produced in this country. There is no meaning in your telling the country that you have relaxed all the provisions of the Arms Act because about a couple of years ago you introduced some ban or limitation on the import of firearms and ammunition, with the result that today the value of a gun which was costing Rs. 80 to Rs. 100 three or four years ago is now costing Rs. 400 to Rs. 500. Ordinary .12 bore ammunition which was costing about Rs. 15 to Rs. 20 per hundred in those days is costing about Rs. 100 to Rs. 120 now and is often not available in the market also. It is today the hey-day of the blackmarketeer. We cannot call them blackmarketeers also because there is no rule about it. Those who have stocked quantities of arms or ammunition are now selling them at about 10 to 20 times the previous rates. Those of us who are owning or using arms find it very difficult to use or maintain our weapons because the same bullets which were costing something about three or four years ago are now costing 15 or 20 times the old price. It is practically impossible for the shikari to go in for a shikar, for a rifle club man to think of rifle practice, and India is deteriorating in standards of practice because

we do not get the ammunition and arms for the same. This is the most important thing in considering this Bill, and we have been urging upon the Home Ministry to exercise its influence with the Commerce and Industry Ministry and the Defence Ministry to see that these are produced in large quantities in this country and made available to the people at cheap rates, and pending our manufacture and availability of these things, to allow people to import arms and ammunition from outside. The limitation on arms and ammunition has become a really great handicap to the country. So, that is a very important aspect which should be given some attention by the Home Ministry also.

Then I come to the approach of the Home Ministry with regard to the Arms Act. On the whole they have made it easy for us, easier than before, to get arms and ammunitions, though practical difficulties make it impossible for that easiness to come into effect. I would submit that it is not a proper attitude on the whole. For instance, see the punishment clauses. The Ministry has made it very difficult altogether for everybody to have the firearm or the weapon. If a man has got a prohibited weapon like a military weapon or a machine-gun and all that, then the punishment for him is the same as for violations with regard to ordinary weapons or even minor weapons.

So, what we have been urging on the Ministry is that they should take a practical view of the Bill and see that our real purpose, which is the common purpose of everybody, is fulfilled, namely that people who violate the rules and laws relating to serious weapons should be given greater punishment, while those who commit smaller or minor mistakes should be given a lower punishment. To provide for the same punishment for everybody, for the bomb-thrower, the dacoit with all sorts of weapons, the anti-social elements with their weapons etc., and for the ordinary person is really unfortunate. Some sort of practical notice has to be taken of the

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difference in the nature of the weapons. But, in our country today, it is easier for the gangsters and dacoits to have weapons than for the ordinary law-abiding citizens to have weapons for self-defence. Even the Government Bill as amended by the Joint Committee appears to have some sort of a soft corner for the dacoits and the gangsters than for the common man.

The same punishment has been prescribed in both the cases. When we pointed this out in the Joint Committee and we wanted that certain offences should be meted with higher punishments, the hon. Minister was not willing, he thinks that the same punishment of three years would do for the dacoits as well as for the ordinary man, for the man committing offences and depredations with dangerous weapons and for those committing ordinary violations. It is really unfortunate that Government have not agreed to our suggestion.

Thirdly, I would submit that we should approach this subject as well as the other two subjects which I referred to in the beginning of my speech, not with a negative outlook but with a positive outlook. I strongly feel that our shikaris and our rifle club members and our precision shooters will be a sort of necessity to the country and in times like these, they would certainly be of great use. We should approach this question from the point of view of security and national necessity. That being the case, I would urge the hon. Minister to see that we not merely take a negative view of these Arms laws, but we take a positive view and utilise all of them through other organisations or by some sort of amendment to the law in this regard.

Then, there are certain other things also which have to be done. For instance, in our country, we have got ex-servicemen in large numbers. We can utilise them. We can give them free licence for certain weapons, with which they can be useful to the coun-

try. The same is true of the members of the rifle organisations or the members of the national home guards organisations. They also could be very useful to us in times of need. We should not think of these three organisations with this idea that they will be increasing or promoting some sort of war psychosis in the country. It is not a question of any war psychosis at all. Some of our people are very much perturbed that these organisations will promote war psychosis, but I feel that instead of promoting any war psychosis, these will help us very much, these will help our country by promoting defence-mindedness.

So, I would urge upon Government particularly those Members who are in control of our nation, to look at it not from the war psychosis point of view but from the national defence point of view.

Shri D. V. Rao (Nalgonda) The Bill that has emerged from the Joint Committee as a result of their deliberations is neither satisfactory nor improved, the earlier approach that was there in the original Act of 1878 has not changed. It is a fact that certain provisions in relation to licensing or some other things have been liberalised, but that does not constitute any fundamental departure from the old Act.

It is known to everybody that the previous Act was meant to disarm the nation and to inculcate a spirit of helplessness in our nation. That was the purpose with which the Britishers had enacted this measure.

As long as our Government approach these problems from the point of view of law and order, and they look at the whole issue from the mentality or outlook of law and order, they cannot liberally arm our people either for our national defence or for enabling the individuals to protect their properties, lives or crops or other things. I feel that a departure from the earlier approach is necessary on the part

of Government when enacting this measure. But we find that there is no such departure. It is the old Act which has again come into the picture with some slight modifications and changes, and, therefore, there is less to agree, as far as this Bill is concerned.

Now, coming to the Bill itself, this Bill is called the Arms Bill. But, as the hon. Minister has explained, except firearms, other arms are not dealt with in this Bill, either in respect of licensing or in respect of other things. But, if that be the purpose of the Bill, then Government should have devoted the whole of this Bill only to firearms. But that has not been done.

Besides, we find that the provisions which are meant in respect of firearms are also applicable in respect of other arms, that is the ordinary types of arms.

In our country, backward as we are, the common people use ordinary types of arms for their daily purposes. For instance, a wood-cutter uses an axe, which is an implement which helps him to earn his livelihood. A professional shikari uses a muzzle-loading gun or an ordinary type of gun; that is his source of livelihood. For a peasant, a gun is necessary to protect his crops. Therefore, when the question of using arms or weapons comes, the two things should not be mixed up, namely the question of law and order, and the carrying on of one's profession to earn one's livelihood.

In the definition clause, it has been stated that arms meant or solely designed for domestic or agricultural purposes do not come within the definition. But what are the arms which are solely meant for agricultural or domestic purposes? It may be that there are one or two of that type. But there are others which can be used for purposes other than domestic or agricultural as well. For instance, a sickle which is used for agricultural purposes can be used for other purposes as well. Therefore, it is very difficult to draw

a line between weapons which are used for different purposes. Therefore, this sort of definition does not help us, as far as liberalisation is concerned. In fact, this definition can be misused, and can be applied to any weapon or any instrument which is necessary for the people to carry on their advocations of life.

My proposal is that this Bill should be confined to firearms only. Why? Because the other arms are such that they cannot come within the purview of this Bill, nor can they be tackled with the help of this Bill. Of course, firearms are supposed to be a bit dangerous. Therefore, they have to be regulated, and they can be regulated. In other countries also, we have such legislation through which the use of firearms has been regulated. Therefore, as I said, this Bill ought to have been confined to firearms only. It was unnecessary and uncalled for to include ordinary weapons and ordinary arms also within the scope of this Bill.

Even in regard to firearms, there are two types. One is the higher type of firearms which are definitely dangerous and which need to be regulated. But there also some harmless firearms like air guns or some muzzleloading guns, which are used for daily crop protection or some such things. They are not so dangerous or harmful as the higher type of firearms like rifles and other things. Therefore, to treat all these types of arms on par is not necessary and not justified. This aspect has to be considered.

The third thing that I want to point out is regarding the provisions about licensing. There are some provisions relating to refusal of licence. The licensing authority has the right to refuse a licence in the name or for the reason of public safety or public peace. When this is the case, I do not think that anybody, about whom the licensing authority has no good opinion, can get a licence. This is quite unnecessary because when there is some danger to public peace and tranquillity,

[Shri D. V. Rao]

the licensing authority has the power, according to this Bill, to revoke or suspend licences. When such is the position, what is the necessity of refusing a licence under the pretext or for the reason of public safety and public peace? There is no such necessity. When the danger is there, they can as well revoke or suspend licences. Therefore, both these provisions taken together restrict the giving of licences and use of arms by the people in general.

Then there is another thing in the Bill. The possession of arms and the use of arms have both been confused. Every citizen of India should have the right to possess a fire-arm which he can keep in his house and use when necessary. For this, there should be no licence, permission or anything of the sort required. If there are certain higher types of arms, Government may ask for information. They can be regulated by the issue of licence also. But so far as ordinary types of arms are concerned, there should be no permission required. The Government can ask for information about those arms, if any such arms are kept. But so far as possession is concerned, everyone should have the right to have such fire-arm. As regards carrying it and using it for certain other purposes, Government can insist on permission being obtained. But here even possession without licence is also a crime, not to talk of using it or carrying it. Therefore, I suggest that the right of possession, which is not there in the Bill, should be embodied in it.

As regards other ordinary types of arms like daggers, swords etc., there is no necessity for licensing. But Government visualise an extraordinary situation when they think that there should be licensing and some regulation. But it often happens that when such an extraordinary situation arises, unruly elements, who have some types of weapons with them, legally or illegally, attack ordinary persons and their household properties and they will not have anything with which to

defend themselves. The police force or whatever protective force may be there may be less in number and they have no defence for themselves. They are attacked and there will be none to help them. They are deprived of any type of ordinary weapons—swords and other things—in the name of law and order.

Therefore, it is also harmful to the citizens even in extraordinary circumstances to deprive them of weapons when anti-social elements will be having all types of weapons, sometimes even higher type weapons. These anti-social elements can loot law-abiding citizens or do anything with them. Therefore, the provision should be changed in such a way that in times of need all these people who have to defend their life and properties against anti-social elements are given the right to possess weapons which they would like to have, at least the ordinary type of weapons which should not be brought under the system of licensing and so on.

There are certain provisions relating to the arrest of some suspected persons supposed to be carrying arms. They are also very sweeping and harmful. There is a provision in the Bill which says that if a person carries any type of arm, even a sword or dagger or axe—anything of the sort—and if any public servant—even a railway employee—suspects that it can be used for illegal purposes, the latter has powers to arrest him. We cannot expect that each and every government employee or public servant knows fully well the provisions of the law that we are going to enact. It is in very rare cases that he can take a correct decision or can judge things properly. Therefore, it is impossible for him to decide whether a certain weapon is carried for illegal purposes. Hence to empower him to arrest such a person means that there will be no justice for ordinary persons who possess such arms for themselves.

So I suggest that such sweeping provisions should be removed. There are certain categories of officials—the ordinary police and the railway police—who are there. They can take charge of this sort of such function. To extend it to others also is quite unjustified and it cannot be implemented in favour of the people. There is every possibility—and it is also a fact—of such a power being misused.

There is a provision that if a person possesses some arm and some other person knows that he is going to use it for illegal purposes, the other person will also be guilty and prosecuted. What is this? There are big buildings in towns; there are joint families. There are so many companies and so on. How is it that the authorities come to know that a particular person knows that some other person is going to use his arm illegally? Now, this person is made to prove that he does not know. It is not necessary that the police should prove the case but the accused in the case should prove that he does not know. This is a very bad thing and goes against justice and the interest of the people. Again, when there is some punishment given or when a licence is refused, the appeal cannot be made to the judiciary. If the District Magistrates or some other executive authority is made to go into these cases, certainly they will go into these cases with the law and order mentality and as long as this mentality is there no justice will be done to any citizen. So, the judiciary should hear the appeals and give its judgment in these cases.

This Bill exempts, under clause 45, certain persons from obtaining a licence. What is the need for that? It may be for the sake of doing their public duties. But why not the licensing authority give licences liberally and in almost all the cases? Just like the other citizens, the public servants can also get a licence. They should not be exempted.

In the end, I will bring to the notice of the House that some of these fire-

arms are being misused, say, when the elections are held in the villages or when there are land disputes. The rich and influential elements, possessing these fire arms terrorise the people. (An Hon. Member: Not the communists?) Communists would not have any licence for the arms; it is generally known. Therefore, you need not be afraid of that aspect of the thing. The whole difficulty comes from the other end. These landlords and the other influential elements are terrorising others and in a way they are bringing these arms into politics. Repeated representations go in vain and the authorities do not take proper action to prevent these things. The arms are meant for a different purpose. Why should they come in elections? So, it should be made strictly binding on the part of the licensees that they should not use them except for the specific purposes for which they are permitted to be used. In these respects, the Bill is not satisfactory. That is why, in spite of the long process of deliberation in the Joint Committee, good number of members of the Joint Committee differed from the Bill and had appended minutes of dissent. The Minister had not taken care to listen to these objections by the Members and therefore, this Bill does not fundamentally depart from the former one. There is still time and the Minister should go through the amendments and accept a good number of them so that the Bill may be useful to the people.

Shri Mulchand Dube (Farrukhabad): Madam, the British did a marvel that after War of Independence in 1857, the disarmed the people. There was the old Arms Act and that was a novel method of disarming the entire people of a country. That Arms Act in one way or another has taken us for about one hundred years and we have got so used to it that we do not even now want to change it so that arms may be available to every individual who wishes to have them. Somehow or the other, restrictions are there. This Bill is an improvement on the present Act and

[Shri Mulchand Dube]

the rules thereunder but still it does not go far enough. In obtaining a licence, the difficulties that arise are manifold. If a person applies for a licence, in my part of the country, the District Magistrate sends it to the Sub-divisional Magistrate who sends it to the tehsildar and then to the Kanungo and so on it goes to the Patwari. That is one line. The second line is that it goes to the Superintendent of Police and then to his Deputy, Circle Inspector and then Sub-Inspector and so on. It takes months before the final report is placed before the District Magistrate. When, after all these troubles, the final report goes before the District Magistrate, he may say that the case is not genuine and so it is rejected or something of that kind happens. In many deserving cases, the licence is refused. I do not see any change in this in the present Bill. Under clause 13, it is entirely in the discretion of the District Magistrate to make some kind of an enquiry. How is that discretion to be exercised? There ought to be some change in this so that a person may be able to get a firearm without much difficulty. For that reason, I would suggest that the Minister should add a proviso to clause 13(2) that if a person applying for a licence files an affidavit that he does not suffer from any of the disqualifications provided in clause 9, he should, as a matter of course, get a licence which should be given forthwith. I moved that amendment during the last session; I have given notice of that amendment now. I hope the hon. Minister will take that into consideration. The difficulties that an individual experiences in getting a licence will mostly be obviated by this kind of amendment. There must be a certain amount of discretion with the District Magistrate but even that has to be exercised reasonably. He is obviously in a position to know every citizen of the district. So, if the man files an affidavit as mentioned by me, there should be no difficulty in granting him a licence.

There is one other point that I wish to emphasise. If a fire-arm is found in a house without a licence, the Bill provides that a very adult member living in that house will be deemed to be guilty of that offence. That, I think, is an obvious injustice and would cause hardship in many cases. For instance, a boy or some junior member of a family may somehow or other obtain a small pistol of .38 bore or .32 bore and keep inside bhoosa or some other secret place in the house so that others may not see it. Other members of the family may not even know about it. According to the present law if something contraband, banned arms or anything prohibited is found in a house the presumption is that only the person who is in possession of it would be punished. If it is a big thing like a big gun, a spear or something like that, which cannot be concealed in any small place so that others cannot see it, it can be seen by others. If it is a small pistol or a small gun which the boy keeps in a secret part of the House, others may not know at all. Therefore, to punish the entire family for such an act, I hope, would be rather unjust. I would, therefore, suggest to the hon. Minister to take that into consideration and see that only the guilty are punished and not the innocent. The presumption should have some limits even in this matter, that is all what I have to say.

