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Wednesday, May 6, 1964
Vaisakha 16, 1886 (Saka)

LOK SABHA DEBATES

Seventh Session
(Third Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT

New Delhi

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LOK SABHA DEBATES

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LOK SABHA

Wednesday, May 6, 1964/Vaisakha 16,
1886 (Saka)

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Regional Schools of Printing

*1323. Shri Yashpal Singh: Will the Minister of Education be pleased to state:

(a) whether Government are aware that qualified and experienced teaching personnel are not coming forward for employment in the four Regional Schools of Printing for want of adequate remuneration; and

(b) if so, the steps Government propose to take to meet this situation?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) According to the reports received, two schools are experiencing difficulty in recruiting full-time staff.

(b) Revised pay scales have been sanctioned and the State Governments have been requested to implement them.

As far as possible, the services of part time teachers have been secured by the Schools.

श्री यशपाल सिंह : इस समय वे लोग क्या प्रेड मांग रहे हैं और सरकार क्या प्रेड दे रही है ?

श्री भक्त दर्शन : इस बारे में मेरे पास आंकड़े नहीं हैं, लेकिन केन्द्रीय सरकार ने प्रिन्सिपल्स, हेड्स आफ डिपार्टमेंट्स, लेक्चरर्स और इंस्ट्रक्टरों के वेतनक्रमों में बढ़ोतरी कर दी है ।

श्री यशपाल सिंह : क्या स्टेट गवर्नमेंट्स से इस विषय में भ्रष्टाचार कर लिया गया है ; यदि हां, तो इस बारे में उनकी प्रतिक्रिया क्या है ?

श्री भक्त दर्शन : इन प्रिंटिंग स्कूलों का पचास प्रतिशत खर्चा केन्द्रीय सरकार देती है । हम ने राज्य सरकारों से अनुरोध किया है कि वे नये बड़े हुए वेतन-क्रमों को शीघ्र से शीघ्र लागू करें ।

श्री शिव नारायण : इस समय उन लोगों को जो पे मिल रही है, उस में कितने परसेंट वृद्धि हो रही है ?

श्री भक्त दर्शन : इस समय ये आंकड़े मेरे पास नहीं हैं ।

श्री म० ला० द्विवेदी : मैं यह जानना चाहता हूँ कि इन चारों प्रादेशिक स्कूलों में कार्य की प्रगति की क्या स्थिति है और अभी तक कुल कितने लोग प्रशिक्षित हुए हैं ।

श्री भक्त दर्शन : ये आंकड़े तो मेरे पास नहीं हैं कि कुल कितने लोग अब तक प्रशिक्षित हुए हैं । लेकिन इन सब विद्यालयों का कार्य संतोषजनक ढंग से आगे बढ़ रहा है ।

श्री सिद्धेश्वर प्रसाद : ये चार प्रिंटिंग स्कूल कहां कहां स्थित हैं, उन में जिन कठिनाइयों को अनुभव किया जा रहा है, वे किस प्रकार की हैं और अध्यापकों की उपलब्धि की क्या स्थिति है ?

श्री भवत दर्शन : यह चार स्कूल क्रमशः मद्रास, बम्बई, कलकत्ता और इलाहाबाद में स्थित हैं। इन में से केवल बम्बई और इलाहाबाद के स्कूलों के सम्बन्ध में कुछ कठिनाई अनुभव की जा रही है। अन्यो का कार्य ठीक ढंग से चल रहा है। जहां तक अध्यापकों का सम्बन्ध है, वे नहीं मिल रहे हैं।

श्री हुकम चन्द कछवाय : इन स्कूलों पर प्रति वर्ष केन्द्रीय सरकार और राज्य सरकारों का कितना खर्च होता है और अध्यापकों की जो तन्ख्वाह बढ़ाई गई है, क्या उस से उन को संतोष है।

श्री भवत दर्शन : जहां तक इस प्रश्न के दूसरे भाग का सम्बन्ध है, मैं कैसे कह सकता हूं कि अध्यापकों को संतोष है या नहीं। जहां तक खर्च का सम्बन्ध है, इन संस्थाओं पर नान-रिफरिंग ६ लाख रुपये खर्च होता है और रिफरिंग (चालू खर्चा) प्रति वर्ष १,४० हजार रुपये होता है। इस का पचास प्रतिशत केन्द्रीय सरकार वहन करती है।

Fertilizer Factories

*1325. **Shri P. C. Borooah:** Will the Minister of Petroleum and Chemicals be pleased to refer to the Starred Question No. 949 on the 8th April 1964 and state:

(a) when a decision in the matter of revocation of licences granted to private sector companies for setting up fertilizer factories which remained unutilised for pretty long time is likely to be taken; and

(b) The assistance or aid Government are rendering to these licensees in securing the requisite financial and technical collaboration?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) one party to whom a

licence was granted for the establishment of a nitrogenous fertilizer factory at Tuticorin has since surrendered the licence. As regards the projects at Mangalore, Durgapur and in Rajasthan, there is still a reasonable chance of these being implemented and with some modifications. Hence the revocation of these licences is being held over for the present.

(b) It is the responsibility of the licensee to make the necessary arrangements for financial and technical collaboration. Wherever any potential collaborator has sought information or clarification from Govt. on any aspect of policy, this has been given.

Shri P. C. Borooah: How many private sector licences are at present held up for want of foreign exchange and foreign technical know-how and by what time is Government going to obviate their difficulties?

Shri Alagesan: There are three cases which have made some progress Vizagapatam, Kothagudam and Gujarat. One licence has been surrendered in Tuticorin. In the other place, that is, in Hanumangarh they have asked for changing the location. As regard Durgapur, we are still considering it: the technical aspects and the suitability of location are under consideration.

Shri Ranga: What about Kothagudam?

Shri Alagesan: I have said that it is a case which has made some progress. They have arranged for foreign loans, and they have found the financial and technical collaboration. Then, whenever parties approach us, we try to clarify the position and try to help. The recent team of American businessmen also had a talk with us on these matters, and we have sufficiently clarified the position to them. As far as I am able to see, they are interested in collaborating with the Indian parties.

Shri P. C. Borooah: May I know whether an agreement with the USA for a loan for setting up a fertiliser

plant in the private sector has recently been signed and, if so what is the total amount of US credit made available for that and what is the broad outline of that agreement?

Shri Alagesan: We have no direct information, but we understand that the Vizagapatam party and their collaborators signed an agreement recently in Washington. The American party will invest about Rs. 2.89 crores and a loan from the Exim Bank has been arranged to the extent of Rs. 12.36 crores.

Shri Muthiah: May I know whether the Government has any intention of starting a fertiliser project in Tuticorin inasmuch as the licence that was given to Kothari and Sons for starting a fertiliser project has been surrendered?

Shri Alagesan: In fact, this licence was given some years ago, perhaps in 1961; it is a pity that the party could not find any collaborator in the meanwhile and they surrendered the licence recently. If they had made some progress, certainly that factory would have come up at Tuticorin. We shall consider the point that the hon. Member has referred to.

Shri P. R. Chakraverti: In view of the vital importance of increased production in the national interests, may I know whether the Government has pointed out to these people that by a fixed date they must fulfil their conditions and otherwise the Government will have to take it up?

Shri Alagesan: One party who got the licence at Korba surrendered the licence and we are taking it up. Similarly the project at Durgapur which the West Bengal Government wanted to initiate as a minority partner with other private parties also fell through. They asked us to take it up under the Fertiliser Corporation. We are having that under consideration.

Shri Ranga: Is any serious effort being made by Government to help these people to whom licences have

been given, to see that they are able to fulfil the promise and develop the project that they have taken up or, are the Government simply keeping or sitting quite, waiting for them to fail so that they may be able to take it up when they themselves are not in a position to develop anything?

Shri Alagesan: It is rather a curious point of view that the hon. Member wants to advance. We give licences to private parties and they are expected to make all the effort; and we have to help them in all possible ways, which we always do. But it is primarily for the private parties to find collaborators, etc., and this should be borne in mind.

Shri Ranga: The Tuticorin project would not have failed if they had helped them.

श्री श्रीकार लाल बरबा : प्रश्नकर्ता में प्रौढ़ शिक्षा ग्राम-पंचायतों के आधार पर चालू की गई है और वह फलही रही है। मैं यह जानना चाहता हूँ कि उस को प्रोत्साहन देने के लिये सरकार क्या कर रही है।

पट्टोल्दिम और रसायन मंत्री (श्री हुमायून कबिर) : यह सवाल प्रौढ़ शिक्षा के बारे में नहीं है।

Shri Indrajit Gupta: In view of the experience that we have had hitherto, in the past, what assurance, if any, is there that even if these plants are put up and they go into production eventually, they will be able to produce fertilisers at a price lower than the price of the imported fertilisers?

Shri Alagesan: This question about the prices of fertilisers is a very important question. Now, there are two prices: the price that is given to the factory which produces the fertilisers and the price at which the Pool sells the fertilisers. This applies to the nitrogenous fertilisers. As far as the phosphatics go, there is no price control as such, but we are trying to see that the prices are as much kept down as possible.

Three-Language Formula

*1327. **Shri Muthiah:** Will the Minister of Education be pleased to state:

(a) whether the three-language formula has been implemented for higher secondary education in all the States;

(b) if not, the names of the States which have not implemented it; and

(c) the names of the three languages taught in the schools in the Hindi-speaking and non-Hindi speaking States?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) to (c). Yes, Sir. The States have generally accepted the formula and introduced it with modifications to suit local conditions. A statement giving the position in the States is placed on the Table of the House. [Placed in Library. See No. LT-2863/64.]

Shri Muthiah: May I know whether any South Indian language is being taught in the schools in the Hindi-speaking States?

Shrimati Soundaram Ramachandran: Some states are making arrangements. In the Agra University in Uttar Pradesh, they have started teaching South Indian languages. There are special classes for the students.

Shri Muthiah: May I know which South Indian languages are taught?

Shrimati Soundaram Ramachandran: I do not have that information.

श्री म० ला० त्रिवेदी उत्तर प्रदेश, मध्य प्रदेश, बिहार और राजस्थान में अभी तक कुल कितने स्कूल ऐसे हैं जहाँ पर दक्षिण की भाषाएँ सिखाई जाती हैं ?

Shrimati Soundaram Ramachandran: No organised attempt has been made in any of the four Hindi-speaking States to introduce a non-Hindi language at the school level, which is the question here and not at the higher education level. They were teaching

Sanskrit as the third language, but in the Education Ministers' Conference, it was clarified that Sanskrit is not a modern Indian language; it is only a classical language. So, a third non-Hindi language should be introduced. But I am not aware if it has been implemented in any school in all the four States.

Shri Swell: Is it a fact that for a good number of people in this country, especially poor backward tribals like myself, it is not a three language formula, but a four language formula? Our children have got to learn four languages—their mother tongue, a regional language, which they dislike, Hindi and English?

Shrimati Soundaram Ramachandran: That is why some of the States, where more than one or two languages are spoken, have modified their three language formula into four languages, introducing a higher course and a less advanced course to suit the children's needs and their capacity.

श्री जगदेव सिंह सिद्धान्ती : पंजाब राज्य में दो रिजिन हैं, पंजाबी रिजिन और हिन्दी रिजिन। उनके अन्दर विभाषायी जो सूत्र हैं, उसको किस प्रकार से लागू किया जायेगा ?

Shrimati Soundaram Ramachandran: In Punjab, they have taken English, Hindi and Punjabi. Urdu also is taken because it is used there.

श्री किशन पटनायक : पिछड़े वर्गों के ऊपर तीन भाषाओं की जगह चार भाषायें लादना क्या सत्कार की नीति है ?

Shrimati Soundaram Ramachandran: It is not compulsory, but fortunately or unfortunately, almost all the States have more than one language as mother-tongue in every State. Therefore, some sort of adjustments in the three language formula, adding a fourth language, has become necessary.

Shri Ramachandra Ulaka: May I know what will be the medium of instruction of the optional subjects—English or the State language?

Shrimati Soundaram Ramachandran: That is the regional language, except in some special schools where English is kept as the medium.

Shri D. C. Sharma: Our Government is very fond of appointing evaluation and assessment committees and the Ministry of Education does not lag behind any other Ministry. May I know whether the Ministry of Education is in a position to appoint a committee to see how far this three language formula has worked and whether it has led to the upgrading of educational standards in this country?

Shrimati Soundaram Ramachandran: Almost all the non-Hindi States are implementing the three language formula in their schools, with Hindi as the third compulsory language. But in other States, Government have come forward offering hundred per cent help for the appointment of Hindi teachers in the schools. We wanted to give the same facilities for teaching a non-Hindi language in Hindi areas, but it has not been finalised.

Shrimati Renu Chakravarty: From the statement which has been placed before us I find that in Andaman and Nicobar Islands there is no provision for permitting the children to learn their own mother tongue—the first language is Hindi, the second is English and the third is Sanskrit. Why is it, when there are such large numbers of Bengalis and Malayalees living there, they are not permitted to study in their own mother tongue?

Shrimati Soundaram Ramachandran: There are quite a large number of South Indians also in Andaman and Nicobar Islands. Therefore, probably it is easier to introduce Hindi or Urdu, English and Sanskrit. What the hon. Member has stated, we shall keep in mind and find out whether

that would be possible to do as a fourth language.

Shrimati Renu Chakravarty: That is their mother tongue. Why do you force them to learn Hindi? Malayalees should learn Malayalam and Bengalis should learn Bengali.

Shrimati Soundaram Ramachandran: That is why I said, we shall examine whether in the case of certain sections of people whose mother tongue is a language other than Hindi it would be possible to introduce their mother tongue.

Shri Nath Pai: Sir, a careful scrutiny of the statement shows that the three-language formula is being very honestly implemented in the non-Hindi-speaking region and, if you will look at it you will find, I am sorry to say, that in the Hindi-speaking region the formula is being very systematically bypassed under the subterfuge that Sanskrit is being taught. May I know, in the interest of national integration and eventual voluntary acceptance of Hindi as the official language, what steps Government is taking to persuade the Hindi-speaking region to give an honest trial to the three-language formula?

Shrimati Soundaram Ramachandran: With this idea only, Sir, in the conference of the Education Ministers and the meeting of the National Integration Committee it has been put forward that Sanskrit should not be taken as a third language in Hindi-speaking States and a non-Hindi language should be taken. Therefore, we approached the Planning Commission as well as the Finance Ministry to provide funds at the same level for meeting hundred per cent of the expenses for language teachers. We have not yet got that provision. We are hoping to get it. But in between, we are persuading them at least to start the third language in some of the schools from their own resources.

Shri Kapur Singh: Are the Government aware that a certain group in the Punjab have publicly declared their determination not to permit their

children to read Punjabi under the three-language formula; if so, may I know what the Government propose to do about it?

Shrimati Soundaram Ramachandram: We are not aware of that.

Shri S. Kandappan: The statement as well as the replies given by the Deputy Minister give a clear indication that this three-language formula is a sort of bait to dupe the non-Hindi-speaking areas. In the non Hindi-speaking areas the students are made to understand that their future is secure only with Hindi and so there is a definite compulsion to learn the third language, whereas it is completely absent in the Hindi-speaking areas. In view of this, may I know what concrete steps the Government propose to take or have already taken in this matter?

Shrimati Soundaram Ramachandram: The concrete step is to start this national language centre in the Hindi States and also give them facilities to appoint teachers for non-Hindi languages in their secondary schools for which we hope to finalise a scheme.

Shri Kapur Singh. May I respectfully request you, Sir, to advise the hon. Deputy Minister to make herself better conversant with the facts of the situation with which she is dealing?

Shrimati Renu Chakravartty: Shri Bhakt Darshan knows very well.

Mr. Speaker: I do advise accordingly.