Shri P. K. Deo (Kalahandi):
Madam Chairman, from the Statement of Objects and Reasons as shown in the Arms Bill as introduced, I find that the purpose is two-fold: firstly, to liberalise the licensing provision and, secondly, to reduce the inconvenience to the public to the minimum while, at the same time, keeping in view the overall demands of public security and maintenance of public order.

As far as the Bill is concerned, as it has emerged from the Joint Committee, though there has been slight improvement, I personally feel that

It does not fulfil those two purposes for which the Bill has been introduced. It is far from satisfactory, and I personally feel that it is a carbon copy of the antiquated Indian Arms Act, 1878. The Indian Arms Act of 1878 is a manifestation of the imperialist policy inspired by a spirit of fear and distrust of the then British Government. So the whole purpose at that time was based on that, and lest there may be a repetition of 1857 they wanted to make the Arms Act as rigorous as possible.

14.53 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

At the same time, we have seen that inspite of the rigours of the Act there have been many cases of violent activities of the anti-social elements who have not only used these fire-arms but also hand-bombs, bren guns etc. for committing serious offences and inflicting various injuries on the innocent people.

I feel, Sir, that the whole policy of arms administration should be viewed from a different perspective. After all, India has become independent and that lurking sense of suspicion or lack of faith of the administration among the people should not be there. Free India should forsake that legacy of the British Government and the Government should trust the Indian people. Trust is, after all, bilateral. Trust begets trust, they say. Therefore, unless the Government trust the people how can they expect the people to trust the Government? This question has to be examined from that point of view.

Now, coming to the definition of arms, the definition clause says that all sharp-edged articles are included. Even a penknife could be defined as an arm. You know very well, Sir, that the Sikhs have been carrying kirpans which is a very sharp weapon. I do not think they have been harmful to the society. As a matter of fact, the Secretary of the

Home Department, Government of Punjab, while giving evidence before the Joint Committee, clearly stated that carrying of kirpans by the Sikhs has not adversely affected the law and order situation in that State. The Gurkhas have been carrying khukries. In their case also it has not been a menace to the society. Therefore, it is not possession of any sharpe-edged weapon that will affect the law and order situation. On the other hand, we have seen that acid bulbs and soda water bottles have been often used for violent activities in riots of the kind that we had in Bengal etc. Soda water bottles and acid bulbs are capable of doing more harm than kirpans or khukries. I would not be out of place to mention here the disgraceful incident that took place on the 13th of this month in my State, at Cuttack. While the Union Home Minister was there the Utkal Sammelan, which is of a representative character of all Oriyas, submitted a memorandum for the integration of certain outlying Oriya tracts. After the Home Minister gave an assurance, some of the Communist-sponsored crowd demonstrated in front of the Home Minister's car. They started pelting stones and brickbats and damaged the glass pane of the car. They put all of us to utter shame. It was most fortunate that timely action was taken and tear-gas was used before the actual breakdown of law and order. By citing this incident, I beg to impress upon this House that even brickbats and stones are capable of doing more harm than kirpans and knives which have been included under the definition of arms in this Bill. This Bill provides for the licensing of small toys and small air guns and pistols. They do not use any cartridges, they use only pellets and no explosive substance is there. It is operated by compression of air and by the action of springs. I do not think that these air-guns and pistols should at all have licences. In the United States, I find that even fire-arms which are of 0.22 bores and smaller bores are not required to be under any licence. Therefore, there is absolutely no reason to make this

[Shri P. K. Das]

Act in free India so rigorous and provide that licences are required for all sharp things and even small knives.

In this armament race that is taking place between the various countries in the production of atom bombs and hydrogen bombs, I do not think we can compete in that race. Our main strength is India's manpower. If we want to defend India we shall have to equip every individual in this country with some kind of arms. If one could afford it one should possess it, if not, one should be trained to operate a rifle for self-defence. This should form the second line of India's defence. I fully agree with the sentiment expressed by my hon. friend, Shri Patnaik, that there should be a net-work of these rifle clubs, rifle associations and that there should be target practice in the villages, occasional shooting competitions and people should be made defence minded. I further urge that Government should consider the question of having compulsory military training.

15 hrs.

Sir, the defence of India has to be considered from the present aspect and the attitude of our unfriendly neighbours. It is high time that we start conscription in the States in right earnest. The various items of military training given in the schools are far from adequate. The NCC cadets who pass out should be given a licence to possess a firearm. The licences as envisaged in this Bill are of three categories: firstly, for self-defence; secondly, for sports, and thirdly, for protection of crops. So far as self-defence is concerned, I think self-defence is a fundamental right. Though self-defence has not been defined as a fundamental right in our Constitution, it has been fully guaranteed in the Indian Penal Code. If somebody attacks one, one has got every right to defend oneself, and I think there should be no restriction in the case of self-defence and licences for self-defence should be freely given when they are applied

for, especially in those areas which are invested by dacoits as in the border districts of the States of Uttar Pradesh, Rajasthan and Madhya Pradesh—where these three States are contiguous—and in the frontier areas like Naga Hills, etc. All those people in these areas would be requiring fire-arms for self-defence and they should be freely given.

Coming to sports, I personally feel that so far as licences for sports are concerned, there must be some restriction, and the bores which should be used for specified games should be properly defined and specified. In this connection, I find that there has been a misuse of the licences in this regard. Though this country has got a wonderful wild life, and is full of wild games, they are being depleted. For the preservation of wild life, of course, some specified steps are to be taken. You know fully well how poaching is taking place in a large scale in the areas bordering forests. Even in those local markets venison is cheaper than mutton. There has been wanton slaughter of wild life and that has been responsible for the extinction of some of our very rare species. It is a matter of great concern that some of our rare game like the lion, one-horned rhinoceros, wild buffalo and cheetah are in the process of extinction. They should be preserved and the licences for guns for the purpose of sport should be very carefully given.

So far as the misuse of sport licence is concerned, I would like to say one thing in this connection. Sometime back, during last June, I shot a man-eater, a tiger, which was responsible for killing about 160 people. But I found that it was a very old tiger and had many old injuries due to the L.G. and buck shots in the body. The buck shots are not capable of killing the tiger; they are simply capable of injuring a tiger. There were many other old injuries with gangerene on the body of the tiger and so it was not capable of catching wild life, which is the usual prey of a tiger. In-

stead, it used to go to the villages and kill people. Therefore, some restrictions are to be made in the matter of giving licence for sport. Heavy bore rifles are also used for shooting a tiger.

So far as crop protection is concerned, I would like to say that the licences should only be given at the time of cultivating and harvesting the crops. After the harvest the licences should be withdrawn and those who hold licences for crop protection should be asked to deposit their arms in the various panchayat offices or in the various police stations. They should be required to take the firearms only at the time of cultivation. That will go a long way in stopping poaching.

Regarding the lengthy process,—with all the paraphernalia attached to it,—that is being experienced in getting a licence and the issue of a licence, I shall be failing in my duty if I do not make a reference about it. Now, the procedure is, when an application is made, it is forwarded to the local police for investigation. I feel that in most of these cases, those reports are based on political considerations. There have been cases of people belonging to various opposition parties experiencing difficulties. The licences are not freely given to them and various objections are raised. I feel that instead of the local police being asked to enquire into the matter, the local panchayats should be asked to have a say in the matter, and on the recommendation of the panchayats these licences should be freely given, and the licences should be issued by the SDO. Now, the District Magistrate of the district concerned is the licensing authority. By the centralisation of power on the district head, there has been unusual play of red-tape. I feel that now is the time to decentralise this power. After all, the District Magistrate in free India has got much more work to do than the issue of licences. He is already asked to supervise our development works and do so many other things. It would be relieving him of this burden of issuing licences if this

power is delegated to the various sub-divisional magistrates.

With these remarks, I feel that the Arms Bill needs various improvements which should be effected, and I close.

Shri Raghunir Sahai: Mr. Deputy-Speaker, I was a Member of the Joint Committee.

Mr. Deputy-Speaker: He ought to have told us earlier!

Shri Raghunir Sahai: I had submitted a Minute of Dissent also. But, all the same, I feel that this is a very liberal measure for which I congratulate the Government. I think after its emergence from the Joint Committee the provisions have still become better.

I may give two or three instances by way of illustration. In clause 3, the words, "for purposes of sport" have been deleted; thereby the scope of the Bill has been extended. Now, it will cover all *bona fide* use of arms including sport as well. Similarly, in clause 4, in cases of emergency it has been provided that the notification will specify the categories of arms for which licences would be required. Otherwise, in the absence of that provision, the whole thing was very vague.

Similarly, in clause 13, it has been provided that if the licensing authority feels satisfied that for crop protection, the granting of a smooth bore gun was necessary, it may be granted. Otherwise, only a muzzle-loading gun could be had. Lastly, in clause 35, a very salutary provision has now been made. In the case of joint control or occupation action would be taken only against those in respect of whom there was a reason to believe that they were aware of the existence of arms or ammunition in the premises unless the contrary is proved. In the absence of such a provision, the entire onus of proof was on those who had been accused of the offence of joint possession. Now, the burden

[Shri Raghbir Sahai]

of proof has been shifted to the prosecution. Thus, I feel, is a very salutary provision.

From all these illustrations which I submit are not exhaustive, we will have to come to the conclusion that the spirit of those who have sponsored the Bill is very laudable and it has to be welcomed.

I feel that there are some who are yet dissatisfied with the Bill as would appear from the many Minutes of Dissent that have been appended to the Bill, and from some of the speeches that were made this morning, like that of our revered friend, Pandit Bhargava I would come to that aspect a little later

I want to examine the provisions of this Bill from the point of view of the objectives mentioned in the Statement of Objects and Reasons, where it is said:

"The present Bill seeks in the main to liberalise the licensing provisions and to reduce the inconvenience to the minimum, while at the same time keeping in view the overall demands of public security and the maintenance of public order"

I do not think anybody would disagree with any of these laudable objectives, but we have to see how far the objectives have been carried out in the provisions of the Bill. The reduction of inconvenience to the public to the minimum is the crux of the whole thing. At the present day we feel that a law-abiding person or a peace-loving person is to put to more harassment and a lot of trouble in securing a licence, while one who is not so disposed can very easily get a licence. I would like to draw the attention of the hon. Minister to this aspect. He should see that by enacting this measure, the difficulties of law-abiding persons in securing licence are reduced to the minimum. Some hon. Members have drawn attention to the present day practice

in U.P., when an application for a licence is given, it goes to the District Magistrate. He sends it to the tehsildar; then it goes to the police and to the SDO for reports. I do not object to the application being sent to the various dignitaries for such information as they deem necessary, but as is very clear, it takes a lot of time.

Shri Braj Raj Singh (Ferozabad):
And money also

Shri Raghbir Sahai: I will come to that. I want that this sort of harassment should be avoided and also unnecessary wastage of time.

It is very necessary that important particulars should be mentioned in the application and they should be answered by the applicant. But as remarked by Shri Moolchandji and as mentioned in my minute of dissent, along with the application, an affidavit may be filed, and that should be sufficient for licensing authorities to come to a conclusion either this way or that way. If those particulars are answered in that affidavit and thereby the licensing authority feels satisfied, the licence should be granted forthwith. In case a wrong particular has been stated in the application and an affidavit has been given to that effect, the remedy is quite clear. By subsequent enquiry, if the licensing authority comes to the conclusion that the statement is false, he can be hauled up under section 182 or 193, I.P.C. as the case may be and the arms given to him can be confiscated. By this the grant of licence would be made speedy. The hon. Minister has himself admitted that the licence should be expeditiously given. Provision should be made in the rules and regulations whereby this expeditiousness is guaranteed.

I do not object to the application going to the tehsildar, the SDO or the police. But as has been remarked and as pointed out in my dissenting minute, an applicant for licence is required to pay for so many funds. The funds may be for laudable objects,

but he is required to pay money under a sort of coercion and compulsion. He may not be in a position to pay the amount which the tehsildar, the SDO or the police demand, but still he has to pay. I have got such cases before me. When all the demands have been satisfied, still the District Magistrate in his own whim rejects the application, nobody knows for what reason. This practice ought to be changed. Why cannot the application be sent to the *gaon sabha*? They are the persons directly concerned with law and order. They know the antecedents of the man. So, the *gaon sabha* should be consulted. I will agree to the condition that if by two-thirds majority the *gaon sabha* recommends the grant of a licence, that recommendation should have weight with the licensing authority.

How to ensure expeditiousness?

Today the licensing authority is supposed to be the District Magistrate and the appellate authority is the Divisional Commissioner. In a division, there are six or seven districts and everybody who feels a sort of grievance that his application has been rejected, has to go to a far off district and file his appeal before the Divisional Commissioner. In order to expedite the grant or otherwise of this application, the SDO, the man in charge of the division, should be considered fit to be licensing authority. If he rejects the application, the applicant should file the appeal before the District Magistrate. Thereby, he will save himself from the trouble of incurring the expenses of going to another district and a lot of worry. So, in the rules, a provision should be made that the licensing authority should be the SDO and the appellate authority should be the District Magistrate.

I do not agree with those who like that the appellate authority should be a judicial authority. After all, law and order is a matter to be dealt with by the executive. We have to improve the executive and see that the executive carries out the instructions of Government to the very letter. This

matter should not be entrusted to the judiciary.

Shri Braj Raj Singh: What is the harm in that?

Shri Raghbir Sahai: My time is short. The hon Minister said that in deciding these applications, lot of time is taken. I should like that a time-limit is fixed. Before the Joint Committee one of the Home Secretaries—I will not mention his name—went so far as to say that the application should be finally decided within one month. I may not agree with that view. Let it be decided within three months. A time-limit should be set at any rate and it should not be left to the discretion of the licensing authority.

Public security and maintenance of public order is a very important consideration which should be kept in mind before considering the provisions of this Bill. It is an open secret that unauthorised arms are spread all over the country and are being misused. Look at the number of serious crimes in the countryside. Look at the number of crimes that are being committed in railway trains. Now, are we going to shut our eyes to all that? Then the hon Members say that licences should be granted freely. I differ from them.

Mr Deputy-Speaker: Why should he take it to the panchayat then?

Shri Raghbir Sahai: For their recommendation.

Mr Deputy-Speaker: If all the members of the panchayat apply for licence, there would always be two-thirds majority.

Shri Raghbir Sahai: I would not like to join issue with you, Mr Deputy-Speaker, but that is my view. The recommendation of the panchayat is not the final word. It rests with the licensing authority either to accept the recommendation or to reject it. Therefore, I feel that under the prevailing conditions of law and

[Shri Raghubir Sahai]

order it would not be proper to make the distribution of licences free.

There was one comment by my hon. friend, Pandit Bhargava that very severe sentences have been imposed under some of the provisions of this Bill. Here I would like to invite your attention to the fact that it is only under clause 27, which relates to the possession of arms for unlawful purposes, a sentence of seven years has been provided. In the UK Act, from which we have derived a lot of inspiration, for this very offence they have provided a sentence of fourteen years. So, under these circumstances, a sentence of seven years is not too much.

Coming to the last point, I would submit that I quite agree with those friends of mine who plead that in the dacoit infested areas and the border areas which are open to incursions by Pakistan and other countries, licences should be freely and liberally distributed among those who are reliable and law-abiding.

Lastly, I understand that up to this time ex-servicemen have been given the privilege of holding fire-arms without paying any tax. I learn that only since the last two or three years a levy of Rs 5 has been made obligatory on them for holding a revolver or pistol. I plead that they should be exempted from this also.