Shri D. C Sharma: I did not follow the hon. Member's question. What is your advice, Sir?

Mr. Speaker: Order, order—Shri Chakraverti.

Shri P. R. Chakraverti: Is it not a fact that this three-language formula was accepted mainly to introduce: (i) the mother tongue, (ii) Hindi and (iii) English; if so, how is it that in Andamans where the refugees from East Bengal have been settled Bengali, which is their mother tongue, has been eliminated?

Shrimati Soundaram Ramachandram: As I said, it is not Bengali only, there other languages also which are their mother tongue. Now that this question has been raised, we shall find out and see whether the children can learn their mother tongue as their regional language in the non-Hindi-speaking areas.

Dr. L. M. Singhvi: May I know whether the Government have considered that the three-language formula puts an excessive and unproductive burden on the students and an impossible strain on the existing availability of teachers in the different regional languages; if so, may I know what steps have been taken to rectify the position?

Shrimati Soundaram Ramachandram: Government has accepted it is a national policy.

Mr. Speaker: Now that a decision has been taken by Government how could he

Dr. L. M. Singhvi: But how would they rectify the non-availability of teachers?

Shrimati Soundaram Ramachandram: When it has been laid down as our national policy that Hindi is going to be the Rashtra Bhasha, naturally, for national integration and emotional integration in the Hindi region people should be acquainted with at least one other language, not to equalise the strain but to promote better understanding.

Dr. L. M. Singhvi: That is no answer. I want to know how you will supply non-Hindi teachers in northern India for teaching the regional languages of the South? They are just not available. What has been done by the Government specifically to supply teachers?

Shrimati Soundaram Ramachandram: A very large number of Hindi teachers are being trained in non-Hindi-speaking areas. Similarly, a large number of non-Hindi teachers would be made available in Hindi-speaking

areas. So, the bottleneck is not really the non-availability of teachers but that of finance, which we are trying to get over.

विदेशी विद्यार्थियों के लिये शिविर

*१३२८. श्री श्रींकार लाल बोरवा : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विदेशी विद्यार्थियों के लिये इस वर्ष चार शिविर

लगाए जायेंगे ?

(ख) यदि हां, तो जिन स्थानों पर ये शिविर लगाये जायेंगे उन के नाम क्या हैं ?

(ग) इन शिविरों में कितने विद्यार्थी आ लेंगे ; और

(घ) इन पर भारत सरकार द्वारा कितना धन व्यय किया जायेगा ?

शिक्षा मंत्रालय में उपमंत्री (श्री भक्त दर्शन) : (क) जी हां ।

(ख) काश्मीर में दो शिविरों का आयोजन किया जायेगा । एक शिविर का आयोजन ऊी में होगा, जिसमें भाग लेने वाले विद्यार्थी बंगलौर और मसूर भी जायेंगे और चौथा शिविर मसूरी में होगा ।

(ग) विचार है कि प्रत्येक शिविर में लगभग ६० विद्यार्थियों के रहने की व्यवस्था हो सकेगी ।

(घ) इन शिविरों पर, परिषद् की ओर से उपदान के रूप में ४६,००० रुपया खर्च होने का अनुमान है ।

[(a) Yes, Sir.

(b) Two camps will be organised in Kashmir, one in Ooty whose participants will also visit Bangalore and Mysore and a fourth in Mussoorie.

(c) It is proposed to accommodate upto 60 students in each Camp.

(d) A sum of about Rs. 46,000 is likely to be spent on these Camps by way to subsidy from the Council.]

श्री श्रींकार लाल बोरवा : मैं जानना चाहता हूँ कि जिस बोर्ड ने इन शिविरों के बारे में तय किया था उस बोर्ड के कौन कौन से विश्वविद्यालय सदस्य हैं ।

श्री भक्त दर्शन : यह जो कंप संगठित किये जा रहे हैं वे किसी बोर्ड द्वारा नहीं किये जा रहे हैं । हमारे देश में एक आंटोनोमस अर्थात् स्वशासन प्राप्त संस्था है जिसे का नाम है इंडियन कौंसिल आफ कलचरर्स अफेअर्स, उसके द्वारा इन का आयोजन किया जा रहा है ।

श्री श्रींकार लाल बोरवा : इस बोर्ड ने इन शिविरों के अन्दर कौन कौन से खेल बढ़ाये हैं और ट्राफी प्रदान करने का अधिकार किन को दिया है ।

श्री भक्त दर्शन : यह कंप खेलों के लिये नहीं हो रहे हैं बल्कि गम्भीर विचार विनिमय करने के लिये हो रहे हैं ।

श्री श्रींकार लाल बोरवा : इसके अन्दर चार खेल और मिलाये गये हैं और राजा कर्ण सिंह को अधिकार दिया है . .

अध्यक्ष महोदय : मंत्री महोदय कहते हैं कि बोर्ड है ही नहीं ।

श्री श्रींकार लाल बोरवा : बोर्ड ने चार शिविर विये । पहले दो लगते थे, अब चार शिविर तय किये गये हैं और बोर्ड के सदस्य चार विश्वविद्यालय हैं ।

अध्यक्ष महोदय : वह न बोर्ड कहते हैं और न खेल कहते हैं । वह कहते हैं कि यह गम्भीर विचार के लिये है । यह सवाल ही ठीक नहीं है । न खेल है और न बोर्ड हैं ।

श्री श्रीकार लाल बोरवा : यह शिविर जगने के पहले दो शिविर थे । अब चार शिविर किये हैं बोर्ड ने । इस बोर्ड के अन्दर चार विश्वविद्यालय हैं और उनके अन्दर चार खेल और मिलाये गये हैं शतंज और क्रिकेट वगैरह और इसके लिए ट्राफी प्रदान करने के लिए राजा कर्ण सिंह को रखा गया है ।

अध्यक्ष महोदय : जो इतना मंत्री महोदय दें उसे लिया जाये । या तो आप इधर आ जायें और उनको उधर कर दिया जाये ?

श्री श्रीकार लाल बोरवा : सप्लीमेंटरी में जवाब नहीं मिलता तो क्या किया जाये ।

अध्यक्ष महोदय : यही तरीका है कि आप जल्दी से इस तरफ जायें ।

श्री हुकम चन्द कछवाय : मैं जानना चाहता हूँ कि इन कैम्पों के अन्दर किन किन देशों के विद्यार्थी आये हैं । जितने विद्यार्थी आते हैं क्या सब को दाखिला मिलता है । यदि हाँ, तो क्या शर्तें रखी गयी हैं दाखिले के लिये ?

श्री भक्त दर्शन : इन कैम्पों का उद्देश्य यह है कि हमारे देश में विदेशों के आ विद्यार्थी अध्ययन कर रहे हैं उन्हें कि स्थान पर मिल कर आपस में विचार विनिमय करने का और एक दूसरे से लाभ उठाने का अवसर प्राप्त हो । जैसा कि मैंने पहले निवेदन किया था उनकी सख्या सीमित कर दी गई है । हर एक कैम्प में ६० से अधिक विद्यार्थी नहीं हो सकेंगे ।

श्री हुकम चन्द कछवाय : मैंने पूछा कि किन किन देशों के विद्यार्थी आये हैं और उनके लिये क्या शर्तें रखी गई हैं, इसका उत्तर नहीं आया ।

श्री भक्त दर्शन : किन किन देशों से विद्यार्थी आये हैं इसकी सूचना इस समय मेरे पास नहीं है, लेकिन भारत में विदेशों के जो विद्यार्थी पढ़ रहे हैं उन्हें इसमें सम्मिलित होने का अधिकार होगा ।

श्री प्रकाशबीर शास्त्री : माननीय मंत्री जी ने बतलाया कि चार शिविर लगाये जायेंगे और उनमें से दो शिविर काश्मीर में लगाये जायेंगे । मैं जानना चाहता हूँ कि भारत सरकार की दुर्बल नीति से जो काश्मीर की स्थिति डाँवाडोल हो गई है शेख अब्दुल्ला की रिहाई के बाद, क्या उन परिस्थितियों में भी काश्मीर के अन्दर यह शिविर लगाये जायेंगे और इसका कोई दुष्परिणाम सामने नहीं आयेगा क्या इस पर सरकार ने विचार कर लिया है ?

श्री भक्त दर्शन : इस प्रश्न का जो राजनीतिक पहलू है उस पर मैं कुछ नहीं कहूँगा, लेकिन जो काश्मीर के दो कम्प हैं वे १५ मई से १३ जून तक आयोजित किये जा रहे हैं । अभी तक जो सूचना हमारे पास है उस के अनुसार उसमें कोई बाधा पड़ने वाली नहीं है ।

Shri Nath Pai: It is not quite clear from the reply given by the hon. Minister about the participants from the different countries. In this context is he aware of the imperative necessity of giving special attention to students from Africa one of whom in a recent statement in a Kenya paper has said that the kind of treatment he received is very often not different from a colour-conscious treatment and that in the light of this of using these camps to remove this impression and foster a better image of India?

Shri Bhakt Darshan. This is a suggestion for action and we will consider it.

Dr. Sarojini Mahishi: Just as the Government is making an effort to bring the foreign students in India together, may I know whether Government has made any efforts to bring the Indian students studying abroad together in different countries?

Mr. Speaker: That is a different question.

Shri Bhakt Darshan: I have no information about this—

Shri Indrajit Gupta: If these camps are to be restricted to foreign students only who are studying in this country and no Indian students are to be admitted there along with them, will it not rather tend to aggravate the isolation of these students, particularly, of African students, from our Indian life, habits and customs?

Shri Bhakt Darshan: The hon. Member may be correct in his estimate; but, as far as I know, these camps are restricted only to foreign students. That is a fact.

Shri Sham Lal Saraf: In view of the reply that the hon. Minister gave to Shri Prakash Vir Shastri, may I know if the Government is aware that up till now a number of parties have visited Kashmir, have gone all over the valley and have come back and many more are going and whether, in view of that, the Minister can categorically say that these parties will go and have their programmes in full?

Mr. Speaker: He has said that.

Shri Bhakt Darshan: I need not repeat what I have said already.

Higher Secondary School Teachers

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 { Shri Yashpal Singh:
 { Shrimati Renu Chakravartty:

*1329. ^ Shri P. C. Borooah:
 Shri Sidheshwar Prasad:
 — Shri Ram Harkh Yadav:

Will the Minister of Education be pleased to state:

(a) whether higher secondary school teachers have been agitating for their demands for better service conditions to the Central Ministry of Education for a long time;

(b) whether it is a fact that they took out a procession to Parliament House on the 21st April, 1964 and presented a memorandum containing their demands; and

(c) if so, what is the reaction of Government to their demands?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) Yes, Sir.

(b) Yes, Sir.

(c) The demands have been noted.

श्री यशपाल सिंह : यह कब तक सरकार की डायरी में नोट रहेगा ? कब तक इस पर एक्शन लिया जायेगा ? मांगा जायेगा या नहीं माना जायेगा ?

Shrimati Soundaram Ramachandran: We have been corresponding with the State Education Ministers and in the latest conference of State Education Ministers also the same demands as they had laid in front of us now had been discussed. Some of the States are already implementing those points which have been raised in their demands. Also, the Central Government is offering 50 per cent for meeting the additional expenses to State Governments.

Shri M. L. Dwivedi: On a point of order, Sir. The question definitely says:—

"If so, what is the reaction of Government to their demands?"

The Minister has stated that it has been noted down. Does it indicate any reaction whether it is favourable or unfavourable?

Shrimati Soundaram Ramachandran: That is why I have clarified it.

Mr. Speaker: That is the reaction.

श्री यशपाल सिंह : क्या सरकार यह बनना सकती है कि सारे भारत के उच्चतर माध्यमिक शिक्षकों के लिये ग्रेड बनाने का कोई विचार है ?

Shrimati Soundaram Ramachandran: It is very desirable and very good not only to have similar pay scales in all the States but other things also, like, security of service, introduction of other beneficial schemes etc.

Shri Ranga: Pensions.

Shrimati Soundaram Ramachandran: But each State has a different pay scale for other Government servants also. Therefore some of them find it difficult to come up to the highest level which is maintained in one or two States. But they are all trying now and many States have raised the pay scales. Also, we are offering 50 per cent to meet this additional expenditure.

Shrimati Renu Chakravartty: There are many demands of the teachers, like, the demand for universal national pay scale, pension scheme for non-Government teachers, setting up of a Secondary Education Grants Commission, representation of teachers' organisations in the education panel of the Planning Commission and on the Central Advisory Board of Education etc., on which the Central Government has to do certain things. We would like to know what steps the Central Government has taken to put these points into effect.

Shrimati Soundaram Ramachandran: As far as the first one, namely, a uniform pattern of education is concerned, it is one of the requests which is being taken up again and again in the meetings even though higher secondary education is not introduced everywhere.

Shrimati Renu Chakravartty: That is not my question.

Shrimati Soundaram Ramachandran: But that is a uniform pattern.

Shrimati Renu Chakravartty: My question was this. Their demand is for the setting up of Secondary Education Grants Commission and the representation of teachers' organisations in the Education Panel of the Planning Commission and the Central Advisory Board of Education. What steps have Government taken to see that this is acceded to?

Shrimati Soundaram Ramachandran: Regarding the Secondary Education Grants Commission, we have referred

the matter to the Law Ministry. We have also asked the Finance Ministry for certain help and they have allocated special funds for upgrading education. About the Secondary Education Grants Commission, the reply is still awaited from them.

Then, about equalising the pay scales of the Government teachers and the private aided school teachers, we have already asked all the State Governments to do that and some of the State Governments have implemented it. Some of the State Governments have raised the pay scales of those teachers in the private schools but not to the same level. We are still pursuing them.

Shrimati Renu Chakravartty: What about pension?

Shrimati Soundaram Ramachandran: There is the triple benefit scheme also. Some of the States have implemented it. But we are persuading other States also to do the same by offering them 50 per cent grant to meet the additional expenditure.

Shri P. C. Borooah: May I know whether any cases have come to the notice of the Government where in many aided schools the teachers are paid much less than the amount in respect of which the receipts are obtained and, if so, what steps Government is taking in the matter?

Shrimati Soundaram Ramachandran: Whenever such complaints are made, first we inquire into them and try to take action.

श्री सिद्धेश्वर प्रसाह : में जानना चाहता हूँ कि अभी हल ही में जो राज्यों के शिक्षा मंत्रियों का सम्मेलन हुआ था क्या उसके सामने शिक्षकों का प्रश्न रखा गया था ? यदि हाँ तो इस सम्बन्ध में क्या निर्णय लिया गया, और यदि नहीं रखा गया था तो क्या सरकार इस मामले में जल्द निर्णय लेने के लिये राज्यों के शिक्षा मंत्रियों का सम्मेलन निकट भविष्य में बुलाएगी ।

Shrimati Soundaram Ramachandran: Yes. All the Education Ministers from various States where the pay-scales for teachers working in private schools are not the same as that of the Government schools were requested to raise them and they all have promised to do it.

Dr. L. M. Singhvi: May I know whether the Government as such has subscribed to the view enunciated by the hon. Education Minister that unless education is made a concurrent subject, it is not possible to improve the state of higher education or the plight of Higher Secondary teachers and, if so, what progress has been made in the recent State Education Ministers' Conference on that?

Shrimati Soundaram Ramachandran: No decision was taken.

Dr. L. M. Singhvi: The first part of my question was this. Here was a view enunciated by the hon. Education Minister. May I know whether the Government has subscribed to the view that education is to be made a concurrent subject?

Shrimati Soundaram Ramachandran: It cannot be decided at the State Education Ministers' Conference. It is a bigger issue.

Shri Hem Barua: Apart from sending a few letters to the State Chief Ministers and the State Education Ministers which have, I am afraid, not effected any tangible change in their attitude, may I know what concrete steps Government have taken to meet the demands of the Secondary education teachers in respect of the uniform pattern for the whole country and in respect of the appointment of a Secondary Education Commission on the lines of the University Grants Commission?