Shri Naushir Bharucha: While I must admit that this Bill, as it has emerged from the Select Committee has undoubtedly shown improvement, unfortunately, it does not meet with the expectations which certain hon. Members entertained when this Bill was referred to the Joint Committee. Unfortunately, it appears that the Select Committee has not appreciated the intention behind the Bill. The object of the Bill, as it was announced, was to liberalise the issue of fire-arms, and the arguments in favour of such a policy are very obvious. It has also been pointed out in this House

that in a state of affairs where defence in isolated villages is almost impossible, when police protection cannot be given, it is very necessary to encourage formation of what is known as "village defence parties". In some villages in Bombay it is being done, and done successfully. It is, therefore, necessary that there should be a liberal issue of fire-arms in all such cases.

It has been pointed out by some of the previous speakers here that there is a possibility of misuse of fire-arms. That possibility always exists. As I said on a previous occasion, a certain amount of risk has got to be taken. I am not one of those who believe that with the liberalisation of licences there is going to be a very heavy increase in the incidence of crime, nor do I believe that there will be an abuse of fire-arms to such an extent as not to justify the policy which we are advocating. In some respects, some abuses are bound to occur. But today the position is that those who are bent on having unauthorised arms manage to secure these arms, whereas the genuine people who require a gun for their self-defence find it difficult to obtain them. And I am not prepared to concede that the changes made by the Select Committee are of such a nature as to simplify the procedure of procuring fire arms by genuinely interested parties. So, I submit that it is very necessary that the policy that we adopt in this respect should be very liberal.

Times are fast coming when a nation, which has become independent, has to devise its own ways of defending the various parts of its frontiers. For instance, today it may be necessary to organise a particular type of defence in NEFA area—let us assume for the time being. In the NEFA territory the terrain is such that most of the costly modern weapons such as anti-aircraft guns and tanks are absolutely useless and only small guns, fire-arms and ammunitions can be used. So, it is very necessary that our people must be habituated to the

use of small fire-arms, and that can be done only if small fire-arms are supplied to people in order to make them habituated to their use. That will be our third line of defence. So, from that point of view also, I would say that a liberal policy would be more than justified. If the country's population in times of emergency is to act as a third line of defence, apart from providing individual self-defence and defence against wild animals, it is necessary that flip should be given to the manufacturers of fire-arms, which can be done only if there is an extensive use of fire-arms.

Unfortunately, several undesirable features have been left in the Bill by the Select Committee, some of which have already been pointed out. Arms have been defined to include swords and daggers. As has been pointed out very ably by my hon. friend, Shri Patnaik, hardly any country exists where sharp-edged weapons are regarded as equivalent to fire-arms and so, far from liberalisation, it seems that the definition of "arms" contracts the privilege of people who carry arms like swords or daggers. Also, it is very surprising that though the fact was pointed out that the definition of "fire-arms", as it stands, would include air pistols and air guns, which are comparatively harmless, still it has not been properly amended.

What is more surprising is that extraordinary powers have been given in clause 4 of the Bill, as it has emerged from the Select Committee, under which it has been left open to the authorities to prescribe that certain categories of weapons shall be prohibited from being carried by people in case of emergency. I quite concede the point of view of the authorities, who being responsible for the maintenance of law and order, would like that in such cases this privilege granted by the Arms Act should not be abused. But I ask: are there not sufficient provisions already in our existing laws? In Bombay State—I remember well—during the days of the communal riots even pen-knives were prohibited. I cannot

imagine a more drastic restriction on the liberty of the subjects than the restriction on carrying even ordinary pen-knives. If that power already exists, I do not see why this additional power under the Arms Act should be provided. I submit that this is unnecessary and this may be used by authorities merely on panic and without sufficient consideration; there is no sufficient safeguard against the abuse of this power by the authorities.

I also welcome the reduction in age limit and further desirable changes that have been made. But these are changes in the matter of procedure. No doubt, these are improvements, but these are changes in the matter of procedure. The substantive provision of the Bill remains exactly as it was. Even the scheme of the Bill, as it stands, is that first there is a blanket ban on use or carrying of arms of all types. Then gradually that ban is relaxed in certain cases. Certain relaxation has been permitted. But if you turn to clause 14, you will find that a very vast power has been given for rejecting an application, viz., if the authority feels that for any reason the applicant is unfit for a licence under this Act he may reject the application. That virtually takes away everything that has been granted under the Act

Who is going to be the ultimate judge of a satisfactory, proper or adequate reason for rejection by the licensing authority? No court will at all interfere in the exercise of administrative discretion of a licensing authority. Therefore the sum total of the Bill comes to this that while on paper it may sound that the policy of issuing fire-arms has been very considerably liberalised, in practice it may work out to this that a few more licences than the existing ones may be issued subject to a very close scrutiny by the Police and other authorities. Barring that, in the general condition there will be no change whatsoever.

As I said, I was looking upon this Act for liberalising the issue of arms for the reason that our people must

[Shri Naushir Bharucha]

become defence-minded not merely in the matter of individual defence but even in the matter of the country's defence. Today our people are unhabituated to arms. I think I mentioned an illustration before this House of one case in Bombay where a Justice of the Peace got a licence for a revolver and when he was asked by a friend as to where his revolver was he said that he had deposited it in the safe deposit vault of the Central Bank because it was too dangerous a weapon to be kept at home. That is our mentality and that mentality requires to be completely changed.

Today we are faced with aggression by China. Let us hope that this aggression does not take any serious turn. But does anybody think that if this aggression assumes very huge proportions, the Army will be adequate to cope with it without the active co-operation of people trained in the use of fire-arms? No, it is not. Let us understand that our Army is too small compared to the continental armies. Let us understand that our auxiliary force is extremely small. Therefore a third line of defence has got to be created and that third line is the people defending their own villages and homes against external aggression. This was the point of view which I had in mind when I said that there should be considerable liberalisation of the issue of fire-arms. But I am sorry to say that the Bill does not go far enough to meet the point of view.

Mr. Deputy-Speaker: I might tell the House that we had originally fixed five hours for this Bill. 24 minutes had been taken last time and we had 4 hours and 36 minutes today. We began at 1.05 p.m. That means that we can go up to 5-41 but we adjourn at 5 p.m. So, 41 minutes would be left for tomorrow.

Shri Braj Raj Singh: It is very important measure and therefore you may be pleased to extend the time by

at least three hours, making it eight hours.

An hon. Member: By two hours.

Mr. Deputy-Speaker: We have received about a hundred amendments and we are still receiving more of them. Therefore greater attention shall have to be paid to the amendments than to the general discussion. So, all the time that has to be extended must go to those amendments and not to the general discussion which we had last time also and we are having today also. I propose that we might conclude the general discussion today and carry on with the amendments and the clause-by-clause consideration tomorrow. The extension that the hon. Members have in view would be given, certainly. We will see that enough time is given to it. That will be all right, I suppose.

Shri Datar: Am I going to reply today or tomorrow?

Mr. Deputy-Speaker: I shall request him to reply today.

Shri Braj Raj Singh: He may be asked to reply tomorrow.

Mr. Deputy-Speaker: We have just now decided that we will conclude the general discussion immediately. After that should it be objected to?

Shri Sinhasan Singh (Gorakhpur): His reply is not included in it.

Mr. Deputy-Speaker: I suppose hon. Members shall be able to conclude their remarks within ten minutes.

Shri Warrior (Trichur): When the Chair suggests general discussion, we mean discussion by hon. Members and not the hon. Minister. The hon. Minister is excluded from it.

Mr. Deputy-Speaker: Inside the House the presiding officer should be given more credence.

जी ए० सा० बाक्याल (बीकानेर-रजित-भन्सुचित जातिवा) - उपाध्यक्ष महोदय, मैं इस आर्म्स बिल का समर्थन करता हूँ। आज तक जो आर्म्स के लाइसेंस देने की पब्लिश रही है उस में बहुत से इस देश के नागरिक लाइसेंस लेने की हाथिक इच्छा रखते हुए भी उस से बंचित रह जाते हैं। अभी तक जो लाइसेंस मिलते थे वह बड़े बड़े जागरूदारों, पैसेवालों और हवेलियों के रहने वालों को ही मिलते थे। मैं यह कोई भ्रालोचना करने के लिये नहीं कह रहा हूँ क्योंकि उनके पास पैसा होता था और उन को जान माल का खतरा रहता था शायद इसी बिना पर उनको लाइसेंस मिलता रहा होगा। जहाँ तक आम जनता को लाइसेंस देने का सवाल है मेरा निवेदन है कि मैं राजस्थान के उस प्रान्त से आया हूँ जिसकी कि सीमा पाकिस्तान से लगनी है और यह बात किसी से छिपी हुई नहीं है कि और आये दिनों भ्रालोचन में खबरें छपती रहती हैं कि राजस्थान जिसकी कि सीमा पाकिस्तान से लगी हुई है तो पाकिस्तान के लुटेरे सीमा पार कर के भारत म्यित प्रदेश में आ जाते हैं और लुटेरे हथियारबंद होते हैं जब कि हमारे निवासी बिना हथियार होने हैं और वे लुटेरे उनके मवेशी आदि चुरा कर जबर्दस्ती छान कर ले जाते हैं। इसलिए केवल उनको अपनी रक्षा करने में अभय बनाने के लिए ही नहीं बल्कि आज देश की जैमी स्थिति है उन में देश की आजादी को सुरक्षित रखने के लिए भी यह आवश्यक हो जाता है कि हम अपने देश वासियों को हथियारों के लाइसेंस देकर उनको अपनी रक्षा और देश की रक्षा करने के काबिल बनायें। यह ठीक है कि हम गांधी जी के भन्सुवासी हैं और पूज्य बापू के बताये हुए मार्ग पर चलने वाले हैं और हम अहिंसा में बिबास विश्वसे हैं, इतना सब कुछ होते हुए भी मैं यह मानता हूँ कि हर देश के नागरिक को लाइसेंस देने में हमें किसी बात की हिचकिचाहट नहीं होनी चाहिए और सरकार को इस मामले में किसी प्रकार का कोई सबेह नहीं होना चाहिये।

मैं तो यह भी कहूँगा कि हमारे जो स्कूली छात्र हैं उनको भी अभी राइफलों द्वारा किसी हद तक मिलेटरी ट्रेनिंग देनी चाहिए और यदि ऐसा किया गया तो हम रे देश के नवयुवक और देश वासी अपने देश की हिफाजत के लिए किसी भी मकट काल के समय में काम आ सकते हैं।

मैं आपका थोड़ा सा ध्यान टोपीदार बंदूकों की ओर दिलाना चाहता हूँ जोकि बारूद से चलती हैं और जिसको कि राजस्थान में टोपीदार बंदूक कहते हैं। उस बंदूक का प्रयुक्त तलवार का पहले कोई लाइसेंस नहीं था लेकिन अब उसका भी लाइसेंस लेना अनिवार्य कर दिया गया है। ग्रामीण लोग इन के लिए लाइसेंस प्राप्त करने के लिए २०, २० और ३० मील चल कर आते हैं और उनको कायदे में चार आने और एक खपय, अर्थात् मवा खपया देने पर लाइसेंस मिलना चाहिए लेकिन उनको बड़ी दिक्कत का सामना करना पड़ता है और बीस बीस खचकर लगाने पड़ते हैं और कई तारीखें पड जाती हैं और उनको बार बार बुला कर परेशान किया जाता है। मैं चाहता हूँ कि इस के लिए उनको परेशान न किया जाय और उनको दारु में चलने वाली बंदूकों का लाइसेंस मिलने में कोई दिक्कत नहीं होनी चाहिए।

यहाँ पर कुछ मायियों ने सुझाव दिया है कि लाइसेंस आम पचायतों द्वारा दिये जाने चाहिए और यह किमी हद तक ठीक भी हो सकता है क्योंकि हम सत्ता का विकेन्द्रिकरण करने जा रहे हैं और अधिक से अधिक हम डेमोक्रेसी को पनपाना चाहते हैं। लेकिन वर्तमान पचायतों की जो हालत है उसे मैं सनोषजनक नहीं समझता और उस में पार्टी बाजी चलती है और बहा पर गरीब आदमियों को न्याय मिलने वाला नहीं है। और इस लिए मैं इस बात का समर्थन नहीं करता कि पचायतों द्वारा लाइसेंस दिये जाय। मैं समझता हूँ कि यह जिम्मेदारी का काम है और यह डिस्ट्रिक्ट मजिस्ट्रेट के ही पू होना चाहिए। मुझे दुःख के

[श्री प० ला० बाकराल]

साथ यह कहना पड़ता है कि आज भी जो लाइसेंस दिये जाते हैं वे पोलीशन और स्टेट्स को देख कर दिये जाते हैं। मैं चूँकि एक मिलेट्रीमैन रहा हूँ इसलिए मुझे हथियारों से मोह है और मेरी इच्छा हुई कि मैं भी हथियार का लाइसेंस प्राप्त करूँ चूँकि मैं शोड्यूल्ड कास्ट का था और वहाँ पर यह जाति पाँति का प्रतिबन्ध चलता था और यह देखा जाता था कि उसकी क्या पोलीशन प्रथवा स्टेट्स है और जब मैंने पार्लियामेंट का मेम्बर होते हुए लाइसेंस की प्रर्जी दी तो मैं ही जानता हूँ कि मुझे लाइसेंस कितनी मुश्किल से मिला है। अब प्रायः समझ सकते हैं कि जब पार्लियामेंट के मेम्बर को हथियारों का लाइसेंस मिलने में इतनी दिक्कत आती हो, बारह बोर की गन मामूली जानवरों से वगैरह का शिकार करने के ही काम में आ सकती है।

तो जब पार्लियामेंट के मेम्बरों को भी उस के लिए लाइसेंस प्राप्त करने में दिक्कत पड़ती हो तो गरीब आदमियों की क्या हालत होती होगी। बहुत से आदमी मेरे पास आते हैं और कहते हैं कि उन्हें डाकुओं का डर है इसलिए उनको आर्म्स का लाइसेंस दिया जाय लेकिन हम बिना पर कि उनके पास इतनी जायदाद नहीं है, इतनी जमीन नहीं है और उनकी इतनी व्वालिफिकेशंस नहीं हैं इसलिए उनकी ऐप्लीकेशंस रिजेक्ट कर दी जाती हैं। मैं समझता हूँ कि स्वतंत्र भारत के नागरिक के लिये यह इंसल्ट है। आज कोई भी नीचा और ऊँचा नहीं है हम सब समान हैं और इसलिये मैं चाहता हूँ कि लाइसेंस देने में ज्यादा उदारता से काम लिया जाय और सबको समान भाव से लाइसेंस दिया जाय और लाइसेंस देने वकल एक अलग कटेगरी न बनाई जाय।

स्कूली छात्रों को डमी बंदूक द्वारा मिनेटरी ट्रेनिंग देने की और प्रवचन ध्यान दिया जाय। हो सकता है कि इसका एप्लिकेशन मिनिस्ट्री के सम्बन्ध हो लेकिन मैं चाहता हूँ कि हमारे बूढ़े मंत्री महोदय इस और ध्यान दें तो ज्यादा सम्बन्ध होगा। मैं चाहता हूँ कि आर्म्स लाइसेंस

द देने में जो जाति पाँति का भेद भाव बर्ता जाता है वह आज के युग में अनुचित है और कोई व्यक्ति केवल जाति से ही फायर प्रवचन और नहीं हो जाता और मैं चाहूँगा कि हर व्यक्ति को मौका दिया जाय कि वह भागे बड़े और वह अपनी रक्षा और अपने देश की आवश्यकता पड़ने पर रक्षा कर सके। बिना किसी जाति पाँति भेद के हर एक शकस जो कि ट्रेनिंग लेना चाहें, उनको प्रवचन दिया जाय। इसलिए मैं होम मिनिस्टर साहब से निवेदन करूँगा कि आज जो लाइसेंस देने में प्रतिबन्ध लगाये हुए हैं उनको ढीला और क्षत्रम किया जाय और लाइसेंस देने की व्यवस्था सरल की जाय ताकि लोगों को बिना किसी भेद भाव के समान रूप से लाइसेंस मिल सकें। यह ही सकता है कि जिनको लाइसेंस मिलें उन में से कोई डाकू हो और वह उसका गलत प्रयोग करे और इसी तरह कोई लाइसेंस पाने वाला क्रिमिनल ट्रिन्स का भी हो सकता है और जाहिर है कि उस हद तक नुक्सान होगा लेकिन आम तौर से हमारे देश का फायदा होने वाला है। बम मुझे यही निवेदन करना था।

Shri D. C. Sharma: Mr. Deputy-Speaker, I welcome this Bill and I think that the provisions of this Bill have been liberalised in some ways and in certain respects. I congratulate the Ministers and the Members of the Joint Committee for having brought about these liberal changes.