Shrimati Soundaram Ramachandran: About the formation of the Secondary Education Commission, the matter has already been referred to the Law Ministry. Regarding the other thing about equal pay for all the Secondary Education teachers in the whole

country, it is not an isolated question. It is the same for all the other departments. Therefore, we are asking them to raise it to the level of what is obtaining in other States where the pay of secondary grade teachers has been raised. So, we have asked them to do as much as possible.

Mr. Speaker: Next Question.

Shri Hem Barua: May I seek a clarification from you, Sir?

Mr. Speaker: Next Question.

UNESCO Aided Educational Institute

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 *1330 { **Shri Subodh Hansda:**
 Shri S. C. Samanta:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that 50 per cent of the teaching posts are lying vacant in India in UNESCO aided educational institutes;

(b) if so, the reasons therefor;

(c) whether Government propose to fill up the vacancies; and

(d) if so, in what way?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a). There are only a few posts vacant in some of the institutions which are in receipt of assistance from UNESCO.

(b) Shortage of qualified and experienced personnel.

(c) Yes, Sir.

(d) The vacancies will be filled up by recruitment of suitable persons as soon as qualified personnel become available.

Shri Subodh Hansda: May I know whether these shortages are due to want of Indian qualified teachers or foreign qualified teachers?

Shri Bhakt Darshan: Both.

Shri Subodh Hansda: Since there are a few posts which are still lying vacant, may I know whether UNESCO

is giving full grants to these institutions or it is curtailing the grants?

Shri Bhakt Darshan: We have been in correspondence with the UNESCO authorities to make up the shortage at higher levels by loaning the services of specialists, and I hope that we shall succeed in this effort.

Shri S. C. Samanta: Is it not a fact that instead of financial aid some of the institutes were demanding foreign experts for teacherships here?

Shri Bhakt Darshan: Yes, that is a fact.

Public Services

*1331. **Shri Harish Chandra Mathur:** Will the Minister of Home Affairs be pleased to state:

(a) whether various Administrative Reforms Committees indicate that there is a general deterioration in the standard and morale of public services; and

(b) what accounts for such a state of affairs and Government's reaction in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). A detailed scrutiny of the various reports submitted in the past having a bearing on administrative reform has been begun in the new Department of Administrative Reforms and a comprehensive reply will be possible only after that has been done. However, it can be said even at this stage that most reports do dwell on inadequacies in the area of standards and morale of the public services and make recommendations for improvement. The broad reason for such inadequacies as exist is the rapid growth of responsibilities that the administration has had to shoulder. Government are anxious that the problem should receive early attention as part of the general problem of administrative reform.

Shri Harish Chandra Mathur: By common consent, the two greatest demoralising factors are political pressures and the vested interests of those

officers who are in power and authority. May I know whether the hon. Minister, since he has taken over, has given thought to this matter, and if he has, what steps he has taken particularly in respect of these two demoralising factors?

Shri Hathi: I have stated that a survey of the various reports has been undertaken. One of the reports is the Report of the Administrative Reforms Committee appointed by the Government of Rajasthan, of which the hon. Member was the chairman. He has mentioned these two points. I have looked into those causes which have been mentioned in that report as also in another report. After we have the other facts, we shall look into those questions also.

Shri Harish Chandra Mathur: My question was whether the hon. Minister of Home Affairs, Shri Nanda, since he had taken over, had given any thought to these two particular matters to which I had referred, and if so, whether he had taken any positive steps. That was my first question. I was not referring to the report.

The Minister of Home Affairs (Shri Nanda): It may be that either in a general sense there may be such undesirable influences operating here and there, or it may be that there are specific cases. Whenever any specific case comes to our notice, we certainly deal with it in the proper way. So far as the general question is concerned, the Department which has been set up is making a study into whatever things have emerged from the reports of various committees in the past, and new studies are also being undertaken.

Shri Harish Chandra Mathur: The case of Shri Kapur, ICS in Punjab, and that of Mr. Grewal, IPS from Punjab, and that of a seniormost ICS officer, Mr. Mazumdar, are classic examples of demoralisation. A seniormost ICS officer goes on leave, and he does not get.....

Mr. Speaker: Order, order. The hon. Member cannot refer to individual cases.

Shri Harish Chandra Mathur: I am just illustrating my point, so that the hon. Minister may be able to answer the question.

A senior most ICS officer goes on leave, and he does not get his posting orders even after returning from leave for two months. If these things happen under the very nose of the hon. Home Minister, may I know whether he finds himself helpless in such matters or whether there is something which stands in the way?

Shri Nanda: There is no question of helplessness at all, barring, of course, limitations of circumstances (*Interruptions*). I am explaining that. You cannot make radical changes in an administration immediately. It takes some time.

So far as the cases are concerned, for example, the last case, it is not correct to say that no offer was made for posting....

Shri Harish Chandra Mathur: I am not saying no offer was made. He went on leave. He came from leave and reported. But for two months no posting order was issued.

Shri Nanda: No, Sir. I personally offered to that gentleman the position of Secretary in another Ministry. He was not prepared to take it.

Shri Harish Chandra Mathur: This is entirely different, I am not saying that no offer was made. I said that after he comes from leave—he comes in the month of February—he does not get a posting order or an order to retire till the 15th April. This is happening under his nose.

I mentioned the cases of Shri Grewal and Shri Kapur. These are enough to break the morale of the entire service....

Mr. Speaker: Order, order. It could be taken up in a general manner, but if it is taken up in this manner, it would be rather presenting or representing the cases of individuals.

Shri Harish Chandra Mathur: No, Sir. It is not so.

Mr. Speaker: In a general manner, he has answered it. When he said that the posting order was not received within a certain period, the Minister answered that he was offered a post but he did not accept it.

Shrimati Renu Chakravartty: He has not answered for 1½ months he got no posting order.

Shri Ranga: The same thing happened about Shri Kapur. He is supposed to be suspended again.

Mr. Speaker: My request to hon. Members is not to take up personal.....

Shri Ranga: This is not a personal matter. They are two top-most officers. This will affect the morale of the entire service. In the case of Shri Kapur for years it has been a great scandal.

Mr. Speaker: They are topmost officers. But in the manner we are going to pursue individual cases....

Shri Ranga: Unfortunately we were prevented from pursuing them. Parliament has been prevented from doing anything.

Shri Harish Chandra Mathur: I am not interested in any individual case. I am stating that these are classic cases which will demoralise the whole service, if such things continue to happen.

Shri Joachim Alva: The hon. Minister answered that an offer of posting was declined.

Shrimati Renu Chakravartty: No, no.

Mr. Speaker: Order, order.

Shri Nanda: In the first place, it is not that posts of Secretary or people in that position are lying vacant scattered about so that anybody can be put in there immediately. It may take some time. Secondly, as I said, an offer was made. I do not want to go into the case of the particular gentleman. But there was no desire to....

Shri Ranga: That is how we have been gagged.

Shri Nanda: I do not think that this really represents the kind of case which will illustrate the point that the hon. Member wants to make.

Mr. Speaker: Shri Kamath.

Shri Ranga rose—

Mr. Speaker: I called Shri Kamath. He is the second ICS officer.

Shri Hari Vishnu Kamath: I was. I am not one now.

Mr. Speaker: I am going to call the third also.

Shri Hari Vishnu Kamath: Is it not a fact that during the years since independence there has, unfortunately, been a widening gulf between precept and practice among many Ministers, a connivance at, if not active shielding of, corruption in high places even by the Prime Minister, and a growing tendency....

Mr. Speaker: I cannot allow a speech to be made. This is not a question.

Shri Hari Vishnu Kamath: How?

Mr. Speaker: It is a regular speech.

Shri Hari Vishnu Kamath: I have put even longer questions.

Mr. Speaker: I may have made mistakes. I have always been saying that questions should be short.

Shri Hari Vishnu Kamath: In the years since independence, has there not unfortunately been a widening gulf between precept and practice, a connivance at and shielding of corruption in high places and a growing tendency to put moral and spiritual values in cold storage, and to what extent have these factors been responsible for the demoralisation of the services and deterioration of standards in public life?

Shri Nanda: It is too wide and too sweeping to be answered.

Mr. Speaker: Shri Kapur Singh.

Shri Nath Pai: Are supplementaries to be confined to ex-ICS officers?

Mr. Speaker: I am giving them preference.

Shri Hari Vishnu Kamath: What did he say? I could not hear the answer.

Mr. Speaker: He says that it is too wide to be answered.

Shri Hari Vishnu Kamath: That means he is not able to answer.

Mr. Speaker: All right, let that be accepted.

Shri Hari Vishnu Kamath: He will have to answer some day to the people.

Shri Kapur Singh: May I ask whether Government are prepared to order a formal probe into the specific question of the positive role played by politicians in degrading the morale and lowering the efficiency of the public services?

Shri Ranga: Otherwise, how are you going to put down corruption?

Shri Nanda: It is a facile assumption made and some kind of allegation made on that. I am not prepared to accept that.

Shri Ranga: He makes a positive suggestion whether Government would be prepared.

Mr. Speaker: At the most, as he has said, he makes a particular suggestion. It is a suggestion, therefore let it be.

Shri Ranga: Let him say that.

Mr. Speaker: If it is a suggestion?

Shri Ramanathan Chettiar: In view of the different procedures followed in respect of different officers as mentioned by the Minister of State in the Ministry of Home Affairs, Shri Hathi the other day....

श्री बागड़ी : प्राई० सी० एस० वाले
जकर पकड़े जाने चाहिए । क्या उनको
लूटने जाने की डूली सुटी है ?

Mr. Speaker: There should be some decorum here in Parliament. It should not be considered as a bazaar or a fish market.

Shri Ramanathan Chettiar: In view of the different procedures adopted in regard to different officers as explained by Shri Hathi the other day in the Rajya Sabha, may I know whether

Mr. Speaker: Rajya Sabha need not be referred to.

Shri Ramanathan Chettiar: I am sorry, in the Lok Sabha. What I meant was Lok Sabha.

Shri H. N. Mukerjee: Are we not entitled to refer to statements made by Ministers in their official capacity in the other House for the purpose of illustrating a question or a point in this House?

Mr. Speaker: That is what I said.

Shri H. N. Mukerjee: My submission is that we are entitled to refer if the Minister made a statement.

Mr. Speaker: If something has been published or printed, then they can refer to that, not to what happened there. If that has been printed or published, that reference might be made.

Shri Nath Pai: Everything that happens there is published.

Shri H. N. Mukerjee: We are quoting what has been said in the other House.

Mr. Speaker: He need not do that, but the printed or published matter may be referred to.

Shri Ramanathan Chettiar: In the light of what Shri Hathi said in the Lok Sabha the other day, may I know whether any uniform policy is adopted in regard to State Governments taking action in respect of ICS, IAS and IPS officers? In one case in regard to Punjab, he said the Central Government ..

Mr. Speaker: Order, order. He must come to the question.

Shri Ramanathan Chettiar: Unless I give the preface, I will not be able to explain.

Mr. Speaker: Then it is very difficult.

Shri Ramanathan Chettiar: Then I will sit down.

Shri Nath Pai: Does the Minister think that the kind of draconian measures that are necessary to cleanse the Augean stables of the civil service can be recommended by a departmental study? If the reply is no, why is he not suggesting or proposing the appointment of a Hoover-like commission to go into the whole problem of the morale and efficiency in public services, in which representatives of a wider section of the community will be associated?

Shri Nanda: I have already made it clear that we are considering an arrangement of that kind, but we thought that just to relegate the whole subject to a commission and leave things like that will not be good. We can do many things. Many things are known and we are trying to give some kind of a shape to these recommendations. In due course that also might come.

Shri Sham Lal Saraf: With the setting up of these committees or commissions in the past, may I know to what extent delays have been cut down with regard to passing files from one to another and, more so, if it has been possible to cut down some stages from going up to down and down to up?

Shri Nanda: I cannot give any answer in statistical terms. I believe improvements have occurred but I also know that a lot more is needed.

Shrimati Lakshmi Kanthamma: May I know if too much talk of corruption is not also one of the causes for the moral deterioration and the low morale of the officers?

Mr. Speaker: That might be a matter of opinion. Next question. Shri Liladhar Kotoki.

Shri P. G. Sen: On a point of order, Sir. An impression is gaining ground on this side of the House that we are not being properly focussed. I do not accuse you, Sir.

Mr. Speaker: Now the focus is there. Shri Liladhar Kotoki.

Blind, Deaf and Orthopaedically Handicapped Children

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*1332. { Shri Liladhar Kotoki:
Shri Onkar Lal Berwa:

Will the Minister of Education be pleased to state:

(a) whether Government have made any survey about the blind, deaf and orthopaedically handicapped children of the school-going age group in different States;

(b) if so, the total number of such children category-wise and State-wise; and

(c) the total number of such children who are receiving education and training at present?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) No, Sir.

(b) Does not arise.

(c) Complete information is not available.

Shri Liladhar Kotoki: May I know whether the Government are aware that the number of such unfortunate children, blind, deaf and handicapped, are quite large and that when they are properly trained and educated they can be as good citizens as the other fortunate children and, if so, why it has not been done?

Shrimati Soundaram Ramachandran: About the survey of the blind and other types of handicapped, the Census Commission has been consulted. It is impossible; nowhere in the

world statistics on that scale are made by the census commission because it can never be correct to go not only into the various types of handicaps but also the grades of handicaps. Therefore, certain sample surveys have been made and on that basis certain calculations have been made. Trachoma survey has already been taken up and it constitutes a good percentage of blindness. Blind children between the ages of 6 and 14 are 4,47,000; deaf, 2,23,500; orthopaedically handicapped children—it is difficult to find the grades—4,47,000. What is more important is their rehabilitation. In the Third Plan period we are trying to make the training very extensive as far as possible so that the educational programme could go ahead along with placement also; various steps have been taken to train them and rehabilitate them.

Shri Liladhar Kotoki: In regard to part (c) of the question, may I know whether Government are aware that a large number of voluntary organisations are taking up this work and training and educating these unfortunate children and what help is given by the Central and the State Governments?

Shrimati Soundaram Ramachandran: The major portion of the work is done by voluntary institutions. There are patterns of assistance; if it is teachers' training, it is 100 per cent; if it is running a school or a training centre, it is 75 per cent.

Dr. Sarojini Mahishi: What constructive steps are proposed to be taken by the Central Health Council with reference to the eradication of trachoma and such other diseases in the school-going children?

Shrimati Soundaram Ramachandran: A comprehensive trachoma control and eradication scheme has been evolved by the Health Ministry and pilot projects have already been implemented in U.P., Rajasthan, and Punjab;

and also in the school health programme which is not comprehensive, this will get priority.

Maharajkumar Vijaya Ananda: May I know whether Government would assure them a good living and give them assignments after their education?

Shrimati Soundaram Ramachandran: Yes, Sir. Various employment exchanges have been set up. 10 have already been set up and through them placements, especially in public undertakings, are given. Also, we are trying to place them in gainful employment. I can also admit that enough is not done because it is so difficult to persuade the employers to get them employed. But we are trying our best.

Shrimati Savitri Nigam: May I know whether the hon. Minister is aware that the percentage of such crippled and handicapped children in the United Kingdom and USA, where proper census has been taken, is 10, and on that basis, the number of these children comes to two crores and if the answer is in the affirmative, what particular plan has been made during the third Five Year Plan to provide minimum education to these children and what plan is going to be made for the fourth Five Year Plan in this regard and how much money is going to be spent?

Shrimati Soundaram Ramachandran: In the industrially advanced countries, the percentage is much higher because the accidents are also much higher, but our percentage will not be to that extent. But still, we have started many schools, but we have to start a large number of schools yet. We have made a calculation to bring the children between 6 and 14 to school; we require Rs. 52 crores even to bring 25 per cent of these children to school. Therefore, it is one of financial difficulty; not lack of plan. We are now bringing other methods such as starting more day-schools to give them such incentive as would

enable them to come to school. We are also trying to get them employed in the public undertakings also through the employers. If we do not get sufficient response to these things in a year or two, we shall not hesitate to bring legislation as in the industrially advanced areas of the UK and the USA that a certain percentage of these handicapped people should be employed in suitable jobs.

Shrimati Renuka Ray: The Minister must be aware that the All-India Institute of Hygiene and other such organisations have made surveys which go to show that protein deficiency which is the cause for blindness among school-going children is increasing and that recently the number has been going up and, if so, what concrete steps have been actually taken, apart from Madras and other States, to counteract this?

Shrimati Soundaram Ramachandran: I am painfully aware of these deficiencies which contribute towards blindness and also morbidity. Therefore, applied nutrition programmes have been taken up, especially for expectant mothers and children in about 200 blocks. The school health boards will take up much more than what is being done, besides the development blocks. Also, emphasis has been laid on producing protective foods. The mid-day meal programme has been implemented in some of the States very successfully. We are persuading others to introduce this scheme. Some of the States are introducing at least the milk supply schemes. Only three or four States have to come into the picture. We hope they will do that.

श्री श्रीकार लाल बेरवा : इस तरह के हेंडीकैप्ड बच्चों को दूसरे बच्चों के साथ वैसे ही कोर्स जैसा कि वह पढ़ते हैं उसी तरह का कोर्स उनके साथ पढ़ाया जाता है या उसके साथ साथ उनको कुछ अलग से प्रैक्टिकल ट्रेनिंग भी दी जाती है अथवा कुछ काम भी सिखलाये जाते हैं ?

Mr. Speaker: Order, order. There is too much of talking.

Shrimati Soundaram Ramachandran: What was the question?

Mr. Speaker: Whether they are mixed up with other children or they are segregated and sit separately.

Shrimati Soundaram Ramachandran: So far, blind children are mostly educated in separate schools, but now we are going to experiment also, in one or two places which had been started, to take blind children in ordinary schools and give them special guidance. The deaf children can be educated only in separate schools and the orthopaedically handicapped can be educated in normal schools.

Sanyukt Sadachar Samiti

*1333. **Dr. L. M. Singhvi:** Will the Minister of Home Affairs be pleased to state:

(a) whether a body known as "Sanyukt Sadachar Samiti" has been established under official or semi-official auspices;

(b) whether it is a fact that the Samiti has its office in L Block near North Block, New Delhi and that these premises have been made available to it by Government; and

(c) the constitution, composition and functions of the Sadachar Samiti, and the nature of the recognition accorded to it by the Union Government?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) No, Sir. The Sanyukta Sadachar Samiti is a non-official body composed of social and religious organisations and other individuals interested in the moral regeneration of the nation.

(b) Yes, Sir.

(c) A copy of the constitution of the Sanyukta Sadachar Samiti is placed on the Table of the House. [Placed in Library, See No. LT-2874/64]. The objects of the Samiti appear in para 3 of page 1 of the Memorandum of Association. The particulars

of the Central Organisation are given in rules 5 and 6 on page 5 of the Rules and Regulations. There was no need to accord any formal recognition to the Samiti, but Government have welcomed the formation of the Samiti and will take full assistance from it in prevention of corruption and redress of the grievances of citizens against the administration.

12.00 hrs.

Dr. L. M. Singhvi: We are told that this organisation will also deal with administrative delays and public grievances. In what way, with what machinery, would this be undertaken and what steps are being taken to make this a country-wide organisation?

The Minister of Home Affairs (Shri Nanda): Naturally an organisation of this kind can have only a limited role. In order to enable people who may otherwise feel that they have no easy access to any machinery set up by the Government for this purpose, this facility is created, so that such grievances can then be communicated to the appropriate authorities of the State and then pursued, so that they are brought to some proper conclusion. Similar arrangements are going to be made in other parts.

Mr. Speaker: Short Notice Question.

Some Hon. Members rose—

Mr. Speaker: There are three calling attention notices and two short notice questions.

Shri Nath Pal: You can appreciate the anxiety of the Members, this being the last day. We would like to put two or three more supplementaries, because this is a very vital matter.

Shri Hari Vishnu Kamath: This is about corruption, a subject so dear to the heart of the Minister.

Shri Nath Pal: The Home Minister is linking his whole political career with this subject. It should be taken with equal seriousness in the House.

I would plead with you to allow some more supplementaries.

Shri Hem Barua: Some of the sanyasins of the Sanyukta Sadachar Samiti came to me and therefore I think I should get an opportunity.

Mr. Speaker: I do not know whether the sanyasins will be converted into *grahastis* or the *grahastis* would be converted into sanyasins.

श्री रामेश्वरानन्द : अंग्रेजी में प्रगर कोई कुछ कहना चाहता हो उसको तो आप आज्ञा दे देते हैं लेकिन हिन्दी वाले आपकी तरफ देखते रहते हैं। उनको आप आज्ञा नहीं देते हैं मैं कब से खड़ा हो रहा . . .

अध्यक्ष महोदय : स्वामी जी, ऐसा मेरा मंशा कभी नहीं है।

श्री रामेश्वरानन्द : मैं देख रहा हूँ, कई बार मैं खड़ा हुआ हूँ, निवेदन करता रहता हूँ

अध्यक्ष महोदय : स्वामी जी, सुबह सुबह नूल हा गई हा तो माफ कर दीजियेगा।

SHORT NOTICE QUESTIONS

Mineral Concession Rules, 1949

S.N.Q. 25. Shri Jadhe: Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that there is no statutory machinery functioning at present at the Centre to give relief under rule 59 of the Mineral Concession Rules, 1949; and

(b) if so, the reasons thereof?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmalah): (a) and (b). Mineral Concession Rules, 1949, are no longer in force. These were replaced by Mineral Concession Rules, 1960 with effect from 26-11-1960 and rule 55 thereof corresponds to rule 49 of Mineral Concession Rules, 1949. There is no provision in these rules for appointment of

any statutory authority for dealing with the revision applications filed under rule 54. The rule mentions that the Central Government will call for the comments of the State Government concerned on the revision application and give opportunity to the applicant to make his representation on the report of the State Government before passing an order on the revision application. As required under the rules, the comments of the State Government on the revision applications and counter-comments of the applicant are being called for as usual for completion of the quasi-judicial proceedings. There has been no hold-up in this work. After completion of the proceedings, the cases were hitherto decided by two senior officers of the Central Government, who handled this work in addition to their normal duties. Past experience, however, showed that owing to the large number of pending revision applications and the rate of influx of new applications being heavy, it was not possible for them to cope with the work. A proposal for appointment of two additional officers to decide these revision applications is now under consideration of the Government and it is expected that these officers will be in position shortly.

Shri Jedhe: Have any stay orders been given to the applicants where there is dispute between the Central Government, the State Government and the lessees regarding the computation of royalties on the pit-mouth value?

Shri Thimmalah: Yes, Sir, when the revision application is filed with the Central Government, naturally, the stay order is issued till it is decided.

Shri Jedhe: Have restraint proceedings been taken against mine owners in Maharashtra, Madhya Pradesh, Orissa and Bihar because they have not yet been able to obtain stay orders from the Central Government?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): Stay orders are passed only in fit cases, and where there is a *prima facie* case for revision. Simply because a revision petition is filed, stay orders are not given automatically.

Shri Ramachandra Ulaka: Has any incumbent been posted following the transfer of the Secretary of the Ministry to dispose of applications asking for relief and stay order under rule 59 of the Mineral Concession Rules 1949; if so, may I know the details thereof?

Shri C. Subramaniam: Till now the Law Secretary and the Secretary in charge of Mines and Minerals were sitting together to dispose of the revision petitions. But they are now pre-occupied with other work. That is why it has not been possible for them to keep up with the work. Now we are considering the appointment of two separate officers, one in the Law Ministry and one in my Ministry so that they may exclusively look after this revision work for some time till all the arrears are disposed of.

Shri A. P. Sharma: Does Government realise the difficulties of the lessees of the mines, that there are many instances where they have to work under unreasonable and unsympathetic conditions and their practical difficulties are not considered with sympathy.

Shri C. Subramaniam: All difficulties are taken into consideration if they are genuine difficulties. But this question is with reference to the disposal of revision petitions.

Shri U. M. Trivedi: May I know how many revision petitions have been received from Gujarat, how many have been received from Rajasthan, and in how many cases stay orders were granted.

Shri Thimmaiah: I cannot give the number of applications received state-wise. But I can give the number of applications pending up to December 1963. It is about 782 applications.

Famine Conditions in Rajasthan, Punjab and Gujarat

S.N.O. 26. {
 Shri Ranga:
 Shri Y. N. Singh:
 Shri Bhanu Prakash Singh:
 Shri Brij Raj Singh Kotah:
 Shri Lalit Sen:
 Shri Himmat Singhji:
 Shri P. C. Deo Bhanji:
 Shri C. L. Narasimha Reddy:

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

(a) the latest position regarding famine conditions prevailing in Rajasthan, Punjab and Gujarat affecting people and cattle in respect of water and food supplies;

(b) what emergent arrangements are being made to ensure special supply of water to the people and cattle in the affected areas of these three States; and

(c) how many tube wells were granted, how many were sunk and how many are being sunk in Rajasthan according to the latest figures available with Government.

The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh): (a) to (c). A statement is placed on the Table of the House. [*Placed in Library, See No. LT-2875/64*]. In regard to part (c) of the statement I may add that we would like to expedite the entire programme and construct all the 250 tube-wells by the end of 1965-66.

Mr. Speaker: Shri Ranga.

Shri Ranga: We do not have the statement.

Dr. Ram Subhag Singh: It was kept in the Notice Office.

Shri Ranga: If it is not too long, Sir, the hon. Minister.....

Mr. Speaker: I will ask others to put supplementaries. In the meanwhile he can study the statement.

Dr. L. M. Singhvi: May I know whether Government propose to

tackle this problem by setting up a permanent machinery for all the three States; if so, what would be the broad outline of this machinery and when such a machinery would be brought into existence to tackle this problem of chronic famines in these three States?

Dr. Ram Subhag Singh: Recently I had been to Punjab. I also know what is happening in Gujarat. These two States are handling the situation very efficiently. In Rajasthan also the work is handled quite effectively. There we want to construct 250 new tube-wells over and above the existing construction programme which is going on by our Exploratory Tube-wells Division in co-operation with the Rajasthan Government. So, at present we do not envisage any machinery for these scarcity-affected areas.

Shri S. M. Banerjee: From the statement it appears that scarcity condition exists in Rajasthan, Punjab and other States. I want to know whether the government propose to appoint a committee, on the lines of the committee appointed for the Eastern districts of Uttar Pradesh, to suggest permanent ways and means to overcome this difficulty in scarcity areas?

Dr. Ram Subhag Singh: It is with a view to overcoming the difficulties permanently that we are at present constructing 50 tube-wells in Kutch and other scarcity-affected areas. In Rajasthan we are going to have 250 successful tube-wells. We may bore over 2,000 wells but we would not stop until 250 tube-wells are found successful. We do not propose at present to set up any committee on the lines of the one that visited Eastern Uttar Pradesh because we are fully conversant with the situation.

श्री रामेश्वरानन्द : जो पिछला अकाल पड़ा तो मनुष्यों के लिये आप ने जो किया सो किया लेकिन करनाल, रोहतक, हिसार

आदि जो हरियाणा के जिले हैं उन में जो बहुत से पशु भूखे मर गये हैं क्या उन की संख्या का मंत्री महोदय को पता है। उन के लिए भविष्य में मंत्री महोदय क्या कर रहे हैं। पशुओं के लिये चारे अन्न आदि की बहुत कमी है। पशु भूखे न मरें, इसके लिये सरकार क्या कर रही है।

डा० राम सुभग सिंह : इस समय पशुओं के भूखों मरने का सवाल नहीं उठता। कुछ भूसा हर जगह हो गया है। अभी पिछले दिनों में भिवानी के उस क्षेत्र में गया जिस को मरुभूमि कहा जा सकता है। लेकिन वहां के पन्द्रह सोलह गांवों में जाने पर भी मुझे कोई इस ढंग की दशा नहीं दिखलाई पड़ी। इस के अलावा श्री बागड़ी जो भी मेरे साथ थे और वहां

अध्यक्ष महोदय : वह कहते हैं कि वह आप के साथ थे। आप ने देखा कि कमी नहीं थी और वह कमी को देखते रहे।

डा० राम सुभग सिंह : यह उन्होंने मालूम नहीं किया है। सिर्फ चलते रहे। बात यह है कि जहां जहां स्ट्रेटजिक एरियाज हैं, पांच, पांच, सात सात गांवों के बीच में एक केन्द्रीय जगह पर भूसे की डिपो खोल दी गई है और उस जगह भूसे को लेने के लिये लोग तैयार थे।

श्री बागड़ी : आज पंजाब, राजस्थान और गुजरात के अन्दर अकाल के कारण जो गम्भीर परिस्थिति है उस के बारे में मैं कृषि मंत्री महोदय से जानना चाहता हूं कि क्या अकाल पर काबू पाने के लिए सरकार तीनों प्रदेशों के मंत्रियों की कोई मीटिंग कर के कोई संयुक्त तौर पर कार्रवाई कर रही है जिस से इस अकाल का मुकाबला किया जाये और भविष्य में यह अकाल न पड़ सके।

डा० राम सुभग सिंह : जैसा मैंने पहले कहा तीनों राज्यों के मुख्य मंत्रियों और कृषि मंत्रियों से मेरा करीब करीब प्रति

सप्ताह सम्बन्ध रहता है, बातें होती हैं और जो सुझाव वे देते हैं उन का हम लागू कार्यान्वित करते हैं। जा हमारे सुझाव हाते हैं और लोक सभा के माननीय सदस्यों के सुझाव हाते हैं उन सारे सुझावों पर अमल किया जाता है। जैसा मैं पहले कहा काइ विशेष जरूरत अनुभव नहीं का जाता कि तानों राज्यों के भवियों का काई विधिवत् माटिंग की जाये ताकि वे इस काम का करें। यह काम हम सब मिल कर कर रहे हैं।

Shri Banga: I am glad the hon. Minister has personally bestowed much attention and taken trouble also to go to these areas and give suggestions to the local governments. But in view of the fact that as many as 1,16,000 people and 1.30 lakhs heads of cattle in Punjab alone and as many as 1,463 villages in Gujarat affecting 14 lakhs people and 15 lakhs cattle and so much more also in Rajasthan are involved in this great crisis, would the hon. Minister try to see that he would get progress reports at least once a week in order to see that water is supplied to the people and also the cattle and the cattle wealth does not go waste as it is now destroyed because of want of water as well as grass?

Dr. Ram Subhag Singh: That care we are taking. All the existing wells which can yield any water are being bored at present. We have kept people to draw water from each well and we are paying Rs. 12/50 to each man who draws water because we are supplying the water free. During this summer we are going to raise this to Rs. 255. Trucks with water ply regularly but I cannot say that they can reach every nook and corner because the area affected is 30,000 square miles. We are trying to cover as much area as possible.

Shri Bhanu Prakash Singh: May I know whether Government is considering setting up a desert development authority for these States; if so, the details of the proposal?

Dr. Ram Subhag Singh: That I had said here while replying to the Budget debate. We have already asked our three Forest Ministers. They have constituted a committee and are studying how best to carry on the afforestation plan. We will expedite further our activities in the light of the suggestions that they make, if need be. Our Arid Zone Research Institute also is doing good work in that desert area and we will expand our activity.