But, after reading this Bill and the minutes of dissent, appended to this Bill, I asked myself one question. What is the motivating force of this Bill? To tell you the plain truth, this Bill reminds me of a very antiquated joint family house which an enterprising son whitewashes without touching the basic structure or the foundations of that house. The house remains as before....

Shri Braj Raj Singh: Even after whitewashing?

Shri D. C. Sharma: ...though it acquires a new look of a very superficial kind. So, this Bill has, no doubt,

a modern look. But, I must say that this modern look is not even skin deep.

What is the problem before us? I think, people carry arms as a matter of social prestige. Somehow, carrying of arms is connected with wealth, with privilege, with agricultural property, with official position, with hereditary privileges. That has been the story of arms in our country all these years. We are now living in free India. I should have thought that this old motive force should have been done away with. But, I think, though this Bill is put in a new bottle, the contents of the bottle remain as before.

Shri Braj Raj Singh: Why do you welcome it?

Mr. Deputy-Speaker: He is welcoming the bottle and not the contents.

Shri D. C. Sharma: According to me, this Bill should have served two purposes. In the first place, it should have put the fear of law into the hearts of those who carry unlicensed arms or who have ammunition, which has no licence. This Bill should have been a source of dread to the smugglers of arms and smugglers of ammunition. This Bill should have tried to frighten as much as possible the dacoits and robbers. This Bill should have done something to reduce, I should say, the desperate actions and acts of anti-social forces. I think this Bill is going to do nothing of the kind. Again, this Bill should have given a reasonable chance of getting a licence for arms to any citizen of India irrespective of his caste or creed or social position or monetary possessions. Does it do that? I do not think it does that.

I look at this Bill from the context of my constituency, a border area. I told the people that we were going to revise the Arms Act. Do you think that the people living in the border areas are going to get licences now more easily than before? Certainly not. My constituency is one where

agricultural lands are subjected to the depredations of wild animals. The wild animals are ferocious. Of course, some kind of provision has been made that they can get arms. Do you mean to say that a farmer living in a very remote place is going to have any benefit out of this? Certainly not. The agriculturist is not going to benefit by it. The border people are not going to reap any benefit out of it. The smugglers will have a golden time as before, because there is nothing in this Bill which can check it.

At the same time, I find that there is a wave of lawlessness sweeping over the world now and India is a part of the world. I read about two days ago in one of the daily papers that a gentleman walked into a house and slit the throat of a child, and there was a murder committed. In my old constituency, Hosharnpur, a murder was committed in the tram. There are so many murders committed in the railway tram. So many dacoities take place in the train in spite of the great enthusiasm of our people and our colleagues, that murder has remained untraced for so many months. What I mean to say is that the law and order situation in our country is not as desirable as it should be. People are not safe when they travel. People are not safe when they are in their homes. People are not safe when they go about in the bazaar. When the law and order situation is like this, I should have thought that in the name of the phrase which has been quoted so often in this Bill 'public peace and safety' this Bill should have been so framed as to make it possible for anybody to get a licence. Here is my hon. friend who preceded me, a Member of Parliament, who was telling a tale of woe when he wanted to get a licence. It should have been possible for any citizen of India to get a licence. Perhaps, the fee for licence may be prohibitive, the price of arms may be prohibitive, the cost of ammunition may be prohibitive. All these things are there. Therefore, I would

[Shri D. C. Sharma]

say that, in this Bill, there should have been made a provision for giving what I call collective licences, for instance, a collective licence to the people of a village in the border area, a collective licence to the people of a locality, a collective licence in certain cities and certain localities. If you are afraid of giving licence to individuals for the reason that it will be abused, I do not see any reason why you should not adopt the system of giving collective licences to persons who want to defend themselves, defend their homes and hearths when things are bad. I believe this is what is required.

I want to say a few words about the licensing authority. We talk of democratic decentralisation, and I am very happy about that. We talk of devolution of authority and responsibility and all that. I think if there is one thing in which we require this kind of devolution, it is in respect of this Bill. You want everybody to go to the District Magistrate or some big-up in the official cadre. I think that it is not possible for every one to run up to the district town and try to get a licence. So, I would say that so far as this thing is concerned, we should try to delegate the authority to lower people.

Another point is this. I think we should have made a distinction between two kinds of fire-arms. There are fire-arms carried by some persons. Of course, they can sport those fire-arms for aught I care. But there are also some persons who want to keep fire-arms in their homes for proper purposes. Therefore these two kinds of fire-arms should have been distinguished. There should have been a distinction between those who sport their guns and those who want to make use of them whenever there is need for that. I think that should have been done, and I am sorry that that has not been done.

The proof of the pudding lies in the eating. Whatever Bills we may pass,

whatever provisions may come into being ultimately the proof of those will lie in the administration of those Acts. I have asked myself this question: has the implementation of this Bill been rendered more easy than before? Have we got any provisions in this Bill which will not prove as vexatious to people as they were before, which will not create as many hurdles in their way as before? I put myself this question, and the answer is that though we have made certain liberal provisions in this Bill the implementation of this Bill is going to be in no way easier than before, in no way swifter than before, in no way more in the interests of the people than before. I know the Bill will be passed.

An Hon. Member. How do you know?

Shri D. C. Sharma: You will vote for this, and I will vote for it.

An Hon. Member: You will have to

Shri D. C. Sharma: I will do so with a heavy heart.

Shri Braj Raj Singh. That you always do.

Shri D. C. Sharma: For I see that this Bill has neither increased the defence potential of my country, nor has given to the needy people, needy in terms of arms, a kind of charter that they can get arms easily for the protection of their hearths and homes, for the defence of their country and for the defence of all those values for which we stand.

Shri P. R. Patel (Mehsana) It rather pains me to say that in the twelfth year of our independence our Home Minister has come out with this Bill.

The Britishers, the foreigners, had such an Act, the Arms Act, because they wanted to disarm the people, because they wanted that the people should not rise against their rule. It was with that view that the Arms Act was gifted to the people of the country.

as a result of the mutiny of 1857.

Even in the days of the British rule, we people complained against this Act. I know many Congressmen then said openly that this Act should be repealed. I only quote Mahatmaji. He said:

"Among the many misdeeds of the British rule in India, history will look upon the Act depriving the whole nation of all arms as the blackest."

Now, let us compare the Act passed by the Britishers with the present one. What is the difference between the two? There, carrying arms without licence was prohibited. Here also without a licence nobody can carry or keep any arms. There, a District Magistrate issued the licence, at his discretion. Here also the same procedure is to be followed. What is the difference?

Let me say this, that in those days when the Arms Act was put into force, the Government had the same type of arms as the people, because at that time, only muzzle-loading guns and such types of weapons were available with the ruling Government and the people also had the same type of weapons, and before that Act every citizen of the country had freedom to carry and keep any number of arms he liked. That freedom was taken away by the Britishers. Now, in these days of the sputnik and atomic bombs and so many other higher types of weapons, what is a muzzle-loading gun?— I ask the hon. Minister. Is it not a toy compared to other weapons? And he desires to restrict even this toy. He does not like these muzzle-loading guns being kept outside the purview of the law, I am sorry.

He desires and often says that they cannot keep police in every nook and corner for the protection of the people, that they cannot keep police on every farm for the protection of the crops, and at the same time he is not prepared to allow people to keep arms for their protection and the protection

of the crops. He says he has liberalised the whole Act, but I fail to understand how he has liberalised it. What is there which would be sufficient to give that credit to the Minister?

1½ hrs.

There also, in the days of the British, they allowed Members of the then Assembly to keep arms and no licence was necessary. They were exempted under section 27 of the Act as it exists today. But, after the achievement of Independence, our present Government, I mean the Government that came into power after Independence, removed this exemption that was given to the Members of the Central Legislative Assembly and the local Assemblies. I ask whether they are not in a position to trust even the Members of the Parliament and the State Legislative Assemblies. I ask hon. Members whether it would not be proper to exempt at least the Members of the Parliament, at least the Members of the State Legislative Assemblies, and at least the presidents of the local bodies and municipalities. They exempt Government officers, but they hesitate to exempt the people's leaders. This is too much in a democracy.

Here, let me say one thing. The military, no doubt, defends the country. And our military is strong enough to face any country. I am sure of it. But they fight on the battle field. Actually, it is the people who defend the country. If we look into our history, what do we find? A battle was fought at Panipat. A ruler was defeated, and the people then accepted the coming ruler. Why did they do so? They did so because they had no interest or rather they were not trained to defend the country.

I would desire that in this country everyone above the age of sixteen should be trained to defend himself, and, if necessary, his country. The Army, no doubt, will fight, but every individual villager should be a terror to any invader.

[Shri P. R. Patel]

10.55 hrs.

[PANDEI THAKUR DAS BHANGAVA in the Chair.]

But what do we find on the border? An Army is coming, or rather ten or fifteen soldiers are coming and capturing our village, and we are simply crying. That is because we did not allow our people to keep arms. We did not train our people to use arms. The result is that just a handful of soldiers, that is, ten or fifteen military men come and capture our village and our territory.

I am of the opinion that if a village were to be attacked by any foreign power, as long as there is one soul living in that village, the village cannot be captured by the outsiders or by the aggressors. That should be the spirit, and that should be the kind of training. But what is our Home Minister doing by means of this Bill. He has just put a very good sari on the old dame, that is, the Arms Act of the Britishers. What is the change that he has made? The same old spirit is there, and that spirit was not to give arms to the people. Here also, the same spirit is there, namely, not to give arms to the people.

I say that there must be some difference between a popular government and a foreign ruler. A popular government should be very eager to see that every citizen is trained to use arms, and every citizen is mindful to use it for the defence of his self and his country. But what do we find here? The hon. Minister says that he is liberalising the provisions, and that the magistrates will issue the licences liberally. Sir, I know the magistrates and their mentality. There is absolutely no change in their mentality. In the days of the Britishers, the district magistrates were there, today also, the same magistrates are there. I can just give one instance. Some days back, an hon. Member of this House, Shri K. U. Parmar had some work in Ahmedabad and he went to

the Additional Magistrate, Ahmedabad, along with two or three other persons. And how abruptly he was insulted? So the mentality of the Magistrates is the same. There is absolutely no change. It is said that these people will issue licences liberally. I am sure they will not.

An Hon. Member: He was not a Congressman.

Shri P. R. Patel: So I would suggest that unless a man is held to be an enemy of the country or has had some association with a foreign country or foreign rule or he is a man who, if given any firearm, would misuse it,—in which case licence can be refused—in all other cases, it should be the privilege of one and all to get a licence to keep arms. We can have ordinary restrictions. But instead of that, what is the restriction that is put here? If the District Magistrate thinks so, he may refuse to issue a licence, and in 'public interest', he may not give the reason even.

In these days of democracy, this type of thing in our statute-book does not give credit to us. I would humbly request the hon. Minister to reconsider this Bill. Specially, I would request him to consider my request on behalf of the farmers. We desire that there should be more production, we desire that there should be more foodgrains. Unless farmers are able to protect their crops, how can we get more? He says that for protection the farmers will get muzzle loading guns. Nice! Suppose two thieves come. I am a farmer watching my crop. I fire the muzzle loading gun. Then should I just put my head before them to be butchered? What should I do? Why should farmers be not given the latest type of guns, breech-loading guns or even rifles? What is the harm? This distrust of the farmers is distrust of the nation. They are the people who will give their life for any small piece of land. I know in old days—we also heard stories from our ancestors—that for a piece of land they fought and gave,

their heads. In villages, you will find *Partis-memorials*. The dacoits come to a village. The whole people rise against the dacoits and face them. This was possible because they had weapons then. Some of them were killed and there are memorials built in their honour. Do we desire these things again in our country? But we say that they should not have these firearms with them. If we do not give firearms, when will they learn to use them? In days of calamity to the villages or to the country, what will be the position?

So I again request the Minister to reconsider the matter and make this Bill a liberal one which would give credit to our independence. This is the twelfth year of our independence, and I should not remind him that we are living in the twelfth year of our independence.

श्री. बलू देव (चम्बा) : सभापति जी, पूरे ८० साल के बाद हमारे देश ने इस पर पुनः विचार किया है कि अपनी रक्षा के लिये अपने देश में अस्त्र शस्त्र को विधि-पूर्वक किस प्रकार चलाया जाये। इसके लिये मैं गृहमंत्रालय को बधाई देता हूँ।

इससे पहले हमारे देश में ऐसी कोई व्यवस्था नहीं थी और हालात भी ऐसे नहीं थे। देश के अन्दर जो भी देशवासी या किसी भी आपत्ति के समय वह शास्त्रास्त्र इसलिये इस्तेमाल करता था कि जो आक्रमक है उसे पूरी तरह सबक सिखलाया जाये। किन्तु आज व्यवस्था कुछ और है जिसके कारण यह नाइसेंस की व्यवस्था की जा रही है। मैं कुछ बातें इसके सम्बन्ध में कहना चाहता हूँ।

पहली बात यह है कि इसमें जो शास्त्रों की परिभाषा की गई है वह सब जगह एक ही तरह से इस्तेमाल नहीं होनी चाहिये बल्कि देश काल के अनुसार होनी चाहिये। जैसे कि हिमाचल प्रदेश का पहाड़ी इलाका है जहाँ पर बास काटने का शस्त्र, लकड़ी काटने का शस्त्र एक ही तरह का होता है। अंतर उसके लिये किसी प्रकार की साइसेंस

की व्यवस्था की जायेगी तो उससे किसानों के लिये महान् आपत्ति होगी। इसी तरह से फायर आर्म्स के बारे में है। जहाँ तक जानवरों से कृषि की रक्षा का सम्बन्ध है वह मजिस्त्र कोर्टिंग गन से ठीक तरह से नहीं हो सकती। यदि रीछ या जाये और मेरे पास मजिस्त्र कोर्टिंग गन हो तो मैं एक फायर तो कर सकता हूँ लेकिन अगर फिर भी रीछ मेरे ऊपर हमला करता है तो मैं अपनी रक्षा नहीं कर सकता। तो इस प्रकार के इलाकों में ऐसे फायर आर्म्स की मांग होनी चाहिये जिनसे कि घटनी रीछ से, सुभर से और इसी प्रकार के दूसरे जानवरों से खेती बाड़ी की और अपनी भी रक्षा कर सके।

एक बात इसके सम्बन्ध में मैं और कहना चाहता हूँ। सभी देश के अन्दर कई स्थानों से शास्त्रास्त्र आते हैं। देश के अन्दर कोई एजेंसी, चाहे वह सरकार की हो, होनी चाहिये जिसके द्वारा लोगों को सब प्रकार के शास्त्रास्त्र प्राप्त हो सकें। अगर ऐसी व्यवस्था नहीं होगी और देश के अन्दर बाहर से शास्त्रास्त्र आते रहेंगे तो किसी आपत्ति के समय देश के अन्दर जो विशेष प्रकार की विचारधारा वाले लोग हैं वह ऋग्गढ़ा खड़ा कर सकते हैं।