श्री प० ला० बाबुपाल : क्या मंत्री महोदय के ध्यान में यह बात है कि राजस्थान के अकालप्रस्त क्षेत्र से, जॉकि पाकिस्तान बॉर्डर से लगता है, मुसलमान लोग भारतीय मवेशियों को पाकिस्तान भेज रहे हैं। क्या इस को रोक धाम के लिये काई कार्रवाई की जायेगी।

डा० राम सुभग सिंह: अगर किसी खास गांव के बारे में माननीय सदस्य सुझाव देग तो उस को व्यवस्था कराने का यत्न किया जायेगा।

Shri Harish Chandra Mathur: While deeply expressing gratitude to the Ministers of Agriculture and Finance for their very helpful attitude, may I know whether their attention has been drawn to the observation of the Health Minister who went there recently as regards the most horrible situation regarding water supply? Has that attracted their attention and are they doing anything in that respect?

Dr. Ram Subhag Singh: I hope, the attention of the hon. Member must have been drawn to the statement given by the Rajasthan Planning Minister. That statement takes care of everything and if there is any particular difficulty, we shall see that that is obviated.

Shri Hari Vishnu Kamath: The statement says that Rajasthan is the worst afflicted—over 4,000 villages and nearly 2 million of population have been affected. Is it not a fact that famine conditions existed in

Rajasthan as far back as October, 1963, when members of the ruling party were feasting and merrymaking in Jaipur; if so, what steps or measures have been taken since then? For the last nine months, it has existed, since October when they met, orated, feasted and made merry?

Dr. Ram Subhag Singh: This situation arose in July 1963 and it is only due to the efforts of the ruling party that the hon. Member has given this figure because he was so far sleeping....

Shri Hari Vishnu Kamath: On a point of order, Sir... (*Interruption*). I do not mind his saying that we are sleeping. They are fast asleep, and even moribund. I do not mind; but the question should be.....

Shri Ranga: We were not remiss. We paid compliments when they were due. He did good work but he spoils everything by his irresponsible tongue.

Dr. Ram Subhag Singh: You are not the monopolist of an irresponsible tongue.... (*Interruption*).

Mr. Speaker: There ought to be some restraint exercised by both sides.

Shri Ranga: It has come from that side and we are only reacting to his behaviour.

Mr. Speaker: The question asked by Shri Kamath also contained certain words that ought not to have been used.

Shri Hari Vishnu Kamath: Can you enlighten me as to what words were unparliamentary? (*Laughter*). It is not a matter for laughter. They are laughing here; they were feasting and merrymaking then and they are laughing now. This is not the way to treat such questions.

Mr. Speaker: Exactly these were the words I object to.

Shri Hari Vishnu Kamath: No, Sir. I am amazed at your attitude on the last day of the session. We are dealing with a serious matter. I said this happened 9 months ago. It was all in the daily papers. They were feasting and merry-making and a liquor shop too had been opened there. All this happened there when at a stone's throw people were crying for a morsel of bread. Now, they say, we were sleeping. The Government is moribund. No action was taken in time. This Government is going to die....

Mr. Speaker: Is he satisfied now?

Shri Hari Vishnu Kamath: I am not satisfied with the answer. If you are satisfied, I have nothing to say. We cannot do anything more if you are satisfied. I hope you are not satisfied, and will call upon the Minister to give a proper reply.

Mr. Speaker: Shri Jashvant Mehta.

श्री बागड़ी (हिसार) : अध्यक्ष महोदय . .

अध्यक्ष महोदय : आप बैठ जाइए । मैं ने उन को बुलाया है, उन को बोलने दीजिए ।

श्री बागड़ी : अंग्रेजी भाषा में कोई किसी तरह भी बोले कोई पूछने वाला नहीं है

अध्यक्ष महोदय : कामथ साहब बिना इजाजत बोलते चले गए, आप चाहे तो आप भी उन की मकल शुरू कर दें । लेकिन आप तो उन को बुरा कहते हैं ।

श्री बागड़ी : मैं कामथ साहब को बुरा नहीं कहता ।

अध्यक्ष महोदय : जो अंग्रेजी बोलने वाले हैं उनको आप बुरा कहते हैं ।

Shri Namblar: I am unable to follow what is transpiring between you.

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, निवेदन यह है कि जों अंग्रेजी बोलने वाले हैं उन को कोई बुरा नहीं समझता। वह चाहें जो गड़बड़ी करते रहें

अध्यक्ष महोदय : स्वामी जी क्या यह मुनासिब है कि जों अंग्रेजी वाले गड़बड़ी करते हैं, आपका मौका दिया जाय तो आप भी वैसे शब्द बोलें। यह ठीक नहीं है।

Shri Nambiar: We are undergoing the same difficulty. One need not magnify the other side. This also must be borne in mind.

Shri Jashvant Mehta: The hon. Minister said that every month he is in touch with the Governments of Rajasthan, Gujarat and Punjab and is meeting the State Ministers. May I know what amounts have been sanctioned by the Central Government to different States for fighting the scarcity conditions and the situation which has been created in these States?

Dr. Ram Subhag Singh: As I said, we are constructing 50 tube-wells in the Kutch area of Gujarat. . . .

Shri Jashvant Mehta: What amount have you sanctioned?

Dr. Ram Subhag Singh: The Prime Minister has given Rs. 50,000 from his Relief Fund. We have requested the Government of Gujarat that they should indicate their requirements. The Chief Minister and the Agriculture Minister told me that they are taking care of the situation and that we need not worry at present. But whenever they would be in need of anything, they would ask the Centre to help them.

Mr. Speaker: Calling Attention Notice. Dr. Singhvi.

Shri U. M. Trivedi: Sir, I request that I may be allowed to put a question. This is a very important matter.

Mr. Speaker: I request him to excuse me. Calling Attention Notice. Dr. Singhvi.

WRITTEN ANSWERS TO QUESTIONS

Censorship of Letters of Members of Parliament

***1324. Shri Surendranath Dwivedy:** Will the Minister of Home Affairs be pleased to state whether he has issued any general or specific instructions to police or intelligence service or to the State Governments to intercept private letters written by M.Ps. in the Post Offices?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): No, Sir.

Russian Team on Adult Education

***1326. Shri R. Barua:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that a team of Russian experts on adult education has toured some of the States in the country;

(b) whether the team has submitted any report as a result of their study to the Government of India; and

(c) if so, the broad outlines thereof?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) Yes, Sir. It was a Delegation from the Soviet Union.

(b) No, Sir.

(c) Does not arise.

Heir-Apparent of Nizam

***1334. { Shri P. Venkatasubbaiah:
Shri Sidheshwar Prasad:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Prince of Berar has represented to Government against the recognition of his son as the heir-apparent of the Nizam of Hyderabad; and

(b) if so, whether Government propose to reconsider the matter?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):

(a) Yes, Sir.

(b) No, Sir.

Supply of Gas to Gujarat

***1335. Shri Jashvant Mehta:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government have recently decided the priorities for supply of gas to the industries of Gujarat;

(b) if so, when and how it will be materialised;

(c) when the actual supply of gas will be given; and

(d) the reasons for the delay?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) and (b). Yes, Sir. It has been decided that the supply of gas will be given, first, for the generation of electricity; next, for fertilizers; third, for other State projects and then for private industries.

(c) Supply to the Dhuwaran Power Station is expected to commence in September and to the Uttran Power Station in November, 1964. The Gujarat Fertilizer Factory will be supplied from about June 1966 when it is expected to go into production. The requirements of some industries in Baroda can be supplied towards the last quarter of 1964.

(d) There is no delay as the supply will synchronise with the consumers' readiness to receive the gas.

Grants to Delhi Higher Secondary Schools

***1336. Shrimati Renu Chakravarty:** Will the Minister of Education be pleased to state:

(a) whether Government are aware that grants given to the Schools in Delhi are not properly utilised for the purpose for which these are given;

(b) if so, whether any check is made in this regard and if so, what; and

(c) if not, what action is proposed to be taken in the matter?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) No, Sir. As far as Government are aware, the grants are utilised for the purpose for which they are given.

(b) The school accounts are regularly checked and audited.

(c) Does not arise.

Educational Planning Commission

***1337.** { **Shri Subodh Hansda:**
Shri S. C. Samanta:
Shri Sidheshwar Prasad:

Will the Minister of Education be pleased to state:

(a) whether there is any proposal to set up an educational planning commission in India with the help of UNESCO;

(b) if so, what are the objects of such a planning commission; and

(c) whether this will have any relation with Government; and if so, in what way?

The Deputy Minister in the Ministry of Education (Dr. M. M. Das):

(a) to (c). No, Sir. It has, however, been decided to set up a Commission of inquiry to examine all aspects of Education in India, except legal, medical and adult education. The Commission is expected to include eminent foreign experts on Education deputed by the UNESCO and the Ford Foundation.

U.N. Training and Research Institute, New York

***1338. Shri P. C. Borooah:** Will the Minister of Education be pleased to state:

(a) whether Indian assistance has been sought for setting up of the

U.N. Training and Research Institute in New York; and

(b) if so, how much aid and in what form it is proposed to be rendered by Government for the purpose?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) India has announced a cash contribution of \$50,000 towards the establishment and running of the Institute.

रासायनिक उर्वरक संयंत्र

*१३३६. श्री श्रीकार लाल बेरवा : क्या पेंडोलियम और रसायन मंत्री यह बनाने की कृपा करेंगे कि

(क) क्या यह सच है कि भारत में एक विशाल रासायनिक उर्वरक संयंत्र की स्थापना के लिये २३ अप्रैल, १९६४ को भारत और अमरीका के बीच एक करार पर हस्ताक्षर किये गये हैं ; और

(ख) यदि हाँ, तो उस की रूपरेखा क्या है ?

पेंडोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री धनगेशन) : (क) और (ख). जी, नहीं ।

State Education Ministers' Conference

*1340. { Shri Jashvant Mehta:
Shri Sidheshwar Prasad:
Shri Prakash Vir Shastri:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that recently the State Education Ministers' Conference decided a uniform pattern of secondary education in the country;

(b) if so, the broad outlines thereof; and

(c) whether the introduction of English will be uniform from the next

academic session—after the summer vacations, in all the States?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) Yes, Sir.

(b) A statement giving the requisite information is laid on the Table of the House.

(c) No decision has been taken by the Conference in this regard.

Statement

Considering the overriding importance of achieving a broad measure of uniformity in the school system of the country with a view to (i) promoting national integration; (ii) raising standards; and (iii) facilitating the mobility of students and teachers between the different States of the Union,

Realising the persistence of confusion and wide variations in the pattern of the school system resulting from the failure to implement effectively the recommendations of Central Advisory Board of Education and reforms suggested from time to time by the All-India Bodies,

The Conference of Education Ministers resolves,

(1) That schools in all States should conform to a uniform school leaving standard;

(2) That the standard to be achieved at the end of the secondary stage should be at least the intermediate level of the former 4-year colleges, with provision of appropriate diversified courses.

(3) That a 12-year course of schooling before admission to the degree course is the goal towards which the country must work, even though considerations of finance and manpower may not make it possible to implement such a scheme for all States in the immediate future.

(4) That the entire education at the secondary stage should be done in the schools; classes such as the

Pre-University class, started in Universities as a temporary measure, should be transferred to the schools as soon as possible in accordance with a phased programme.

(5) That the new schools should be started in accordance with the accepted uniform pattern.

(6) That an appropriate machinery for determining the equivalence of standards at school stage in order to facilitate the mobility of students from one State to another and for promoting uniformity in the school system should be established by the Union Ministry of Education.

(7) That every State should review the existing position and draw proposals for completing the proposed upgrading on the accepted lines by the end of the 4th Plan as far as possible.

(8) That in order to reach the uniform school leaving standard indicated above, special assistance from the Centre should be given to all States both for the programme of upgrading schools and for the transfer of the pre-university classes to the school stage.

Institute of Petro-Chemistry

*1341. { Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the UNESCO propose to give grants worth rupees two million dollars for setting up an Institute of Petro-Chemistry; and

(b) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of Education (Dr. M. M. Das): (a) and (b). A proposal for financial assistance to the extent of 1,004,100 US Dollars for setting up a Petro-Chemical Division in the Indian Institute of Petroleum, Dehra Dun is

under consideration of the J.N. Special Fund.

Post-Matric Scholarships to Backward Class Students in Orissa

2871. Shri Ramachandra Ulak. Will the Minister of Education be pleased to state:

(a) the total number of scholarships awarded to the students belonging to (i) Scheduled Castes (ii) Scheduled Tribes and (iii) Other Backward Classes for Post-Matric studies in Orissa during 1963-64;

(b) the total number of students who applied for these scholarships from Orissa during the same period; and

(c) the dates when these scholarships were paid to students?

The Deputy Minister in the Ministry of Education (Dr. M. M. Das): (a)

(i) Scheduled Castes	410
(ii) Scheduled Tribes	321
(iii) Other Backward Classes	796
(b) (i) Scheduled Castes	436
(ii) Scheduled Tribes	359
(iii) Other Backward Classes	5,461

(c) Scholarships were paid during the period 18th September, 1963 to 31st March, 1964.

It may be mentioned here that selection of students and payment of scholarship amount are dealt with by State Governments, and Centre only places the funds at their disposal and lay down terms of awards.

नव-नालन्दा महाविहार

२८७२. श्री सिद्धेश्वर प्रसाद : क्या शिक्षा मंत्री १२ फरवरी, १९६४ के अतारंकित प्रश्न संख्या ९२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या इस अवधि में नव-नालन्दा मह विहार और ह्वेन-त्सांग स्मारक भवन समन्वय समिति की कोई बैठक हुई है ;

(ख) यदि हां, तो उस की सिकारियों
था है ; और

(ग) यदि नहीं, तो विलम्ब का क्या
कारण है ?

शिक्षा मंत्री (श्री सु० क० चागला) :

(क) जी, हां ।

(ख) इस विषय पर विस्तृत अध्ययन
की आवश्यकता है और ममिति अपनी और
बैठके बुलाएगी ।

(ग) प्रश्न नहीं उठता ।

Russian Circus

2873. Shri A. V. Raghavan: Will the
Minister of Education be pleased to
state:

(a) the places where the Russian
Circus exhibited its shows in India;

(b) the collections made and
expenses incurred in each of the
places;

(c) the amount paid to the circus
artistes;

(d) the amount of profit made by
the Government of India; and

(e) whether any State Govern-
ment had exempted these shows from
entertainment taxes?

**The Deputy Minister in the Minis-
try of Education (Shri Bhakt
Darshan):** (a) Bombay, Hyderabad,
Madras, Calcutta, Kanpur and Delhi.

(b) Total money collected from
each of the centres is:

Bombay	5,16,485.00
Hyderabad	68,479.25
Madras	1,81,425.50
Calcutta	3,99,320.00
Kanpur	1,83,261.50
Delhi	3,09,820.00

Total: 15,58,791.25

The expenditure figures have not
yet been received from the State
Governments concerned.

(c) Rs. 3,40,000 at the rate of
Rs. 5,000 per show:

(d) The amount of profit can be
determined only when the figures of
expenditure are finalised:

(e) All State Governments, except
West Bengal, had exempted the shows
from payment of entertainment tax.

Stone Panel found in Ujjain

**2874. { Shri Ram Harkh Yadav:
Shri Murlil Manohar:**

Will the Minister of Education be
pleased to state:

(a) whether it is a fact that a stone
panel with a Sanskrit inscription say-
ing that Kalidas was born and flour-
ished in Ujjain during the reign of
Vikramaditya, has been unearthed in
Ujjain; and

(b) if so, the details of the dis-
covery and its historic value?

**The Deputy Minister in the Minis-
try of Education (Shri Bhakt
Darshan):** (a) No, Sir.

(b) Does not arise.