हमारे देश में बहुत समय से कुछ लोग एग्जैम्प्ट है जिनके पास शस्त्र मौजूद हैं जिनकी कोई गिनती नहीं है। कई मौकों पर बाकुओं के पास, चोरों के पास और देश के अन्दर उचल पुचल करने वालों के पास इस किस्म के शस्त्र पाये जाते हैं। मैं चाहता हूँ कि देश के अन्दर आर्म्स के साइसेंस से कोई एग्जैम्प्ट न हो। यहाँ एक बुजुर्ग ने कहा कि जो एम० एल० ए० है या एम० पी० है या प्रेसीडेंट हैं उनको एग्जैम्प्ट किना जाना चाहिये। मैं समझता हूँ कि किसी के लिये भी एग्जैम्पशन नहीं होना चाहिये और देश में सब आर्म्स की गिनती होनी चाहिये ताकि अगर किसी वक्त आपत्ति आजाय तो हम सारे शास्त्रास्त्र की गिनती रख सकें और उनको नष्ट न कर सकें

[जी पक्षम वेम]

और उस समय जो अपनी देशभक्ति दर्शाना चाहते हों उनको अस्त्र दें और जो लोग देश भित नहीं धर्या सकते उन लोगों से हम अस्त्र प्राप्तानी के साथ ले सकें और एकत्र कर सकें ।

लाइसेंस के सम्बन्ध में यहां पर बहुत कहा गया है । यह कहा गया कि लाइसेंस के सम्बन्ध में बहुत सख्ती है । मैं इसके सम्बन्ध से तीन बातें कहना चाहता हूं । लाइसेंस देते समय धन का सवाल नहीं होना चाहिये बल्कि पात्रता का सवाल होना चाहिये । यह देखा जाना चाहिये कि कौन उसका पात्र है ।

हमारी शिक्षा संस्थाओं में एन० सी० सी० और ऐसी दूसरी संस्थाओं को जो फायर आम्स इत्यादि का प्रोशक्षण दिया जा रहा है, उसके लिये उनको लाइसेंस देने में हर प्रकार की सुविधा होनी चाहिये । इसके अतिरिक्त जो हमारे समावर्ती प्रदेश हैं, उनको लाइसेंस फ्री मिलना चाहिये और फायर-आम्स के मिलने में सबसिद्ध मिलनी चाहिये और उन सब लोगों का सुसज्जित किया जाना चाहिये, ताकि वे आपांत के समय देश की रक्षा कर सकें । अगर वहा पर सी पुलिस के आदमी हो, तो हजार हमारे नौजवान वहा पर हो, जो यह समझें कि हम अपने देश की खुद रक्षा करेंगे । अगर कोई पहलवान सामने से आ रहा हो और उसके मुकाबले में कोई पिस्तौल वाला खड़ा हो जाये, तो उसके सामने पहलवान ठंडा हो जाता है । अगर हमारे लोगों के पास शस्त्रास्त्र होंगे, तो उनका साहस और उत्साह द्विगुण हो जायेगा । अंगरेज तो हमको निरस्त्र करके मुसल रखना चाहते थे । स्वतंत्रता मिलने के बाद तो लोगों को शस्त्र उपलब्ध करने चाहिये । स्वतंत्र देश में यह नहीं होना चाहिये कि लोगों को आम्स न मिलें । लोगों को पूरी तरह से सुसज्जित करना चाहिये, ताकि वे देश की रक्षा कर सकें ।

हम किसी को मारना नहीं चाहते हैं, लेकिन हम मरना भी नहीं चाहते हैं । आज कोई भी देश बेबसी में मरना नहीं चाहता है । अगर कोई हमको मारना चाहता है, तो कम से कम हम उसको सबक सिखाने का प्रयत्न तो करें—यह हमारी पुरानी प्रथा रही है । फायर आम्स के लाइसेंस के मिलने में जितनी भी सुविधा हो सके, वे होनी चाहिये । हिमाचल प्रदेश में इस काम के लिये शिमला आना पड़ता है । अगर किसी को चीनी के इलाके से आना पड़े, तो उसको दो सौ मील का रास्ता तय करना पड़ता है । नजदीक के कर्मचारियों को, जिन जिन को यह अधिकार दिया जा सकता है, उनको लाइसेंस देने का अधिकार दिया जाना चाहिये ।

देश में जितनी अवांछनीय सत्यायें हैं, जिन लोगों को देश की विचार-भारा से, देश के शासन से, देश से प्रेम नहीं है, उस की इन्टेगरिटी से प्रेम नहीं है,

एक माननीय सदस्य कौन है ?

जी पक्ष वेम में चाहता है कि ऐसे लोगों के लिये स्टैंडिंग आर्डर होना चाहिये कि उनको आम्स का लाइसेंस नहीं मिलना चाहिये । अभी एक बुजुर्ग ने कहा कि सब एम० पी० और एम० एल० ए० और प्रेजिडेंट को मिलना चाहिये, क्योंकि इलैक्शन और सिलेक्शन किसी एक विचार-भारा का नहीं है । आज चीन और हमारा जगड़ा है । कुछ साल पहले चीन में हमारे साठ सत्तर आदमी होंगे, जब कि आज सिर्फ तीस चालीस आदमी हैं । इसके मुकाबले में चीन के हमारे यहा लगभग तीस हजार आदमी हैं । इसी तरह पाकिस्तान के भी होंगे और दूसरे देशों के भी होंगे । कोई किसी तरह देखने वाला है, कोई किसी तरह देखने वाला है । अगर हम इस विषय में सख्त नहीं रहेंगे, तो हम सब—हमारे लीडर भी और अन्य लोग भी—बेकसी और बेबसी में अपनी नदनें कटवा सकते हैं और खड़े—

में तो अपने देश पर हमला करने वालों को डकैत ही कहना—हमको हाथि पहुँचा सकते हैं। इसलिये मैं चाहता हूँ कि ऐसे लोगों को पूरी तरह से बँन किया जायें।

जो लोग नाजायज़, अनुचित तौर पर, बिना विशिष्ट विज्ञान के शस्त्रास्त्र रखते हैं, उनके लिये जो दण्ड रखा गया है, वह कम है। नाइसेस पूरी तरह से दिये जाने चाहिये, शस्त्रास्त्र सबको मिलने चाहिये, लेकिन अगर कोई नाजायज़ तौर पर, कायदे-कानून के खिलाफ़ शस्त्रास्त्र रखता है, तो वह देश के प्रति विरोध-भावना रखता है और उसको बड़ी से बड़ी सजा मिलनी चाहिये।

इन शब्दों के साथ समाप्त जी, मैं आपको धन्यवाद देता हूँ कि आपने मुझे समय दिया।

Shri L. Achaw Singh (Inner Manipur): Mr. Chairman, Sir, this Bill, as it has emerged out of the Joint Committee, has got a number of controversial clauses. By reading the large number of minutes of dissent an impression has been created in our minds that the Committee has not been able to come to some working agreement regarding these controversial clauses. The British enacted this law on arms 80 years back just to disarm India and the Indians in the interests of the British colonial power. Now, it has been maintained that the object of this Bill is to liberalise the licensing provisions and reduce the inconvenience to the public in having the licences. We appreciate the intention but then, on the contrary, we find that the steps provided in this Bill are still halting, and the procedure adopted is still irksome and dilatory. The licensing is left to the whims and caprices of the licensing authority. The right to bear and carry arms is an inviolable right, and the different countries have more liberal provisions. They do not impose as many restrictions as regards the use of arms. In Canada, for example, only certain types of firearms are re-

quired to be registered and shot-guns and rifles which are meant for sporting purposes are exempt from registration. A hunting licence is necessary only during closed seasons.

In the United Kingdom also, the gun licences and the game licences are merely taxes, and anyone who applies for them can go to the post office and have the registration made.

Certain changes have been made in the Bill. They are welcome, but then the basic approach has not at all changed. The same sense of fear, distrust and suspicion which has inspired the original Act is still working in the mind of the hon. Home Minister. It is a fact that law-abiding citizens find it very difficult to get arms and to have licences. But, in spite of these rules and Acts, we find that dacoits and anti-social, anti-national elements are in possession of the latest types of weapons and also firearms and service revolvers of military type.

I strongly feel that the rigours of the Arms Act should be taken away and all those who require arms for self-defence should be given the licence without any difficulty. We are free now, and people should be trained freely to use firearms so that in the case of any emergency, we can call them up and utilise their services effectively.

I would humbly submit that gun licences should be issued as in the case of the United Kingdom, by way of collecting revenue, by way of tax only, and anyone who requires arms should be given licences freely without any police enquiry or without any encumbrance.

I would like to deal with some of the clauses of the Bill. The definition of arms is too wide. It includes all sharp-edged and deadly weapons. There is hardly any weapon of offence and defence which is not included in the definition. The acquisition, possession and carrying of arms may be banned in any area, and licences will

(Shri L. Achaw Singh)

have to be taken for them under clause 4. Again, the manufacture and sale of such arms is also banned under clause 5. Any violation of this clause would make a person liable to imprisonment for at least three years with fine or both.

I humbly submit that the imposition of restrictions on the possession of useful but simple arms like *daos* is a retrograde step and the new Act will create a sense of insecurity in the minds of those poor people who cannot afford to buy costly weapons such as revolvers and pistols. I submit that the provisions of the Bill should be confined to fire arms only.

I would submit that the Sikhs carrying kirpans, the Nepalese carrying kukrees and the tribal people carrying arms and bows have never created any difficulty in the law and order situation in any part of the country. I would appeal to the House that the definition of fire arms should be so amended that it would only refer to fire arms.

I further submit that air-rifles should be exempted from the provisions of this Bill. They are not dangerous. They are operated not by cartridges nor by any explosive substance, but by pellets and compressed air. They cannot be used for unlawful activities. So, I request the hon. Minister not to cover air-rifles by this Act.

Muzzle-loading guns also should be exempted from the definition of fire-arms. Regarding the issue of licences, it should not be left to the discretion of the licensing authority. Clause 14 empowers the licensing authority to refuse licence and he is given discretion not to give the reasons for the refusal. This is very bad. It should be made obligatory on him to give reasons.

Regarding the provision for appeal, in U.K. the appellate authority is a judicial authority. In India also we should adopt that practice and the

appeal should lie necessarily to the District and Sessions Judge. Our people in the border areas find it very difficult to have the licence from the district headquarters. They live in remote hill areas. While coming to the district headquarters, they have to spend a lot of time in trekking long distances and also money for their food, etc. So, I submit that the final authority to issue licences should be the S.D.O. at the sub-division headquarters, specially in those parts of the hills like Manipur, Tripura and Assam.

Finally, I submit that adequate steps have not been taken for training our young men in marksmanship. I appeal to the hon. Home Minister that suitable amendments should be made so that our able-bodied persons specially in the border areas may be supplied with arms freely and converted into a second line of defence at the time of any emergency. Especially the tribal people living in areas bordering the Himalayas and our borders with countries like Pakistan and Burma should be freely provided with arms from the point of view of both self-protection and national defence.

श्री सिद्धान्त सिंह : मनापति महोदय, इस विधेयक को पढ़ने के बाद और पुराने अधिनियम का इसके साथ मुकाबला करने के बाद मैं इस नतीजे पर पहुँचा हूँ जैसा अभी मेरे पूर्व बक्ता शर्मा जी ने कहा है कि पुरानी धाराब नहीं बोलकों में मरी गई है और मुझे भी इस विधेयक का कुछ बैसा ही रंग डंग दिखाई दिया है। इस विधेयक में धाय नागरिकों को दो तीन सुविधाये देने का रहे है जो कि पुराने विधेयक में नहीं थी और बाकी सभी प्राधिकार ज्यों की त्यों ही है। एक सुविधा तो यह देने धाय का रहे है कि अबस्वा २१ के बजाय १६ की जा रही है। दूसरी सुविधा यह दी जा रही है यद्यपि कि पुराने अधिनियम में भी प्रापकी का कोई सवास नहीं था। इस विधेयक में हवन के लिए तीरे पर यह रकम त्रिंवा है कि प्रापकी को

लिहाजब नहीं रखा जायेगा लाइसेंस देते समय । तीसरी सुविधा मेरे विचार में यह भी जा रही है कि आपने मैजिस्ट्रेट को यह अधिकार दे दिया है कि वह वॉट करे या वॉट न करे, एक जगह तो कह दिया है कि लाइसेंस देगा और दूसरी जगह कह दिया है कि नहीं देगा । यह कह दिया गया है कि इन इन बन्धुओं को देना और इन इन बन्धुओं को नहीं देगा । इनके अलावा और कोई सुविधायें भी जा रही हैं इनको मैं देख नहीं पाया हू ।

पुराने एक्ट में आर्म्स की परिभाषा नहीं दी गई थी केवल फायर आर्म्स की परिभाषा दी गई थी । इसमें इंटरप्रेटेशन क्लॉज ५ में आर्म्स की परिभाषा है और आर्म्स की जो परिभाषा की गई है वह इस प्रकार में है ।

“ ‘arms’ includes fire arms, bayonets, swords, daggers, spears, spearheads and bows and arrows, and also cannons and parts of arms and machinery for manufacturing arms.”

ऐसा मालूम पड़ता है कि इस परिभाषा में हमने डबा और लाठी को भी शामिल कर दिया है । आर्म्स की नई परिभाषा से हमने फायर आर्म्स को अलग कर दिया है । अब तक आर्म्स इनकल्यूड करते थे फायर आर्म्स भी, अब हमने आर्म्स और फायर आर्म्स दोनों को अलग अलग कर दिया है । इसमें लिखा है :

“ ‘arms’ means articles of any description designed or adapted as weapons for offence or defence, and includes firearms, sharp-edged and other deadly weapons and parts of, and machinery for manufacturing, arms, but does not include.....”