Drinking in Parked Cars in Delhi

2875. Shri Buta Singh: Will the
Minister of Home Affairs be pleased
to state:

(a) whether Government's atten-
tion has been drawn to the caption
"Around the Town" in the *Indian
Express*, dated the 13th April, 1964
in which it has been stated that "cars
parked on roads and people drinking
in them are a common sight in any
evening in Connaught Place";

(b) whether it is also a fact that
drinking in cars in large number has
spread even to the markets in the
residential colonies in New Delhi like
Pandara Road where no woman can
dare visit the market in the evenings;

(c) whether drinking in cars in public places is allowed under the prohibition laws; and

(d) if so, what steps have been taken to plug this loop-hole in the law in order to check the spread of the nuisance in the residential areas?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a) Yes, Sir.

(b) No, Sir.

(c) and (d). In the absence of Prohibition Laws in Delhi, drinking in public places is not an offence. However, the question of prohibiting the possession of liquor in any public place or in a vehicle, otherwise than in a sealed bottle, is under active consideration of the Delhi Administration.

Compulsory Primary Education in Rajasthan

2876. Shri Tan Singh: Will the Minister of Education be pleased to state:

(a) whether any grant for free and compulsory primary education in Rajasthan was demanded by the State Government during 1963-64;

(b) if so, the amount of grant sanctioned during the same period; and

(c) the amount of grant proposed to be sanctioned during 1964-65 for the same purpose?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) No, Sir.

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

Manuscripts Purchases Committee

2877. Shri Tan Singh: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1749 on the 1st April, 1964 and state:

(a) the date from which the Manuscript Purchases Committee has been functioning;

(b) the expenditure incurred or proposed to be incurred by Government;

(c) the number of manuscripts advised by the Committee to be purchased; and

(d) the details of amount spent for these purchases?

The Minister of Education (Shri M. C. Chagla): (a) 4th February, 1964.

(b) to (d). The Committee has not made its recommendations yet. The extent of expenditure will depend upon the nature of manuscripts selected by the Committee for purchase.

Amateur Athletic Federation of India

2878. Shri A. S. Saigal: Will the Minister of Education be pleased to state the amount of foreign exchange released to the Amateur Athletic Federation of India to enable them to send a team of athletes to participate in the forthcoming Tokyo Olympics?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): No foreign exchange has been released so far.

बीकानेर में पाकिस्तानी राष्ट्रजनों की गिरफ्तारी

२८७६. श्री हुसकचन्द कछवाय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पिछले तीन महीनों में बीकानेर में २७ पाकिस्तानी राष्ट्रजनों की गिरफ्तारी हुई है ;

(ख) क्या यह भी सच है कि गिरफ्तार किए गए व्यक्तियों में पाकिस्तानी डाकू और तीन पाकिस्तानी हिन्दू भी हैं; और

(ग) क्या उनके पास से कोई भारत-विराधी सामग्री बरामद हुई है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी) : (क) प्रथम जनवरी

से २५ अप्रैल, १९६४ तक की अवधि में बीकानेर में एक तथा गंगानगर में ३३ पाकिस्तानी राष्ट्रजन पकड़े गये।

(ख) इन में से एक व्यक्ति पाकिस्तानी अपराधी है, जो सेंध लगाने के एक मामले में अभियुक्त है, तथा तीन हिन्दू हैं।

(ग) जी नहीं।

D. A. V. Higher Secondary School, Rajinder Nagar, New Delhi.

2880. Shrimati Renu Chakravarty:
Will the Minister of Education be pleased to state:

(a) whether it is a fact that the building grant given to the D. A. V. Higher Secondary School, Sir Ganga Ram Hospital Marg, Rajinder Nagar, New Delhi was used for the construction of school building, the plan of which was not approved;

(b) whether it is also a fact that the said building and the allotment of land to the school is being cancelled; and

(c) if so who is responsible for the construction of building and waste of Government grants and what action is now being taken in the matter?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandaran) (a) to (c). The requisite information is being collected and will be placed on the Table of the Sabha in due course.

अपर डिवीजन क्लर्क

२८८१. श्री प्रकाशबीर शास्त्री : क्या गृह-कार्य मंत्री १८ दिसम्बर, १९६३ के अतारांकित प्रश्न संख्या १९०९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) इस सम्बन्ध में क्या कोई निर्णय इस बीच कर लिया गया है ; और

(ख) यदि नहीं, तो अन्तिम निर्णय पर पहुंचने में कितना समय और लग जायेगा ?

गृह-कार्य मंत्रालय में उपमंत्री (श्री ल० ना० मिश्र) : (क) जी हां, अपर डिवीजन क्लर्क के ग्रेड को समाप्त नहीं किया जायेगा।

(ख) प्रश्न ही नहीं उठता।

केन्द्रीय स्कूलों के लिये आदर्श पाठ्य-पुस्तकें

२८८२. श्री श्रीकारलाल बोरबा : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय स्कूल योजना के अधीन आदर्श पाठ्य-पुस्तकें तैयार करने की कोई योजना है ; और

(ख) यदि हां, तो ये पाठ्य-पुस्तकें किस मोटी रूपरेखा पर आधारित होंगी ?

शिक्षा मंत्रालय में उपमंत्री (श्रीमती सौंदरम रामचन्द्रन) : (क) केन्द्रीय स्कूल योजना के अन्तर्गत ऐसी कोई प्रायोजना नहीं है, किन्तु प्राथमिक और माध्यमिक कक्षाओं के लिये पाठ्य पुस्तकें तैयार करने की राष्ट्रीय शिक्षा अनुसंधान तथा प्रशिक्षण परिषद् की एक प्रायोजना है।

(ख) सामान्यतया ऐसी पाठ्यपुस्तकें विभिन्न राज्यों में निर्धारित पाठ्याचार्यों और विषयों की आवश्यकताओं को ध्यान में रखते हुए, विशेषज्ञों के पैनलों द्वारा तैयार किए गए पाठ्यचर्याओं पर आधारित होंगी।

Find of Ancient Arms in Berhampur

**2883. { Shri Subodh Hansda:
Shri S. C. Samanta:**

Will the Minister of Education be pleased to state:

(a) whether it is a fact that ancient fire-arms have been dug out in the Sericultural Farm of Berhampur in Murshidabad District of West Bengal;

(b) if so, what kind of arms have been found; and

(c) the indication of age of the find, if since verified?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):

(a) No ancient fire arms have been dug in Berhampur.

(b) and (c). The parts of the fire arms appear to be of modern type and are of little interest to Archaeology.

Commissioner For S. C. and S. T.

2884. { Shri Subodh Hansda:
Shri S. C. Samanta:

Will the Minister of Home Affairs be pleased to state:

(a) whether the report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1963-64 has been received by Government;

(b) if not, the reason for the delay; and

(c) when this will be laid on the Table?

The Deputy Minister in the Ministry of Home Affairs (Shrimati Chandrasekhar): (a). The report for the year 1963-64 i.e. for the year ending 31st March 1964 is due to be submitted to the President only on 30th September, 1964.

(b) and (c). Do not arise

Trained Technicians and Engineers

2885. **Shri P. C. Borooah:** Will the Minister of Education be pleased to state:

(a) whether his attention has been drawn to the monthly circular for April, 1964, issued by the Indo-German Chamber of Commerce, Bombay, reporting that numerous requests were received by that Chamber to find suitable openings in India for Indian technicians and engineers who having

received specialised training in various technical fields in Federal Republic of Germany, now wish to return to India, but did not find suitable openings here; and

(b) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of Education (Dr. M. M. Das): (a) I have seen the circular. It gives particulars of seven Indians now in West Germany who are said to be available for employment.

(b) The National Register of the Council of Scientific and Industrial Research registers all Indian Scientists and Technologists abroad in a special section and assists them in various ways to find suitable employment. In this connection attention of the Hon'ble Member is drawn to the answer given to Starred Question No. 857 on 1st April, 1964.

Hostel for International Students in Delhi.

2886. { Shri Ram Harkh Yadav:
Shri Murli Manohar:

Will the Minister of Education be pleased to state:

(a) whether a Hostel for International Students studying in Delhi University has been constructed in Delhi;

(b) if so, the capacity of the hostel and the amenities for studies provided therein; and

(c) the total cost of setting up the hostel?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):

(a) Yes Sir.

(b) To start with, it will accommodate 106 students. Facilities for board, lodging and recreation will be made available.

(c) So far, only the building has been completed at a cost of Rs. 1,16,500.00 nP.

Arrest of Pakistani Spy in Orissa

2887. Shri Surendranath Dwivedy: Will the Minister of Home Affairs be pleased to state:

(a) whether his attention has been drawn to a news item published in the 'Samaj' Cuttack about the arrest of a Pakistani spy in Sambalpur District (Orissa);

(b) whether the person concerned is a Pakistani or an Indian National; and

(c) whether any letters have been seized from the person indicating that he was communicating information to Pakistan about the recent disturbances in Rourkela?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) Yes, Sir. The person was arrested for violation of section 5 of the Foreigners Act, 1946.

(b) He is a Pak National.

(c) No, Sir.

Tribal Languages and Text Books

2888. Shri H. C. Soy: Will the Minister of Home Affairs be pleased to refer to the statement made by the Deputy Minister of Home Affairs in the course of the reply to the discussion on demands for grants for the Ministry of Home Affairs saying among other things that Tribal Research Institutes are studying tribal languages and text-books in their languages and being prepared in some States and state the progress made in this respect in Bihar, Orissa and Madhya Pradesh and the reasons for the slow progress in the matter?

The Minister of State in the Ministry of Home Affairs (Shrimati Chandrasekhar): The latest position is being ascertained from the State Governments and the information when received will be laid on the Table of the House.

New Colleges in Orissa

2889. Shri Mohan Nayak: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Orissa Government have asked for financial aids for starting new colleges in Orissa State;

(b) if so, whether this request has been considered by the Standing Committee of the Central Advisory Board of Education; and

(c) what recommendations have been made by the Central Advisory Board?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) No, Sir.

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

Central Government scholarships in Public Schools

2890. Shri Jedhe: Will the Minister of Education be pleased to state:

(a) whether it is a fact that the amount of concession under the Central Government Merit Scholarship Scheme (for public schools) varies according to pay range of the guardian, and if so, what is the amount of concession for various ranges of income;

(b) when these monetary limits were fixed and how the present price index compares with that prevailing in those days; and

(c) whether Government propose to revise the income limits in view of the high price index?

The Deputy Minister in the Ministry of Education (Dr. M. M. Das):

(a). Yes, Sir. the amount of concession varies according to means test which is as follows:—

Category—A

Income Rs. 1,000/- and above p.m.	No exemption from School fees.
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Category—B

Income between Rs. 750/- and Rs. 999/- p.m.	Exemption from half School fees.
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Category—C
Income between Rs. 500/- and Rs. 749/- p.m. Exemption from 3/4 School fees.

Category—D
Income between Rs. 300/- and Rs. 499/- p.m. Full exemption from School fees plus clothing allowance

Category—E
Income between Rs. 150/- and Rs. 299/- p.m. As in category D plus, travel expenses.

Category—F
Income below Rs. 150/- p.m. As in category E plus, pocket money.

(b) In 1959. The amount of scholarship under the scheme is not determined on price index.

(c) No, Sir.

दिल्ली में लड़कियों का अपहरण

२८६१. श्रीमती जोहराबेन चावडा: क्या गृह-कार्य मंत्री वताने की कृपा करेंगे कि :

(क) राजधानी में १ अप्रैल, १९६३ से २० अप्रैल, १९६३ तक की अवधि में लड़कियों के अपहरण की कितनी घटनाएँ हुई ; और

(ख) कितनी अपहृत लड़कियाँ बरामद हो चुकी हैं ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री हाथी) :

(क) ८० लड़कियों से सम्बन्धित ७६ मामले ।

(ख) ६५ लड़कियाँ ।

महात्मा गांधी जन्म-शताब्दी

२८६२. श्री सिद्धेश्वर प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या उन का ध्यान महात्मा गांधी की जन्म-शताब्दी को एक राष्ट्रीय समा-

रोह के रूप में मनाने के गुंजाव की आरंभ किया है ;

(ख) यदि हाँ, तो इसके लिये क्या कार्यक्रम बनाया गया है अथवा बनाया जा रहा है ; और

(ग) क्या विदेशों में भी जन्म-शताब्दी समारोह मनाने के लिये कोई योजना बनाई गई ?

शिक्षा मंत्रालय में उप-शिक्षा मंत्री (श्रीमती सीमन्त रं रामचन्द्रन) : (क) जी हाँ ।

(ख) और (ग). इसके लिये अब तक कोई कार्यक्रम या योजना नहीं बनाई गई है । इस विषय में गांधी स्मारक निधि के परामर्श से विचार किया जा रहा है ।

Smuggling of Weapons from Pakistan

2893. { Shri P. Venkatasubbaiah:
Shri P. C. Borooah:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a conspiracy to smuggle weapons from Pakistan has been discovered in Amritsar;

(b) if so, the details thereof; and

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

The Minister of State in the Ministry to Home Affairs (Shri. Hathi): (a). No, Sir.

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

Receptions held by Chinese Embassy

2894. Shri Hari Vishnu Kamath: Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government issued instructions to all their officers, immediately after the commencement of the Chinese invasion, that they should not attend receptions arranged by the Chinese Embassy and Consulates in India;

(b) whether in disregard to such instructions, a senior officer of the National Archives attended such receptions or similar functions; and

(c) if so, what action has been taken in the matter?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Though no general instructions had been issued to officers, yet they were expected to abstain from such functions.

(b) An officer of the National Archives of India attended the function held by the Chinese Embassy on the 1st October, 1963, on the occasion of the 14th anniversary of the founding of the People's Republic of China.

(c) As the officer concerned has expressed his sincere regrets and apologised for this lapse he has been warned to be more careful in future.

Indian Institute of Technology, Bombay

2895. Shri Hari Vishnu Kamath: Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1064 on the 15th April, 1964 and state:

(a) whether the accounts of the Indian Institute of Technology, Bombay together with the audit reports thereon have been laid on the Table every year in terms of Sec. 23 of the Institutes of Technology Act, 1961;

(b) if so, on which dates; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) to (c). The Institutes of Technology Act 1961 came into force with effect from 1st of April, 1962.

The audit report for the year 1962-63 in respect of the accounts of the Indian Institute of Technology, Bombay, has been received recently from the Accountant General, Maharashtra.

Steps are being taken to place the same before each house of Parliament.

Military Science as Optional Subject in Colleges and Universities

2896. Shri Hari Vishnu Kamath: Will the Minister of Education be pleased to state:

(a) whether Government propose to move for inclusion of military science as an optional subject in the curriculum of colleges and universities;

(b) if so, the details of the proposal; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) to (c). The University Grants Commission propose to appoint a Review Committee to go into the question of inclusion of military science as a subject of study in universities and, for this purpose, they have asked the universities to supply a copy of the syllabus for military science at the under-graduate and/or post-graduate levels to know if this subject has already been introduced by them; if not, they have been advised to await the report of the Review Committee which will be appointed on receipt of replies from the various universities.

Black-Listing of Financing Firms

2897. Shri Hari Vishnu Kamath: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Special Police Establishment has recommended to Government that some financing firms of Delhi should be black-listed;

(b) if so, the reasons therefor; and

(c) the number and names of the firms concerned?

The Minister of State in the Ministry of Home Affairs (Shri Hathi):

(a) Yes, Sir.

(b) and (c). The matter is still under consideration of the Government and it would not be proper to give the names of the firms or the reasons for which the Special Police Establishment have recommended the blacklisting of the firms.