इसमें एक लाठी भी डिफेंसिव और ऑफेंसिव हो सकती है । और वह भी शामिल कर दी गई है, ऐसा प्रतीत होता है । डबा, छड़ी इत्यादि की डिफेंसिव और ऑफेंसिव हो सकती है ।

यह आजीवक क्लॉज : प्रहिंसा के पुबारी हैं ।

जी विहासन सिंह . जब कि प्रहिंसा की बात हो तो हिंसा की बात करना ठीक नहीं है । इसमें हिंसा और प्रहिंसा की कोई बात नहीं है ।

मैं यह कह रहा था कि आर्म्स की डेफिनिशन को इतना विस्तृत कर दिया गया है कि छड़ी के कर चलना भी आर्म्स की परिभाषा में आ सकता है ।

इसमें दफा १६ में हमने यह अधिकार दे दिया है कि किसी आदमी को हम बैन कर सकते हैं जो कि पुराने विधेयक में नहीं था । पुराने विधेयक में, इंडियन पीनल कोड में, फौजदारी कानून में, मैजिस्ट्रेट को अधिकार था कि वह किसी शस्त्र शस्त्र को रोक सकता था लेकिन इसके अन्दर आस करके उसको बैन करने का अधिकार भी दे दिया गया है ।

आबजैक्टस एंड रीजस में कहा गया कि हम सलूलियरें देना चाहते हैं । ताकि अधिक से अधिक लोगों के हाथों में बंदूकें पहुंच सकें, अधिक से अधिक लोगों के हाथों में हथियार पहुंच सकें ताकि वे बल पा सकें । लेकिन यह चीज पूरी होती मालूम नहीं देती है । दफा १३ के अन्दर मैजिस्ट्रेट को पहले जैसे अधिकार है कि जिस को चाहे वें, जिस को चाहे न वें । पुराने एक्ट में सरकार को अधिकार था कि वह नियम बनाए कि किस किस को बन्दूक दी जाए किस किस को न दी जाए । उन नियमों में कम से कम जमीनपन तो आ सकता था । लेकिन इस कानून में हमने नियमों का आचार यह कर दिया है कि इस तरह की चीजों को देना होगा, इस तरह की चीजों को नहीं देना

[जी विहासक सिंह]

होगा और नियमों की बात ही नहीं रह गई है। यह विचारणीय विषय है। मैं समझता हूँ कि जो हमारा ध्येय है, जो हमारी बंसा है कि जन समुदाय को, जनता को हम सशस्त्र सज्जित करें वह पूरी नहीं हो रही है और जब ऐसी बात है तो मैं माननीय मंत्री महोदय से कहना चाहूँगा कि केवल क्लाज १३ में इतना कह देने से काम नहीं चलता है कि मैजिस्ट्रेट और ग्रंट लाइसेंस इन दिसे केस। इसमें कहा गया है कि स्मूथ और गन जिस का बैरल २० इंच से अधिक नहीं होगा मजल लोडिंग गन के लिए, क्राप प्रोटेक्शन के लिए उसका लाइसेंस दिया जा सकता है। मौजूदा क्लस के अन्दर भी क्राप प्रोटेक्शन के लिए बिना किसी फीस के मजल लोडिंग गन मिलती है। उसमें आपने कोई नई बात नहीं की है। पुराने ब्रिटिश राज्य के कानून में यह चीज थी कि क्राप प्रोटेक्शन के लिए फ्री लाइसेंस दिया जाएगा। आपने इसमें वह चीज नहीं की है कि वह बिला फीस के दिया जाएगा। अब तक वह बिला फ्रीम था।

हमारा विचार तो यह था कि हम आज जड़कि आजाद हैं और हम यह स्वप्न देख रहे हैं कि और आजाद मुल्कों की तरह हम को भी अपने पास हथियार रखने की आजादी होगी, वह पुरा नहीं हुआ है। हा यह हो सकता है कि जो हथियार हैं उनको छीनने की नीबत मा सकती है। छीने जाने की पहले भी नीबत मा सकती थी। जब ऐसी बात है तो इसके अन्दर आपने क्या अन्तर किया है।

अभी हमारे ब्राह्मण जी ने कहा कि पुराने देशी राज्यों में मजल लोडिंग गन बिना लाइसेंस के मिल जाया करती थी। उस वकत कोई रायदूस या बलवे नहीं होते थे। आज तो रक्षा के साधन उपलब्ध करने की और भी ज्यादा जरूरत है। अगर आप इकनायती क ही मैं बाने के साथ कह

सकता हूँ कि जिन गांवों में दो जी बन्दूकें हैं या एक भी बन्दूक है वहां पर डकैतियां बहुत कम होती हैं।

जिन गांवों में बन्दूकें नहीं हैं उन गांवों में डकैतियां होती हैं, सशस्त्र डकैतियां होती हैं और मामूली डकैतियां भी। जिन घरों में बन्दूकें होती हैं उन में तो घायद बहुत ही कम डकैतिया होती हैं जब तक कि बन्दूक की चोरी ही न हो जाय। परिणाम यह होता है कि जो समाजद्वीही है आज उन के पास बन्दूकें होती हैं लेकिन जो समाज के अश्वे नागरिक है और गाव की अश्वी व्यवस्था करना चाहते हैं उन के पास बन्दूकें नहीं हैं। अगर उनके पास अपनी रक्षा के लिए कोई व्यवस्था होनी तो बात दूसरी थी, लेकिन आज वह भी नहीं है। मेरी राय में रचायतो को अपनी रक्षा के लिए और सुविधाओं से जानी चाहिये। लेकिन उनका नाम भी यहा नहीं है। अगर उन के पास बन्दूकें नहीं हैं तो हम देखना चाहिए कि उन को अपनी रक्षा के लिए कितनी सुविधा मिली। मैं जिस समय नैनी जेल में था, एक डकैत हम लोगों के पास था। आप ने अनुभव किया होगा कि अगर कोई भी आदमी बदमाशी या चोरी में पकड़ा जाय तो वह बतलाता नहीं है। सब कहते हैं कि हम बलवे में आये हैं। तो मेरे साथ एक बड़ा लम्बा तडगा गैसटर था। वह कहता था कि हमारे पास ६० बन्दूकें थीं। आज जो डकैत हैं, जो मान सिंह के आदमी हैं, जिन के लिए हम हमेशा ही कहा करते हैं कि उन को सही आदमी बनाने की जरूरत है, उन के पास तो बन्दूकें हैं लेकिन जो उन के अगल बगल में रहने वाले लोग हैं उन के पास बन्दूकें नहीं हैं। लेकिन आज इस का किसी को भी जयान नहीं है। आप देश में बली पुद्व पदा करना चाहते हैं। आप को मानना चाहिए कि जिस के पास बन्दूकें होती हैं वह बरता कम है। लेकिन जिस के

पास बन्दूक तो क्या साठी भी नहीं है उस के लिये सिवा डर के कोई चारा नहीं है। उन के लिए कुछ तो हम करते। जब हम सङ्घ-नियत देने वाले थे, थोड़ी सी उम्र की सङ्घ-नियत देने के लिए जहाँ हम ने "शील घाट" लिखा है, वहाँ पर यह कहते जैसे कि प्रमरीकन कास्टिट्यूशन में है। वह इस समय मेरे पास मौजूद नहीं है, लेकिन हमारे गृह मंत्री देखेंगे कि उस में प्रोवाइडेड है कि हर एक नागरिक को हथियार रखने का अधिकार है जब तक कि उस के लिए वह प्राइविटेड न हो। जो समाजद्रोही नहीं है, उस को हथियार रखने का अधिकार है। लेकिन हम यह करने जा रहे हैं कि हर एक आदमी को लाइसेंस लेना पड़ेगा। लाइसेंस मिलने पर ही वह मला समझा जायेगा, अगर उसे लाइसेंस हासिल न हो तो उस को मला आदमी नहीं समझा जायेगा। कितनी उल्टी बात है? हम उम्मीद करते थे और १०, १२ सालों से प्रोपेगैन्डा भी करते थे कि कानून बदलेगा जो भी दख्खास्त करते हैं लाइसेंस के लिए और उस पर कोई एम० बी० या एम० एल० ए० या कोई प्रतिष्ठित आदमी उस की सिफारिश कर दे तो उस पर बन्दूक ज़रूर दी जाय। लेकिन आज क्या देखते हैं कि अगर इस तरह कोई आदमी लिख दे तो भी वह माननीय पुरुष नहीं है, लेकिन पुलिस का एक सब इन्स्पेक्टर लिख दे कि बन्दूक मिलना चाहिए तो वह माननीय है। एक पुलिस का सब इन्स्पेक्टर यहाँ के समासद् से ज्यादा माननीय है। आज एन्वयरी का तरीका क्या है यह भी देखिये। इसमें लिखा हुआ है :

"भाफ्टर सब एन्वयरी रीट ही कंसीडर्स नेसेसरी"

उस एन्वयरी का तरीका क्या होगा, इसे आपने नहीं लिखा। पहले दख्खास्त दी जायेगी कलेक्टर के पास, उस के बाद वह जायेगी तहसीलदार के यहाँ, तहसीलदार के यहाँ से रीपोर्ट रिपोर्ट में जायेगी और

पुलिस रिपोर्ट में जायेगी। जब दोनों तरफ पूजा हो तो रिपोर्ट जायेगी, पूजा न हो तो जैसे आज रिपोर्ट आती है, वैसे जायेगी।

श्री अचरान सिंह : यह तो पूजा बढ़ाना चाहते हैं।

श्री सिंहासन सिंह : बढ़ाना चाहते हैं या नहीं, यह तो आप कहिये, लेकिन जो कुछ है उस से ज्यादा सङ्घनियत हो सकती है इसमें सन्देह है। इसलिए मैं मंत्री महोदय से प्रार्थना करूँगा कि वे इस पर विचार करें, रुस्त और कायदे इस तरह के बनायें, इस तरह की व्यवस्था करे कि सब के साथ न्याय हो और वह सही तरीके से मिले। अगर आप किसी भी आदमी को समझते हैं कि वह सम्भ्रांत आदमी है, तो उस के लिखने पर ही सब को हथियार मिले। अगर ऐसा नहीं करते हैं तो आप के इस कानून से कोई नाम नहीं है। मुझे पता लगा कि मेरे जिले से अनेक लोगों ने हथियार के लिए दख्खास्तें दीं, लेकिन लाइसेंस मिले दो को, बाकी दख्खास्तें खारिज हो गईं। अगर आप यह चाहते हैं कि हर गाँव में कम से कम दो चार, दस बन्दूकें हों, अगर यह आप की प्रवृत्ति है, तो उसके लिए अच्छी व्यवस्था करे। अगर ऐसी प्रवृत्ति नहीं है तो पुराना कानून ही बना रहने दीजिए। नई तरकीब कर के भी अगर आप यह चाहते हैं कि मैजिस्ट्रेटों को ही वह अधिकार दिये जायें, तो ऐसा करना ठीक नहीं है।

अपील के बारे में आप ने अधिनियम के अन्दर प्राविजन किया है। पहले यह प्राविजन नहीं था। आज आप ने उसे रक्खा अवश्य है लेकिन सिर्फ देखने के लिए। रुस्त के अन्दर इसे प्रेस्काइब तो करे कि कौन अपेलेट प्रचारितो है। जब प्रचारितो ए० बी० प्रो० रहेगा, तो जैसा श्री रघुवीर सहाय ने कहा कि अपील कमिश्नर के बजाय कलेक्टर के

[श्री सिद्धान्त सिंह]

बड़ी बानी चाहिए। कमी हम कहा करते थे कि कमिश्नर की जगह को खत्म कर देना चाहिए, उस की हम बेकार समझते थे हम ने इस को किया भी, लेकिन फिर हम उस को वापस लाये, जिस की कोई जरूरत नहीं थी। हम जिन लोगों की कोई जरूरत नहीं समझते थे, और पहले से घोषणा करते थे कि यह स्थान देश के लिए अनावश्यक है, हम उसे मूल कर उस लोगों को और अधिकार देते आते हैं। इस लिए मैं अनुरोध करूंगा कि जहाँ तक सम्भव हो जिले के अन्दर ही सारी कार्रवाई हो, जिले के बाहर न हो। एक एक कमिश्नरी में ४, ५ या ६ जिले होते हैं, वहाँ पर अपील जाने से देर भी बचती है और हमारे साथ पूरा न्याय नहीं हो पाता। मान लीजिए कि एक जिले वाले ने इनकार कर दिया, इस में लिम्बा है कि कोई रीजन भी देने की जरूरत नहीं है, जब रीजन भी नहीं मालूम होगा तो अपील किस बात के ऊपर होगी। अगर मेरी वर्खास्त कार्रज हुई और हम को रीजन नहीं दिया गया तो हम अपील किस लिए करेंगे। तो अपील करने के लिए जिन बज्र-हात की हमें जरूरत हो वह हमें मिलनी चाहिए। जब रीजन भी नहीं मिलेंगे और उस की नकल भी नहीं मिलेगी तो हम अपील कैसे करेंगे। इसके लिए कि हम यह कह सकें कि वर्खास्त गलत तरीके से कार्रज की गई है आप इस रूल को सहूल न कर सकें तो मेरा सवाल है कि जिस प्रांश से यह अधिनियम इस भवन में प्राया है वह पूरी नहीं होगी। आज जो बहुत हम यहाँ कर रहे हैं आप उसे पूरा करें तब तो ठीक है नहीं तो इस को बन्द करें। अगर हम लोगों के कहने का कुछ प्रसर नहीं होने वाला है तो फिर आप जैसा चाहें करें। जैसा हमारे सभी भी ने कहा बिना तो पक्ष ही ही जायेगा, चाहे हम हजार क्यों करें।

श्री अक्षय सिंह : मंत्री तो उन की ही चलेगी।

श्री सिद्धान्त सिंह : मंत्री तो आप की बसनी है, और किसी की नहीं। यही कहने के लिए मैं आया हूँ कि हम लोकतांत्रिक हैं लेकिन मंत्री आप की चलेगी। इस भिन्ने मैं अपील करता हूँ कि आप इस विधेयक को फिर पढ़िये और इस में अच्छी तरह से परिवर्तन कीजिये। यह ठीक नहीं है कि जो कुछ गवर्नमेंट चाहे वही चले सके ही वह धक्का हो या नहीं। अगर पुरानी ही बात चलानी है तो फिर इस बिल का क्या लाभ है। जो पुरानी कार्रवियाँ भी उन के अनुसार इस बिल को देखिये। पुराने ऐक्ट को ध्यान में रख कर सोचिये कि लोगों के फायदे के लिए इस कानून में क्या परिवर्तन किया जाय। आज तो आप ने लोगों को सुविधा देने के बजाय इस कानून को और कड़ा कर दिया है। साठी डंडे को भी इसके अन्दर ला करके तो लोग नपुसक कर दिये जायेंगे। ऐसा होते हुए हम इस का समर्थन तो नहीं कर सकते लेकिन मजबूरी है।

श्री मोहन स्वच्छ (पीसीबीत) - समापित महोदय, मुझे सुनी है कि बहुत देर इन्तजार करने के बाद मुझे बोलने का अवसर मिला है। हमारे देश का इतिहास कहता है कि पिछले जमाने में लोग मुसल्मान रहते थे, हुबियार चलाना जानते थे, और जब सेतों में जाते थे तब भी हुबियार के जाते थे और हर तरीके से अपनी हितकामत करने के लिये तैयार रहते थे। जब ब्रिटिश गवर्नमेंट यहाँ आई और अंग्रेजों का राज्य हुआ तो सन् १८५७ में उनको एक खतरा पैदा हो गया कि यह जो मुसल्मान आसानी से मुस्क में वह उन के लिए खतरा बन सकते हैं। पिछले उन्होंने इस किसम के कानून बनाने चिन्तन कि हुबियार से बचना,

धीर हथियारों का रखना कानूनन जुर्म करणर दे दिया नका धीर उत के लिए लाइसेंस की प्रकाष पसाई गई ।

जब मुक्त आजाद नहीं था तो हम इस प्रथा के विनियमों में सम्मिलित किया करते थे, निरदिसाइन किया करते थे कि यह बहुत खराब चीज है, लेकिन जब मुक्त आजाद हुआ, हुकूमत हमारे हाथ में आई तो हम लोग इन सब चीजों को भूल गये धीर जो कानून आजादी से पहले थे, उसी शक्त में वह आज भी चल रहे हैं । पिछले साल पटेल साहब का एक रेजोल्यूशन था मजबूत लीजिंग गन के बारे में । उस वक्त हमारे मिनिस्टर साहब ने उम्मीद दिलाई थी कि हमारे सामने बहुत प्रच्छेदी शक्त में एक कानून था रहा है धीर उससे बहुत कुछ उम्मीदें बाबिस्ता हो गई थीं । लेकिन आज जब कानून थाया है तो वह सब उम्मीदें मिट्टी में मिल गई धीर हमें बड़ी मायूसी हुई ।

जहाँ तक लाइसेंस का सवाल है, लाइसेंस लेना एक बड़ी भारी मूवीबत है । पहले दरबास्त बीजिये कलेक्टर के यहाँ, फिर वह तहसीलदार के पास धीर जाने में जायें । तहसीलदार का प्रमता प्रलय रिखत मागता है, यानेदार प्रलय रिखत मागता है, उन से जब मामला तय हो कर हाकिम परगना के पास जाता है धीर पुलिस सुपरिन्टेंडेंट के पास जाता है, तो वहाँ पर लोग प्रलय रिखत मागते हैं । मैं ने देखा है कि प्रमसर केलेज में लाइसेंस लेने के लिए एक एक हजार रुपया खर्च हो जाता है धीर साथ हीकात लाइसेंस सब भी नहीं मिलता । कभी कभी कंस का तिलसिना चलता है । एक ती सौबर्स कंस हुआ करता है, उस में कहा जाता है कि कुछ बीजिये, या जो साथ कंस बोड़ी धामदारी की बचत बीजना सब कामकाज कर रहा है, उस के लिये रुपया लक्ष्य पसाई है ।

१००० बी, ४०० बी या २०० रुपये से शर्त करके के बंधे से हैं ऐसी बका में लाइसेंस लेना एक मूवीबत बन गया है । लेकिन जहाँ तक लाइसेंस लेने का सवाल है उसका लेना बकरी हो गया है क्योंकि आज कुछ यह हो रही है कि पुलिस जिस पर कि हमारी रखा करने की जिम्मेदारी थी, वह अपने करायज में कामकाज नहीं हो पा रही है धीर जनता की रखा करना तो एक करक रहा पुलिस खुद लुट रही है । उत्तर प्रदेश के ५, ६ डेस्टने जिले ऐसे हैं जिनके कि बाबत प्रमसारी में कहा है कि कई जगहों पर पुलिस के इंस्पेक्टर, सब इंस्पेक्टर धीर जजेज वरीरह लूटे गये धीर मैं नहीं समझता कि ऐसी हालत में देशवासियों की हिकाजत का इसके प्रलावा धीर क्या करिया हो सकता है कि वह खुद अपनी हिकाजत करें धीर इसके लिये बकरी हो जाता है कि उनको ज्यादा से ज्यादा हथियार दिये जायें । आज लाइसेंस मिलने में बड़ी दिक्कत का सामना करना पड़ता है धीर उनको लाइसेंस के लिए दरबास्त दिये साल साल भर हो जाता है लेकिन लाइसेंस उनको नहीं मिल पाता है । मैं चाहूंगा कि जिस मकसद से यह बिल थाया था कि यह धार्मस लाइसेंस देने की पद्धति को लियर-साइज किया जाय वह पूरा होना चाहिये । लोगों को अपनी रखा करने के लिए ज्यादा से ज्यादा सहूलियतें दी जायें नहीं तो यह महज एक तमाशा बन कर रह जायगा ।

बिल की प्रका ६ मे यह प्रोवाइड किया गया है :

The licensing authority shall not refuse to grant any licence to any person on the ground that such person does not possess sufficient property.