Agricultural Bias in School Education

2898. Shri Yashpal Singh: Will the Minister of Education be pleased to state:

(a) whether it is proposed to give an agricultural bias to school education in order to boost the agricultural production;

(b) if so, the main features of the proposal; and

(c) whether the views of the State Governments have been obtained on it?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) There is no such proposal with the Education Ministry.

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

CORRECTION OF ANSWER TO USQ NO. 2384, DATED 22-4-1964, REG. AMMONIUM CHLORIDE FERTILISERS.

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): In the reply given to part (b) of the Unstarred Question No. 2384 regarding ammonium chloride fertilisers in the House on the 22nd April, 1964, I had stated that the Sahu Chemicals Soda Ash Factory at Varanasi is producing ammonium chloride in crystal form. This was based on the information supplied by the local representative of the concern.

The Company subsequently has intimated that ammonium chloride is produced at present in the powder form till their granulation plant is commissioned. However according to technical opinion, there can be no injurious effect on plants by the application of ammonium chloride in powder form, provided it is applied properly.

I, therefore, request that the answer to part (b) of the question may kindly be corrected to read as follows:—

(b) Production is in Powder form: but this is not injurious to plants if applied properly.

12.20 hrs.

RE: CALLING ATTENTION NOTICE (QUERY)

Shri S. M. Banerjee (Kanpur): Sir, before we proceed to this Calling Attention Notice, I submit that about the movement of 200 Naga hostiles towards East Pakistan, I had given a Calling Attention Notice about 10 or 12 days before. When the Naga hostiles were moving forward towards East Pakistan, we gave the Calling Attention Notice. Now, the Nagas have gone to Pakistan and have come back with arms and ammunition and this Calling Attention Notice is being taken up now. I only beg to submit that the Minister should not convert the news into a story when he comes to the House.

Mr. Speaker: They had answered probably the earlier one saying that they were keeping a watch over them.

Shrimati Renu Chakravartty (Barrackpore): They have gone over and they have come back.

Mr. Speaker: I know that. I am only referring to the answer that they gave at that time. This contains both, the movement of about 200 Naga hostiles towards East Pakistan and the entry of about 400 Naga hostiles into Nagaland from East Pakistan.

Shri S. M. Banerjee: My submission is only this. We get the information from the newspaper reports whereas the agency available to them is much better. The Nagas have gone over to Pakistan and they have come back with arms and ammunition and we ask question only now whether they will bring the arms here or not.

Mr. Speaker: Dr. Singhvi.

12.22 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) MOVEMENT OF ABOUT 200 NAGA HOSTILES TOWARDS EAST PAKISTAN AND ENTRY OF ABOUT 400 NAGA HOSTILES INTO NAGALAND

Dr. L. M. Singhvi (Jodhpur): I call the attention of the Minister of Defence to the following matter of urgent public importance and I request that he may make a statement thereon:—

“The reported movement of about 200 Naga hostiles towards East Pakistan and entry of about 400 Naga hostiles into Nagaland from East Pakistan.”

The Minister of Defence (Shri Y. B. Chavan): Mr. Speaker Sir, the gang of Naga Hostiles moving towards East Pakistan is led by self-styled “Major General” Yeveto Sema, and began moving towards East Pakistan sometime in October, 1963. At that time, it had a strength of approximately 150. Between October and December, 1963, it remained dispersed in the general areas to the east of Kohima, and again started moving in early January, 1964.

2. Meanwhile, yet another gang had also begun moving towards East Pakistan. In late December, 1963 and early January, 1964 further advancement of this gang was foiled, owing to effective action taken by the security forces, and the gang dispersed

into dense forests around Ralang, in the extreme south of Kohima district. In January, however, the gang started its movement southwards again.

3. After crossing into Manipur, the two gangs met and resumed their journey towards the south-west. This movement was hampered by intensive patrolling by security forces, and during the middle of March there was an encounter after which the gang dispersed again. At that time it was 8 miles from the Burma border, but a few days later about 150 members of the gang finally escaped into Burmese territory. Since then the gang has been moving towards East Pakistan skirting the Indian border.

4. On the other hand, the gang of Naga Hostiles returning to India is reported to be 400 strong led by self-styled “General” Dusoi Chakesang. It presumably left for East Pakistan during October, 1963 to procure some arms and ammunition. They moved along the India-Burma border, through the Burmese territory and entered Chittagong Hill Tracts of East Pakistan on 30th December, 1963. The gang was reported to have resumed its return journey during early February, 1964 and followed the route which it took on its way to East Pakistan. The hostiles are reported to be carrying 21 Light Machine guns, 10 Sten guns, 268 rifles, three Medium Machine guns, two 3 inch mortars and two 2 inch mortars.

5. A portion of this group (200) of Naga hostiles entered Ukhrul sub-division of Manipur through Burma. The gang of Dusoi Chakesang, after reaching Tonghlang (in Burma) on April 8, 1964 divided itself into two parts at Heirnkut (in Burma); one portion of the gang (200) entered Manipur and passed through POI (in Ukhrul sub-division of Manipur) on April 17, Phaibumkhunou (in Mao Maram sub-division) on April 18, and reached Zhamai (in Kohima district) on April 20. This splinter

group was expected to proceed towards Phulami.

6. Commensurate with the Security Forces available in Nagaland area, troops have been deployed to intercept and destroy the gangs. But they have to face the following difficulties because of the mountainous and thickly wooded terrain:—

- (i) The gang which may consist of 200 to 400 men actually breaks into small groups of or 5 and moves stealthily in the same general direction along different tracks.
- (ii) The terrain helps in concealment of men as well as equipment. It is possible for the hostiles and the security forces to be present in the same area without spotting each other.
- (iii) It is difficult for the security forces to distinguish a hostile Naga from a loyal and peaceful citizen. It is possible for a hostile to conceal his weapons and equipment quickly, and then to appear as a peaceful citizen and go past the security net.

7. It will, however, be observed that the security forces have succeeded in delaying the movement of the Nagas. Owing to their efforts the Yevoto Sema gang went directly into Burma from Manipur without entering the Mizo hills area.

Shri Nath Pai (Rajapur): Does the hon. Minister mean to say that ordinary Nagas carry rifles, because he said that one could not distinguish between the ordinary Nagas and the rebel Nagas? These people carry mortar and machine-guns. What are we to understand?

Shri Y. B. Chavan: When they move, sometimes, they steal these things in some areas and move; when they find that they are quite

safe, then they make a move of the weapons too.

Mr. Speaker: Before I call Dr. Singhvi to put his question, I have a small observation to make. Though it was with some sarcasm that Shri Banerjee made certain observations, I find that there is a good deal of substance in what he has said.

A calling attention notice has some urgency about it. It is an urgent matter. When I receive a notice, I send it on—those that I do not reject—for finding out facts from the Ministers. If they take a long time, that urgency, of course, is lost. It must have at least greater urgency than a short notice question. Three days are allowed for the short notice question; this must be done earlier.

Therefore, I will request hon. Ministers to attach importance to this fact so that when a notice is sent to them and they have to find out facts from the States, that should be done within the shortest possible time so that it may be answered as early as possible.

Dr. L. M. Singhvi: Is the Government in a position to tell the House that these movements of hostile Naga desperadoes are engineered in collusion with Pakistan which supplies arms to them? How is it that these movements went unchecked, unregulated and unarrested in spite of fairly advance notice? What steps have been taken to see that such a thing does not happen again?

Shri Y. B. Chavan: I said while making the statement itself that certainly we are trying to deal with their activities and to arrest them. Even before I came here, I had information that the gang that entered in the eastern or north-eastern strip of Manipur had an encounter with policemen. Necessary steps and necessary efforts are being taken. It is very difficult to say that they can be completely eliminated. Of course, they have got the support of Pakis-

{Shri Y. B. Chavan}

tan. That is very obvious because they continually go to Pakistan to procure arms.

Shri Hem Barua (Gauhati): The other day we were told by the hon. Prime Minister that Government have asked the Naga hostiles to cease fire so that talks or peaceful negotiations might proceed. On the other hand, the Naga hostiles have made a demand that the Government should stop all operations against them. In that context, may I know whether Government have effected a unilateral cessation of operations against these hostiles, and if they have,—it is evident from the fact that the Naga hostiles came and opened fire on Kohima City and our troops were nowhere to be seen . . .

Mr. Speaker: He should conclude the question now.

Shri Hem Barua: May I know—this is what I wanted to know—if our Government have unilaterally effected cessation of operations against the Naga hostiles, and if they have, is it not a reversal of the policy adumbrated by our Prime Minister vis-a-vis Mr. Phizo's demand last year that for peaceful negotiations and for peaceful co-operation . . .

Mr. Speaker: That should be enough.

Shri Hem Barua: . . . there should be cease fire on both sides, cease fire by the Government and cease fire by the hostiles also, which the Prime Minister rightly refused?

Shri Y. B. Chavan: As far as I am aware about this position, the peace mission has offered certain suggestions to the Government for suspending the operations against the hostiles. But I think those suggestions are under examination in consultation with the Defence Ministry. Ultimately the decision will be taken by the Governor in consultation with the

Naga Ministers. This is the present situation.

Mr. Speaker: He means to ask whether Government of their own accord, unilaterally, stopped those activities against the Naga hostiles, and he cites some statement by the Prime Minister, a previous statement by the Prime Minister, and asks whether there has been a reversal of that previous statement.

Shri Hari Vishnu Kamath (Hoshangabad): The Prime Minister may throw light on it.

Shri Y. B. Chavan: There is, really speaking, no suspension of operations, at the present moment. It cannot be a unilateral step. I have said that the suggestions made on behalf of the peace mission are being examined. Certainly they will be put back with our own recommendations to the peace mission.

Shri Hem Barua: May I draw the attention of the hon. Defence Minister to a statement made sometime back by the Chief Minister of Assam, who is

Mr. Speaker: Now he should not go into all that.

Shri Hem Barua: He said

Mr. Speaker: He has said there has not been any cessation of activities. So, that question is finished.

Shri Hem Barua: No, how can it be? Here is a member of the peace mission sponsored and blessed by this Government, Shri Chaliha, who has said that they have unilaterally stopped operations against the Naga hostiles. So, how can the Defence Minister say that?

Shri Y. B. Chavan: I do not know what Shri Chaliha has said, but I am making a statement on behalf of the Government that operations are not suspended yet.

Shri S. M. Banerjee (Kanpur): It is quite clear from the Defence Minister's statement that these Naga hostiles crossed over to Pakistan to get arms. I want to know whether those arms are supplied to Pakistan and from Pakistan to the Naga hostiles by imperialist forces and whether it is a part of a big conspiracy of the imperialist forces to trouble India both in Nagaland and Kashmir. Have they got any information?

Shri Y. B. Chavan: No, Sir. We have no information.

Shri Daji (Indore): This time the Minister has distinguished himself by giving a very detailed account of the Naga troops, their movements, the kind of weapons they carry, mortars and rifles, the number also; all these details have been given for the first time. If the Government could collect all these details, if they had all this information about the Naga troops, the nature of their movements etc., how was it that they could not way lay or stop them or make a demand for a fight or have some sort of challenge to the entire force, because their going was known, their coming was known, their *modus operandi* was known, the arms they are carrying are known; then how was it there was not even a skirmish?

Shri Y. B. Chavan: I did say skirmishes took place many times.

Shri Daji: On this occasion when they were returning with their mortars, were they challenged even at one place?

Shri Y. B. Chavan: I said that just before I walked into the House I had information of some sort of confrontation with a group in the north-eastern part of Manipur. Certainly we get information. We got the information when they have moved from the particular area, but to contact them exactly is the difficulty. We get late information about their movements. Certainly we get infor-

mation as to what they are carrying etc.

Shri Swell (Assam-Autonomous Districts): Is it a fact that on the 26th of last month, at a conference of the Congress Committees of Eastern India held at Govind Nagar in West Bengal, a Minister of the Government of Assam, who is credited to be a blue-eyed boy of this Government, had made an announcement that the Government of India was actively considering conceding a special status to Nagaland among the States of India, and if so, may I know whether this policy of giving in on the part of the Government of India has left an impression on the Naga hostiles that if they only carry on persistently, they will achieve their final goal of a sovereign State outside India, and this has accounted for this increase in their activities?

The Minister without portfolio (Shri Lal Bahadur Shastri): We had seen this report in the newspapers, and we made enquiries from the Minister concerned. He has completely denied it. He said it was all wrong and false.

Shri Indrajit Gupta (Calcutta South West): I would like to know why our Government, which is generally very active in sending protest notes to other Governments about various matters, . . . (Laughter)

Shri Hari Vishnu Kamath: He is stating a fact.

Shri Indrajit Gupta: . . . has never formally protested to the Government of Pakistan, saying that this collusion with the Naga hostiles and the constant supply of arms and ammunitions to them is regarded by this country as a hostile act on the part of Pakistan? No protest is made, why?

Shri Ranga (Chittoor): Have we sent any protest at all?

Shri Lal Bahadur Shastri: These matters are generally discussed and brought to their notice, but it is true that in so far as the movement of Naga hostiles is concerned, we have not taken any special steps, because, of course, we feel that partly we are also responsible; they are our own people, they go over to Pakistan, and come away from that place.

Shri Hari Vishnu Kamath: Whose fault?

Shri Lal Bahadur Shastri: Naturally, we have to prevent it here. Certainly we will lodge a strong protest on what Pakistan has been doing in this respect.

Shri Hari Vishnu Kamath: On a point of order, Sir. The question was precise: whether we have lodged a protest. He says: we will now lodge it. Why did he not lodge it so far? were they sleeping? Were they paralysed?

Shri P. C. Borooah (Sibsagar): What steps have been taken by the Government to invite the attention of Pakistani authorities to these acts of subversion and the supply of arms to Naga hostiles and the allowing of their territory to be used for directing hostiles against Nagaland? Does this not constitute interference by Pakistan in Indian affairs and if so is it proposed to take it up before any international body?

Shri Lal Bahadur Shastri: International level? We must first strongly disapprove of what Pakistan has done. I can say that the thing which Pakistan is doing is something most objectionable—I might say heinous. We will certainly take it up with Pakistan. But at the present moment, we do not think it neces-

sary to take it up in some other forum.

Mr. Speaker: Shri Harish Chandra Mathur.

Shri Hem Barua: Have you pointed out to them the role of the Pakistani Assistant High Commission Shillong; they are aiding the Naga hostiles.

Mr. Speaker: I have not called him; I have called Mr. Mathur.

Shri Harish Chandra Mathur (Jalore): In spite of our very best efforts during the last ten years, this sickening history continues: Now that these Naga hostiles are better armed and much better trained, how do we propose to deal with them? What threat they pose to India? We have not been able to deal with them during the last ten years when they were not so well-trained and armed? May I know what threat they pose and how we propose to deal with this new situation arising out of their training arms?

Shri Lal Bahadur Shastri: It is true that they have got better arms now. But the Naga hostiles themselves, especially the people of Nagaland are completely fed up with the situation and it is therefore that the members of the Nagaland Assembly who are in the opposition and some others jointly decided that peaceful efforts should be made. It is most essential that the fighting by the Naga hostiles should come to an end . . .

Shri Hem Barua: . . .*

Mr. Speaker: What he says would not go on record.

*Not recorded.

श्री हुकम चन्द कछबाय (देवास) : मंत्री महोदय ने जो कुछ भी कहा है, वह भी रिकार्ड से निकाल दिया जाये ।

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, मुझे भी एक प्रश्न पूछने दीजिए ।

अध्यक्ष महोदय : नहीं, माननीय सदस्य का नाम इस में नहीं है ।

श्री रामेश्वरानन्द : अगर आप कृपा करें, तो अच्छा हो ।

अध्यक्ष महोदय : मैं नियमों का उल्लंघन नहीं कर सकता ।

There are two other calling attention notices.

Shri Frank Anthony (Nominated-Anglo-Indians): But, Sir, he has not finished. It has become a habit now not to allow them to complete what they have to say . . . (Interruptions).