लेकिन सजापति महोदय, "सफि-सिबंट प्रारपीटी" की कोई परिवावा नहीं की गई है । सेलेक्ट कमेटी में मैं ने यह सवाल

[श्री मोहन स्वल्प]

उठाया था और पूछा था कि "सर्फिक्टिवट प्रापरटी" से मतलब क्या है। मेरा इसके लिये सुझाव यह है कि जो धादमी फकीर हों, बेचरबार का हों, बैगाबीड हों उसको छोड़ कर बाकी सारे धादमियों को लाइसेंस देने का हक होना चाहिए। परसनल प्रापरटी की हिकायत करना हर धादमी का पैदायशी हक है। मैं चाहता था कि इसमें इस तरह का अमेंडमेंट ऊपर हो कि फकीर को छोड़ कर जो कि बन्दूक नहीं रख सकता हो और जो कि बन्दूक खरीदने और कारतूसों खरीदने का सर्चा बर्दास्त न कर सकता हो, उसके अलावा हर एक धादमी को बन्दूक रखने का हक होना चाहिए। यह बिल धार्म्स बिल की शकल में है। मैं महसूस करता हूँ कि इसको फायर धार्म्स बिल की शकल में होना चाहिए था और इसमें मे सोईस, डैगर्स और स्पियस बगैरह को हटा दिया जाय और इसको "फायर धार्म्स बिल" होना चाहिए था लेकिन ज्वाएंट सेलेक्ट कमेटी से यह हमारे सामने धार्म्स बिल की शकल में आया है।

इसके बाद मुझे यह भ्रंज करना है कि इस बिल के क्लोजेज २४, २५, २६, २७ और २८ में जो सजाएं तजबीज की गई हैं वे बहुत ज्यादा हैं और यह सजाएं कम होनी चाहिएं। खाली धार्म्स ऐक्ट के अन्दर इतनी सख्त सजाएं देना मुनासिब नहीं है।

इसमें जहां कि ज्वाएंट रिस्पॉसिबिलिटी की बात कही गई है और जिसमें कि यह कहा गया है कि जिस किसी पर शुबहा हो जाय और उसको सजा हो जाय तो साथ ही जो और लोग साथ में हैं उनके ऊपर भी इसकी जिम्मेदारी भाती है, मैं समझता हूँ कि वह जो ज्वाएंट रिस्पॉसिबिलिटी वाली गई है वह बहुत गैर मुनासिब है। अब अगर एक क्वेश्चन भिन्नगत हो तो दूसरे धादमियों को भी कि उस घोसायदी में रखे हों उन

पर क्यों जिम्मेदारी डाली जाय। अब कोघापरेटिव्स की बात की जाती है और सरकार द्वारा कोघापरेटिव फार्म्स बन रहे हैं उसमें अगर एक क्वेश्चन के ऊपर जिम्मेदारी भाती है तो उसके लिए सारे धादमी क्यों जिम्मेदार ठहराये जायें। इसलिए मैं समझता हूँ कि यह नामुनासिब है।

बिल में यह कहा गया है कि जब कोई लाइसेंस रिबोक हो, जब वह किसी तरह से खत्म कर दिया जाय तो हथियारों को मालखाने में जमा करा दिया जाता है और मालखाने में जमा होने के बाद महीनों के जमा पड़े रहते हैं और उनमें जंग लग जाता है इसलिए मैं चाहूंगा कि जब कोई बन्दूक मालखाने में जमा कराई जाय तो उसकी कीमत फीरन उसको मिल जानी चाहिए ताकि उसको उसकी वाजिब कीमत मिल सके और हथियार खराब होने से बच जाय।

बिल में प्रोवीजन है कि अगर कोई डिस्टर्ब्ड ऐरिया हो और कोई शिकार के वास्ते वहां बन्दूक ले जाय तो वह अन-लाफुल करार दे दिया जाता है, ज्वाएंट कमेटी ने सिफारिश की है कि उसमें ऐसा लिख दिया जाय कि अगर वह धार्म्स किसी सन्दूक भयवा कपड़े बगैरह में पैक हो तो उस पर कोई ऐतराज नहीं है।

दूसरे देशों में मतलब इंगलैंड, अमरीका में जैसी व्यवस्था है वैसी यहां पर भी होनी चाहिए कि थोड़े समय के लिए या अगर कोई एमरजेंसी हो तो लोगों को धार्म्स के लाइसेंस मिलने चाहिएं। मेरी राय यह है कि उसके अलावा उसका नाम सर्टिफिकेट रखा जाय और शार्ट टाइम सर्टिफिकेट देने जाय जो कि थोड़े भर्त के लिए इस्तेमाल कर सकें।

उसके बाद मैं यह चाहता हूँ कि इसमें क्वेश्चन की जो और खण्डों में हैं उसको कुछ

कम कर दिया जाय और बजाय १६ वर्ष के १४ वर्ष कर दिया जाय। कुछ अन्य सचत्वों ने भी १४ वर्ष का सुझाव दिया है जो कि मैं समझता हूँ कि मुनासिब है। १४ साल का सड़का काफी समझदार होता है और अगर वह शुरू से ही उसका इस्तेमाल करना न सीखेगा तो उसके लिए बड़ा होकर उसकी मरक करना मुश्किल हो जाता है। इसलिए अगर १६ वर्ष की बजाय १४ वर्ष कर दिया जाय तो मुनासिब होगा।

इसके साथ साथ मैं यह चाहता था कि मजल लोडिंग गंस को साइसेंस की कैद के हटा दिया जाय। उनके बैरल को छोटा करके उनकी बेलासिटी कम कर दी जाय। इसी तरह जो २२ राइफिलें हैं उन पर भी साइसेंस नहीं होना चाहिये क्योंकि यह बहुत ज्यादा हार्मफुल चीज नहीं है, बहुत मामूली से हथियार हैं और उनको शुरू से अगर मरक न करने के लिए दिया जायगा तो भ्रामे चल कर उन पर मरक करना मुश्किल हो जायगा। क्रोप प्रोटेक्शन और मरक करने के लिए मजल लोडिंग गन साइसेंस से बरी होनी चाहिए। बिल में यह प्रोवाइड किया गया है कि सिर्फ २२ बोर राइफिल क्लबों के वास्ते ऐग्जम्प्ट की गई है। जो बच्चे ट्रेनिंग हासिल करते हैं उनको रिमायत दी गई है। लेकिन बहुत से ऐसे लोग भी हैं जो कि इन क्लबों के बाहर बरों पर मरक करते हैं तो ऐसे लोगों को जिनकी कि बोनाफाइड्स साबित हो जायं उनको भी इस छूट की रिफ ग्रत मिलनी चाहिए।

समापति महोदय., प्राथ मुल्क जिस वीर से सूबर रहा है उसमें यह बहुत जरूरी हो गया है कि देशवासियों को धार्म्ब किया जाय उनको मिलेटरी ट्रेनिंग दी जाय ताकि वह सतत जरूरत पर सेकेंड माइन आउट डिफेन्स बन सकें और देश की आबादी की रक्षा कर सकें।

मेरा धक्का सुझाव यह है कि गांवों में डिफेन्स सोसाइटीज होनी चाहिए, गांवों

में डिफेन्स सोसाइटीज आरगनाइज हों और उनके पास काफी ऐम्प्लेसन और हथियार हों। मैं ने अपने जिले में कोसिस की भी, डिस्ट्रिक्ट मजिस्ट्रेट से भी कहा था और एस० पी० से भी कहा था कि हर एक बाने में कम से कम एक डिफेन्स सोसायटी होनी चाहिए जिनको कि हथियार दिए जायें और इस प्रकार जो हथियार दिये जायं वह एस० पी० के नाम से ईश्यू किये जायं। डिफेन्स सोसायटीज के जो लोग हों वे सब ट्रेन्ड हों और उन पर जिम्मेवारी हो। वह अपने अम्पुनिशंस का एकाउंट रखें। ऐसा होने से गांवों का मोरेल ऊंचा होगा और भाव जो गांवों में एक बदधमनी और नाजुक हालत पैदा हो गई है और इनसीक्योरिटी पैदा हो गई है उसको हटाने में बहुत मदद मिलेगी। जैसा कि श्री सिंहासन सिंह ने कहा और दूसरे दोस्तों ने भी कहा कि जिन गांवों में हथियार होते हैं वहां डकैत बहुत कम आया करते हैं और जो गांव मुसल्ला नहीं होते हैं वहां डकैत अक्सर हमला करते हैं और लुटमार करते हैं यह सही है। अब मुल्क अपना है और भंषेजों का राज्य नहीं रहा है इसलिए लोगों को हथियार लिबरली देने से डरना नहीं चाहिए और यह याद रखना चाहिए कि जो गांव ज्यादा मुसल्ला रहते हैं उनमें ज्यादा सीक्योरिटी रखती है। इसलिए लोगों को ज्यादा के ज्यादा ताबाद में हथियार दिये जायं। साइसेंस ग्रांट करने के लिए एक मियाद मुकरर कर दी जाय और एक महीने में धार्म्ब की ऐप्लीकेशन डिस्पोज हो जाय, ऐसा न हो कि साल भर ऐप्लीकेशन डिस्पोज न हो और बसती रहे। इसलिए जरूरी हो जाता है कि साइसेंस ऐप्लीकेशन डिस्पोज करने के लिए एक महीने की मियाद मुकरर कर दी जाय। जब इस तरीके से हम तनाव सलूलियतें बनें तब तो इस बिल से फायदा होगा करना यह तमाशा बन कर रह जाएगा। इसलिए समापति महोदय, मैं आपके द्वारा मिनिस्टर साहब से प्रार्थ कर्ना कि वह

[श्री कोहन स्वयं]

इस विषय की चीजों को इसमें लाने की कोशिश करें। एक अपोबीकन मेम्बर होने के नाते मैं ने यह बात एक चुनाव सभके हूँ और कांग्रेस पार्टी के मेम्बरों ने भी कुछ इसी तरह कहा है मैं मिनिस्टर साहब ने इरिक्वायर्स करना कि वह मुक्त की जीवूवा हानत को नष्टकर रखते हुए इन चीजों पर जोरें और और करें। बत इतना ही कुछ ब्युस्तार में कहना था।

Shri Achar (Mangalore). Mr. Chairman, Sir, the Bill, as it has emerged from the Joint Committee, is a welcome measure because I submit that, apart from everything else, it is certainly an improvement on the old Arms Act.

Hon. Members have asked whether it has really become liberal. From certain points of view, certainly it has become liberal. For example, the clearest improvement is so far as licences are concerned. After all, that is the main point that comes in the Bill. So far as licences are concerned, they are restricted only to firearms. Under the old Act, even for the possession of an ordinary weapon, an ordinary sharp-edged weapon, a licence was necessary. From that point of view, certainly the Bill is an improvement. As to the question how far it has progressed, whether it is in keeping with the general trend of law in other democratic countries which are independent, as for example, the United Kingdom, France or United States of America, we have to concede that it is not so very progressive. But at the same time, we have probably to remember that the question of peace and of law and order is a little peculiar to India; it is not exactly as it is in America or in England.

Let us take two recent instances. What happened in Tyagarajanagar in Madras and Kanpur in U.P.? Just because a constable had some cartridges in his tilka carrier and something

happened to it, there was rioting and trouble all over the city; there was looting also. Again, take the incident at Kanpur. Unfortunately, a very reprehensible incident happened in the Police Station. Of course, everybody condemns it. But as a consequence what was it that we saw? In the whole city, there was no peace and order. The Police Station was attacked. Can such a thing happen in America or the United Kingdom or France?

17 hrs.

So, when we go into that question, though we are in favour of liberalisation of the Arms Act which was the blackest Act under the British regime, we have also to consider our law and order position and shape the Act according to conditions here. From that point of view, I would submit that the present Bill is certainly an improvement.

Some people say that it is not sufficiently liberalised. We have to concede that it is not fully liberalised. It is not in keeping with the Acts they have in the United States or Canada and most of those countries. There it is only a question of registration; there is no question of licence. Here licence is, in fact, the most important problem. As it happens, people in the villages, the ryots, find it very difficult to get licences. Often, it is a sort of concession or grace shown by the police sub-inspector. If a person is not in his good books, he is not able to get it. I pressed for the acceptance of an amendment in the Joint Committee whereby at least an appeal may be allowed against the decision of the authority issuing the licence. Of course, the authority granting licence here is the District Magistrate. I could not succeed there. I have tabled an amendment and I am going to try my best in this House. I hope to convince our hon. Home Minister.

Shri Shri Raj Singh: You are hoping against hope.

Shri Achar: Ayhow we shall wait and see. My point is that so far as the grant of licence is concerned, at least a judicial frame of mind is necessary.

One more point. I am told that I am given only five minutes or so. This materially affects my constituency. I wish the Bill had at least been as liberal as the law in Coorg. I do not know whether the hon. Members know that in Coorg under the present Act, no licence is necessary for Jamma holders—that is, holders of property. They need not apply for any licence. There is complete exemption for them in the rules that we framed as late as 1951. In the list of exemption, under item 4, relating to the exemption, there is this entry:

“Every person of Coorg race and every Jamma tenure holder in Coorg, who by his tenure, is liable to perform military or police duties.”

Except for cannons and things like that that are required for war purposes, there is complete exemption. I wish that the law had at least been as liberal as it is in Coorg now. I am afraid that the Bill does not grant so much of exemption to all the Indians as I feel it ought to. If it is successful in Coorg, I do not see why it should not be successful all over India. In this connection, I would like to refer to a passage from the speech of the late Sardar Patel, who was the Home Minister at that time. In 1947, he referred to Coorg and said:

“Now, the only place in India where you may say there is Ram Raj is Coorg where there is no complaint—nothing. Even if there is no Constitution, they do not complain. Their Commissioner retires practically with death. Even after his death, they do not complain. Some retired officer from Madras is made the Commis-

sioner there and he lives there and as long as he lives, he is the Commissioner. There is no theft, there is no robbery, no crime. They drink merrily and are happy ..”

He then refers to Mr. Modi and says:

“My friend, Mr. Modi, I think would like to go and live there..”

Shri D. C. Sharma: I would like to go and live in Coorg.

Shri Achar: You are welcome. Now, the point I am urging is that so far as Coorg is concerned, they have complete exemption now. I am appealing to the hon. Home Minister to see that we are not worse off, if the provisions cannot be liberalised. If the same state of things as obtains in Coorg could not be made applicable all over India, so far as Coorg is concerned, the *status quo* should not be disturbed and they should be allowed to have the privileges they are now having

Mr. Chairman: The hon. Minister.

Shri Datar: Mr. Chairman..

Mr. Chairman: I think the hon. Minister will take sometime—about twenty minutes or so—and so he can continue tomorrow.

Shri Radhohal Vyas (Ujjain): Sir, I have been waiting from 2-30. I would not take more than five minutes. The hon. Minister can reply tomorrow.

Mr. Chairman: After I have called the hon. Minister to reply, so far as the discussion is concerned, I do not think it is proper for me to call any other hon. Member. I am sorry I am unable to call him now.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, November 17, 1950/Kartika 26, 1951 (Saka).

[Monday, November 16, 1959/Kartika 25, 1881 (Saka)]

ORAL ANSWERS TO QUESTIONS

1-40

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4.	Export of iron ore to Czechoslovakia	10-11
5.	Efficiency code	11-13
6.	Supply of cycle tyres and tubes	13-14
7.	Aluminium plant at Rihand	14-16
8.	Puppetry in film-making	16-17
9.	Film Institute	17-19
10.	Working Journalists Wage Committee	19-25
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12.	Kirtinagar Colony	27-28
14.	Export of dried prawns	28-31
15.	Nuclear test in the Sahara	31-32
16.	Broadcasting Station at Darbhanga	32-34
17.	Wage Board for Sugar Industry	34-37
18.	Residential Flats in Indra Market	37-38
19.	Bogus registration of plots	38-39
21.	News Agencies	39-40

WRITTEN ANSWERS TO QUESTIONS

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22.	Rebate to Displaced Persons	41-42
23.	Export of jute	42
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25.	Electrolytic copper	43
26.	Indo-Pakistan Border Disputes	43-44
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28.	Loans due from displaced persons	45-46
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31.	Aluminium Plant in Salem	47
32.	Forged passports	47-48
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34.	Radio Station in Sikkim	49-50

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2.	Construction of shops and stalls in Government employees colonies	51
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4.	Employment opportunities in Bombay State	52
5.	Unemployment in Bombay State	52-54
6.	Production of magnesia clinker	54
7.	Manufacture of cars, jeeps and trucks	54-55
8.	Lemon grass oil	55-56
9.	Industrial Estate at Bataia	56-57
10.	Tungsten carbide	57
11.	Acquisition of land in Lhasa	57-58
12.	Indians arrested by Chinese	58
13.	Migration of Indians from Ceylon	58
14.	Atomic fuel fabrication plant	58-59
15.	Unemployed graduates registered with Employment Exchanges	59
16.	Goa	59-60
17.	Industrial Development of Delhi	60
18.	Industrial Estate at Agra	60-61
19.	Import and Export of cotton	61-62
20.	Indian property in Ceylon	62
21.	Barter deal with U.S.A.	62-63
22.	Shipment of bauxite	63

**WRITTEN ANSWERS TO
QUESTIONS—contd.**

U.S.Q. No	Subject	COLUMNS
23	Surgical instruments and appliances	6 3
24.	Chemical analysis of Ferro Alloy	63-64
25.	Co-operative Societies in coalfields	64
26.	Import of Dammer Batu	65
27	Remodelling of Tehar Village (Delhi)	66
28	Fertiliser plant at Bombay	66
29.	Rehabilitation of displaced persons in U P	67
30	Tibetan Buddhist Monastery in Jalpaiguri	67
31	Entry of Pakistanis in Jammu	67-68
32	Indian Temple at Baku	68
33	New building for Government of India Press at Simla	68-69
34.	Accommodation for Government Employees at Simla	69
35.	Import of rubber shoes	69-70
36	Development of khadi in Himachal Pradesh	70
37.	Automatic looms for Punjab	70-71
38	Loans to Industries at Faridabad	71
39	Export of fruits	71
40	Film Workers	71-72
41	International Film Festivals in 1959-60	72
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43	Export of cotton piece-goods	73
44.	Employees State Insurance Scheme	73-74
45.	San Francisco International Film Festival	74
46.	Development of hilly regions of Punjab	74-75
47.	Development of Tea Industry in Punjab	75-76
48	Match and bidi industries	76
49	Pulp and Paper Mill in Assam	76-77
50.	House Building Co-operative Societies in Delhi	77-78

**WRITTEN ANSWERS TO
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U.S.Q. No.	Subject	COLUMNS
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52.	Migrations from Pakistan	78
53	Calcium Carbide	79

OBITUARY REFERENCES 79-82

The Speaker made references to the passing away of Shri Keahavrao Marutirao Jedhe, who was a sitting Member of Lok Sabha, Dr John Mathai, who was a Member of the former Central Legislative Assembly, the Constituent Assembly of India and the Provisional Parliament, Syed Mohammad Ahmad Kazmi, who was a member of the former Central Legislative Assembly, the Constituent Assembly of India, the Provisional Parliament and First Lok Sabha and Rev J. M. Nicholas-Roy who was a Member of the former Central Legislative Assembly and the Constituent Assembly of India.

Thereafter Members stood in silence for a minute as a mark of respect

MOTIONS FOR ADJOURNMENT 80-101

The Speaker withheld his consent to the moving of the following adjournment motions given notice of by the members shown against them

(i) Delay on the part of Chinese Government in releasing the Indian Policemen and returning the dead bodies of those killed by the Chinese troops in Ladakh on the 21st October, 1959.
S h r i
M o h a n
S w a r u p

MOTIONS FOR ADJOURNMENT—contd.

- (B) The killing and kidnaping of Indian Policemen in Ladakh by the Chinese troops on the 21st October, 1959 and continued occupation of the Indian territory by the Chinese in Ladakh and NEFA.
- Notices by Ser-
vashri Mohan
Swarup, Nar-
yas Gansah
Gosay, Khu-
shwaqt Rai,
Prakash Vir
Shastri, J.B.
Kripalani, B.
C. Kamble,
Nauahir Bha-
rucha, Atal
Bihari Vajpa-
yee, Asoka
Mehta, S.A.
Masin, Tridib
Kumar Cha-
udhuri, Braj
Raj Singh,
Aurobindo
Ghosal, Fran-
k Anthony,
G. K. Manay,
D.A. Katti,
Karsandas
Parmar and
J.M. Moham-
med Imran and
H. H. Maha-
raja Pratap
Keshari Deo.

Columns

PAPERS LAID ON THE TABLE—contd.

Columns

the Government on various assurances, promises and undertakings given by the Ministers during the various sessions of Second Lok Sabha :

- (i) Supplementary Eighth Statement No. I, 1959
- (ii) Supplementary Seventh Statement No. VIII, 1959
- (iii) Supplementary Sixth Statement No. XII, 1958
- (iv) Supplementary Fifth Statement No. XIV, 1958
- (v) Supplementary Fourth Statement No. XXIII, 1958
- (vi) Supplementary Third Statement No. XXIX, 1957
- (vii) Supplementary Second Statement No. XXIX, 1957

PAPERS LAID ON THE TABLE

102—06

- (1) A copy of White Paper II containing Notes, Memoranda and letters exchanged between the Governments of India and China during September-November, 1959 and a note on the Historical Background of the Himalayan Frontier of India
- (2) A copy of Notification No. G.S.R. 1205 dated the 31st October, 1959 under sub-section (3) of Section 13 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958, making certain amendments to the Public Premises (Eviction of Unauthorised Occupants) Rules, 1958
- (3) A copy of the Sugar (Special Excise Duty) Ordinance, 1959 (No. 3 of 1959) promulgated by the President on the 25th October, 1959, under provisions of Article 123(2) (a) of the Constitution.
- (4) A copy of each of the following statements showing the action taken by

- (5) A copy of each of the following Notifications, under sub-section (6) of Section 3 of the Essential Commodities Act, 1955
- (i) S.R.O. No. 1005 dated the 29th March, 1957, S.R.O. No. 1788 dated the 1st June, 1957, S. O. No. 337 dated the 29th March, 1958 and G.S.R. No. 800 dated the 13th September, 1958 making certain further amendments to the Cotton Control Order, 1955
- (ii) S.R.O. No. 1386 dated the 4th May, 1957 making certain further amendment to the Cotton Textiles (Export Control) Order, 1949.
- (iii) S.R.O. No. 3334 dated the 19th October, 1957 making certain further amendments to the Cotton Textiles (Control) Order, 1948.
- (6) A copy of Notification No. G.S.R. 1039 dated the 12th September, 1958, under sub-section (3) of Section 48 of the Coffee

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- Act, 1942 making certain further amendments to the Coffee Rules, 1955.
- (7) A copy of the Shipping Development Fund Committee (Execution of Contracts) Rules, 1959, published in Notification No. G.S.R. 1199 dated the 31st October, 1959, under sub-section (3) of Section 458 of the Merchant Shipping Act, 1958.
- (8) A copy of each of the following papers :
- (i) Report of the Coir Enquiry Committee Parts I and II
- (ii) Government Resolution No. 42-SSI(B) (5)/55 dated the 24th August, 1959
- (9) A copy of each of the following Notifications under sub-section (6) of Section 3 of the Essential Commodities Act, 1955 :
- (i) G.S.R. No. 1101 dated the 3rd October, 1959
- (ii) G.S.R. No. 1102 dated the 3rd October, 1959 making certain amendments to the Textile (Production by Powerloom) Control Order, 1956
- (iii) G.S.R. No. 1103 dated the 3rd October, 1959 making further amendments to the Cotton Textiles (Control) Order, 1948
- (10) A copy of Statement showing action taken or proposed to be taken by the Government of India on the Conventions and Recommendations adopted by the International Labour Conference at its 41st (Maritime) Session held at Geneva in April-May, 1958
- (11) A copy of each of the following Notifications under sub-section (4) of Section 38 of the Industrial Disputes Act, 1947, making certain further amendments to the Indus-

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- trial Disputes (Central) Rules, 1957 :
- (i) G.S.R. No. 1151 dated the 17th October, 1959 .
- (ii) G.S.R. No. 1182 dated the 24th October, 1959.
- (12) A copy of Notification No. G.S.R. 896 dated the 1st August, 1959 under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 making certain further amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955
- (13) A copy of Notification No. G.S.R. 1089 dated the 26th September, 1959 under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, making certain further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.
- (14) A copy of the 'Parliamentary Committees Summary of Work' pertaining to the Eighth Session of Second Lok Sabha.

PRESIDENT'S ASSENT TO
BILLS

106—08

- (i) Secretary laid on the Table the following Bills passed by the Houses of Parliament during the last Session and assented to by the President since the last report made to the House on the 12th September, 1959 :
- (1) The Kerala Appropriation Bill, 1959
- (2) The Appropriation (No. 7) Bill, 1959
- (3) The Criminal Law (Amendment) Bill, 1959
- (4) The Travancore-Cochin Vehicles Taxation (Amendment and Validation) Bill, 1959

COLUMNS

COLUMNS

PRESIDENT'S ASSENT TO
BILLS—contd.

- (11) Secretary also laid on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following Bills passed by the Houses of Parliament during the last Session and assented to by the President since the last report made to the House on the 12th September, 1959 :
- (1) The State Bank of India (Amendment) Bill, 1959
 - (2) The Kerala Local Authorities Laws (Amendment) Bill, 1959
 - (3) The Public Wakfs (Extension of Limitation) Bill, 1959
 - (4) The Road Transport Corporations (Amendment) Bill, 1959
 - (5) The Employment Exchanges Compulsory Notification of Vacancies Bill, 1959
 - (6) The Wakf (Amendment) Bill, 1959
 - (7) The Indian Electricity (Amendment) Bill, 1959
 - (8) The Banking Companies (Amendment) Bill, 1959
 - (9) The State Bank of India (Subsidiary Banks) Bill, 1959
 - (10) The Oil and Natural Gas Commission Bill, 1959
 - (11) The Government Savings Banks (Amendment) Bill, 1959
 - (12) The Government Savings Certificates Bill, 1959
 - (13) The Public Debt (Amendment) Bill, 1959
 - (14) The Rajasthan and Madhya Pradesh (Transfer of Territories) Bill, 1959

REPORT OF ESTIMATES
COMMITTEE PRESENTED

Sixty-second Report was presented

STATEMENTS BY MINISTERS

108—119

- (1) The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim) made a statement on the latest position regarding the mishap on the 21st August, 1959 to the Hoist Chamber of a tunnel at the Bhakra Dam and also laid on the Table a copy thereof
- (2) The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim) laid on the Table a copy of the statement on the latest developments regarding the Indo-Pakistan Canal Waters Disputes
- (3) The Deputy Minister of Railways (Shri Shah Nawaz Khan) made a statement regarding the accident to Agra-Allahabad Passenger train at Bidampur on the 20th October 1959
- (4) The Deputy Minister of External Affairs (Shrimati Lakshmi Menon) made a statement on the results of the Minister-level Indo-East Pakistan Border Conference held from the 15th to 22nd October, 1959 and also laid on the Table the following papers
 - (i) Copy of the Joint Communiqué issued by the Governments of India and Pakistan on the 24th October, 1959 .
 - (ii) Copy of the agreed decisions and procedures to end disputes and incidents along the Indo-East Pakistan border signed by the Secretaries of the two Governments ,
 - (iii) Copy of the Ground Rules formulated by the Military Sub-Committee of the Indian and Pakistan Delegation and other detailed arrangements arrived at to maintain peaceful conditions along the Indo-East Pakistan border areas; and

COLUMNS

COLUMNS

STATEMENTS BY MINISTERS—*contd.*

- (iv) Copy of letters exchanged between the Secretaries of the two Governments on the further follow-up of transit and visa facilities and promotion of trade between West Bengal and East Pakistan

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

120

Shri Arun Chandra Guha moved that the time appointed for the presentation of the Report of the Joint Committee on the Companies (Amendment) Bill, 1959, be further extended up to the last day of the first week of the next session

The motion was adopted

BILLS INTRODUCED

120-21

- (1) The Indian Panel Code (Amendment) Bill, 1959

BILLS INTRODUCED—*contd.*

- (2) The Constitution (Eighteenth Amendment) Bill, 1959
 (3) The Haj Committee Bill, 1959

BILL UNDER CONSIDERATION

121-21

The Minister in the Ministry of Home Affairs (Shri Datar) moved that the Arms Bill, as reported by the Joint Committee, be taken into consideration. The discussion was not concluded

AGENDA FOR TUESDAY, NOVEMBER, 17, 1959 'KARTIKA 26, 1881 (SARA)—

Further discussion on the motion to consider and passing of the Arms Bill as reported by the Joint Committee and consideration and passing of the Miscellaneous Personal Laws (Extension) Bill, as passed by Rajya Sabha and also the Securities Contracts (Regulation) Amendment Bill