Mr. Speaker: When they do not allow him . . .

Shri Frank Anthony: You should see that he is allowed.

Mr. Speaker: The other Members should keep silent.

Shri Hem Barua: Before he is allowed to proceed, I want to clarify . . . *

Mr. Speaker: This shall not be taken down.

Shri Hem Barua: I said something which has been expunged.

Mr. Speaker: Not this. Only that much can go on record which is said on my authority and not the other things. I do not object to the words that he said but because it was said in defiance of my authority.

Shri Hem Barua: I thank you; you have clarified the position.

Mr. Speaker: The hon. Minister may complete his statement if he is to make any statement.

Shri Lal Bahadur Shastri: I have completely forgotten.

Shrimati Renu Chakravartty: (Barackpore): I quite agree, Sir, that Shri Hem Barua should not have interrupted in that way. But surely the Minister must remember what he was saying. It is treating the House in a very unfair way. We want to hear what he says.

Mr. Speaker: I am asking the hon. Minister . . .

Shri S. M. Banerjee: On a point of order. Supposing the Minister has started and he has said something and it has gone on record, can he take a position now that he had forgotten it?

Mr. Speaker: That possibility is there. One can lose the thread of argument. I am asking him if he could recall, he may say something. Is that beyond possibility? It has happened many times.

Shri Hari Vishnu Kamath: Usually, he has a strong memory.

Shri Lal Bahadur Shastri: When the thread was broken, I did not say so merely for saying it or for avoiding to say anything. When there is so much interruption continuous and prolonged interruption, it becomes very difficult to catch the thread again and answer to what the hon. Member had asked. I was replying to the supplementary put by Mr. Mathur and then Mr. Hem Barua gets up and starts interrupting. Mr. Mathur had asked what the position would be now when the Naga hostiles are better armed. I had said that the conditions in Nagaland are

[Shri Lal Bahadur Shastri]

pretty bad and I had said that the people are extremely unhappy over that. It is not good to think that we should always fight and fight with arms; I do not consider that to be essentially a special strength either on the part of Government or on the part of any Member of the Opposition. We are dealing with our own people, one of the States of our country and if we can deal with the situation peacefully, we must do so and steps have been taken in that regard.....

Shri Hem Barua: I agree with what he said.... (Interruptions.)

Mr. Speaker: He ought not to interrupt. My patience is being taxed. I would request hon. Members just to help me in this; at least on the last day of this session, I thought everybody must have felt exhausted today and there ought to be calm, but I find that there is greater excitement rather. (Interruption).

Shri Hem Barua: May I submit that I agree with the hon. Minister. I welcome his statement, but then the howling is there.

Mr. Speaker: Order, order.

श्री श्रीकार लाल बैरवा (कोटा) :
बहुत बुरी बात है कि आप तो आइंर दे रहे हैं और उबर से "नो, नो" कहा जा रहा है।

Shri Hem Barua: I welcome the statement about peace.

Mr. Speaker: Order, order. In spite of my request, in spite of all that I entreated, even then, he will continue.

Shri Hem Barua: May I submit a personal clarification?

Mr. Speaker: Order, order. What is to be done now? Now there are two more calling attention notices

today. I would suggest that these statements might be laid on the Table of the House, because it will take more time.

Several Hon. Members rose—

Shrimati Renu Chakravartty: They are very important. (Interruption).

Mr. Speaker: Order, order. If the House wishes, I cannot have any objection in spending more time. Already, we have spent 50 minutes. They should realise that because this was the last day of this session, I put in all these today; otherwise, according to the rules, only one Calling Attention Notice can be put in on one day and not three.

Dr. L. M. Singhvi: I think you will do justice.

Mr. Speaker: All right. I allow that.

(ii) REPORTED BURNING OF SOME VILLAGES IN MANIPUR BY NAGA HOSTILES

Dr. L. M. Singhvi: I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"Reported burning of some villages in Manipur by Naga hostiles recently."

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Shall I read it, or, shall I lay it on the Table of the House?

Mr. Speaker: He may read it; that is the demand.

Shri Hathi: There is no information to the effect that some villages in Manipur were burnt by Naga Hostiles recently.

2. On 24th April, 1964, at about 7 P.M., some followers of Rani Gaidillu burnt seventeen houses of Njening

Village which is part of Phuklong Khunon Village in the Tamenglong Sub-Division of Manipur State. There is no evidence to show that gutting of these houses by fire was perpetrated by Naga Hostiles. There has been no loss of life. The damage caused to property is estimated at Rs. 7,000. The affected villagers are taking shelter at a nearby village called Inem. No villager is missing. The culprits have not yet been traced.

3. No other incident of the kind in Manipur State has been reported.

Dr. L. M. Singhvi: May I know whether the Government have been able to identify all the culprits who gave rise to this carnage in these villages and, if so, what are the details thereof and what do the Government propose to do?

Shri Hathi: It has not been able to trace the culprits as such. But from the information available, it seems that it was because of internal feuds.

Shri Kapur Singh (Ludhiana): I simply wish to ask whether it is altogether beyond our competence to seal off the Nagaland borders from the foreigners and to pacify and reconcile the belligerents underground and, if not, for how long do we propose to keep this running sore?

Shri Hathi: It was because of these internal feuds between the various sects of the Nagas. There is no information about foreign intrusion in this.

Shri Bhanu Prakash Singh (Raigarh): Keeping in view the law and order situation, may I know how far it is correct that the arms and ammunition/recovered from the hostile are not only supplied by Pakistan but also come through Burma and, if so, what steps the Government have taken to bring this fact to the notice of the friendly Government of Burma?

Shri Hathi: This question generally does not arise. The question is about

the fire or the burning of villages. About the question of supply of arms, the Defence Minister answered about two minutes back.

Shri Jashvant Mehta (Bhavnagar): May I know what steps the Government have taken for the protection of the villagers against the Naga hostiles?

Shri Hathi: We are considering of raising the armed Manipur Rifles Battalion, I think, from two to four.

Shri Hem Barua: This may be due to internal feuds as reported by the Hon. Minister. But the arms and ammunition used in the operations are foreign arms and ammunition. Whatever that might be, in view of the fact that the violent activities of the Naga hostiles have intensified in Nagaland, may I know how far it is a fact that our army have put pressure on the Government to hand over Nagaland to the army in order to restore peace there?

Shri Hathi: I do not think it arises from this question.

An Hon. Member: Then what does arise?

Shri Hem Barua: What does arise then?

Mr. Speaker: Order, order. One can express one's opinion. Well, the objection is that the activities have rather increased, and they want to know whether the Government have done something in that regard in order to check them.

Shri Hathi: In fact, this incident is not by Naga hostiles. In fact, this village is supposed to be supporting the hostiles; it is these sects who support the Naga hostiles, who have done these acts.

श्री प्रकाशचौर शास्त्री (बिजनौर) :
 नागा विद्रोही नागा प्रशासन के साथ मिल
 कर कार्य करें और नागालैंड

प्रप्यक्ष महोदय : वह कहते हैं कि यह नागा होस्टाइल्ट्र का काम नहीं है ।

श्री प्रकाशबीर शास्त्री : मेरी जानकारी इस प्रकार की है कि नागालैंड में पीछे जो विद्रोहियों को शान्त करने के लिए कान्फेंस हुई थी और जिस में पादरी स्काट और श्री जय प्रकाश नारायण भी सम्मिलित हुए थे, उस के बाद से इस प्रकार के उपद्रव ज्यादा बढ़ गए हैं । क्या आप को भी इस तरह की कोई जानकारी है ?

श्री हाथी : जी नहीं ।

श्री हुकम चन्द कछवाय : जिस गांव के मकानों के अन्दर यह आग लगाई गई उस गांव से पुलिस की चौकी कितनी दूर थी ? उन को यह पता था कि आग लगने वाली है तो फिर भी पुलिस मौके पर नहीं पहुंची क्या यह सही है ?

श्री हाथी : मुझे ऐसी कोई इत्तिला नहीं है ।

श्री बड़ (खारगोन) : यह कहा गया है कि आपस में दो पार्टियों का झगड़ा होने से यह आग लगाई गई थी । एक पार्टी नागा विद्रोहियों की तरफ से थी और दूसरी पार्टी नागा गवर्नमेंट की तरफ से थी, इसलिए उन दोनों में यह झगड़ा हुआ, क्या यह बात ठीक है ?

श्री हाथी : ऐसा नहीं है । लेकिन एक बात है कि जिस पार्टी ने आग लगाई वह नागा होस्टाइल्ट्र के खिलाफ थी ।

Shri P. C. Borooah: Does it indicate that all efforts of the Government to restore peace in Nagaland including the efforts of Rev. Michael Scott have proved futile?

Shri Hathi: We cannot say that efforts are futile. But we are taking steps to tighten it.

(ii) REPORTED BREAK DOWN OF MILK SUPPLY BY DELHI MILK SUPPLY SCHEME

Mr. Speaker: There is another Calling Attention Notice about the milk supply scheme. I learn that it is a statement which covers four or five pages. I will take it at 5 O'clock.

Shri Indrajit Gupta: Can we ask questions then?

Mr. Speaker: I will allow that.

Mr. Speaker: The statement might be laid on the Table so that Members might put questions.

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): I beg to lay the statement on the Table of the House. [Placed in Library. See No. LT-2887/64.]

RE: CALLING ATTENTION NOTICE

(QUERY)

Shri Nath Pai (Rajapur): I am not interrupting the proceedings, but may I submit that I have not got any reply from you. There may be some failure of communication. It is with regard to my Calling Attention Notice about the strike of the employees in the Free Press Journals, Bombay. For the other Calling Attention Notices, I got the reply that they have been disallowed. But in this case no reply has been received.

Mr. Speaker: I will just convey to him.

Shri Nambiar (Tiruchirapalli): It should also be taken up in the evening the Free Press strike and the Calling Attention Notice thereon.

Mr. Speaker: I cannot promise. Let me first find out.

RE: DISCUSSION ON KASHMIR

Shri H. N. Mukerjee (Calcutta Central): A few days ago, there was a request from many parts of this House that there should be a discussion in regard to the Kashmir issue and Sheikh Abdullah's visit in relation thereto. It was conveyed to the Prime Minister through the Minister of Parliamentary Affairs. It is almost the unanimous desire of the House that before we rise the Prime Minister gives us some idea, in whatsoever way he deems fit, in regard to what has happened so far, because all kinds of reports are appearing in the papers and these reports are sometimes rather disquieting. The House at least has the right, in all fairness, to be apprised of the kind of thing which is taking place and also to be given an assurance directly by the Prime Minister that no decision of any moment is going to be taken behind the back of the House.

We know we are meeting again on the 27th; it may very well be that talks with Sheikh Abdullah and other cognate matters might continue during this interim period. I wish godspeed to the efforts and wish that they end in an adequate and satisfactory solution but, in any case, before we adjourn, it is very necessary that we hear from the Prime Minister directly as to what has happened and what is likely to happen, and I do hope also that nothing would be said or done in this behalf today which would in any case queer the pitch for whatever settlement we can arrive at.

Shrimati Renu Chakravartty (Barrackpore): What is this Rajaji and Sheikh Abdullah talks?

13 hrs.

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): I can quite understand the desire of the House to be acquainted

with what is happening in the so-called talks.

Shr Hari Vishnu Kamath (Hoshangabad): Why so-called?

Shri Jawaharlal Nehru: Sheikh Abdullah has been away for a few days. He went to Wardha to meet Vinobaji and then for a few hours to Madras to meet Rajaji.

Shri S. M. Banerjee (Kanpur): That is dangerous.

Shri Jawaharlal Nehru: He came back last night. I saw him for a very short time this morning. I hope to see him again. I do not quite know in detail the talks he has had, but he gave me to understand something about what transpired between him and those persons he went to see. (*Interruption*). I am afraid it is a bit difficult for me to repeat what he has told me about his talks with Vinobaji or Rajaji, because by themselves they will not be quite understood unless I go into the background a great deal. All I can say is that, as Mr. Mukerjee said, nothing is going to be agreed to or settled without reference to this House.

The talks are mostly concerned with wider issues rather than the immediate issues that hon. Members may have in their mind. The immediate issues are important, of course, but certain wider issues have to be taken into consideration and they relate to that. That is why it is a little difficult to refer to them briefly. So, I should like the indulgence of the House not to press me to go further into this matter now. But no agreement—if I may use the word; I do not know if it is the right word—would be arrived at without reference to this House.

श्री हुकमचन्द कछवाय (देवास) :
सभा की राय के लिए इस को छोड़ा गया

[श्री हुसैन अहमद खान]

या और बात चीत हो रही है बिना सभा से पूछे हुए ।

श्री प्रकाशवीर शास्त्री (बिजनौर) : मैं प्रधान मंत्री को इस बात के लिये धन्यवाद देते हुए कि उन्होंने सदन को आश्वासन दिया है कि बिना इस सदन को विश्वास में लिए हुए वह कोई नया समझौता नहीं करेंगे या नया निर्णय नहीं लेंगे, केवल इतना कहना चाहता हूँ कि जैसा कि समाचारपत्रों में आ रहा है, शेख अब्दुल्ला से मिलने के लिए पाकिस्तान के हाई कमिश्नर आये और उन्होंने उन को पाकिस्तान आने का निमंत्रण दिया । क्या किसी मामान्य भारतीय नागरिक से इस तरह से किसी दूसरे देश के हाई कमिश्नर का मिलना, उस को पाकिस्तान जाने का निमंत्रण देना, उससे बातचीत करना उचित है । कल के "डान" में यह भी निकला है कि यहां से, कराची से, उन्होंने टेलीफोन पर बात चीत भी की, जो संभवतः प्राईम मिनिस्टर के हाउस से ही हुई होगी । तो जो यह सारी बातें हुई हैं क्या उन से कोई अनुकूल निर्णय लेने में सुविधा रहेगी । इन बातों के सम्बन्ध में भी सतर्कता रखनी चाहिये ।

श्री बड़े (खारगोन) : जब यहां बात चीत चल रही है तब काश्मीर में इतनी समस्याएँ पैदा हो गई हैं कि वहां पर जीवन बड़ा कठिन हो गया है । ला और आर्डर चला गया है । और इस तरह की टाक्स को सपोर्ट करने के बजाय वहां का वातावरण इतना क्षुब्ध हो गया है कि वहां हिन्दुओं का रहना बड़ा मुश्किल हो गया है इस तरफ भी हमारे प्राइम मिनिस्टर ध्यान दें ।

Shri S. M. Bamerjee: I do not want to press the Prime Minister to say anything. But I want to draw his kind attention to the very seditious type of statements made by very important leaders of the Swatantra

Party and unimportant leader like Mr. Masani. During the Chinese aggression those who challenged the integrity and sovereignty of the country were put behind bars. I want to know whether such statements issued by the Swatantra Party or Shri Jayaprakash Narain will be banned. I want a clear answer to this question. (Interruptions).

Shri Ranga (Chittoor): May I be permitted to say, Sir, that Mr. Masani happens to be the Deputy Leader of the Swatantra Party and also the General Secretary? My hon. friend, however important he may be, represents only himself and nobody else. (Interruptions).

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय

अध्यक्ष महोदय : स्वामी जी, यह मामला ऐसा नहीं है जिस पर हम ज्यादा बातचीत चलायें ।

श्री रामेश्वरानन्द : मैं एक ही बात पूछना चाहता हूँ, ज्यादा नहीं पूछना चाहता ।

अध्यक्ष महोदय : अगर आप इस के लिए जिद्द करेंगे तो मुझे दूसरों को भी .

श्री रामेश्वरानन्द : मैं निवेदन करना चाहता हूँ कि बिल्कुल छोटी सी बात मैं पूछना चाहता हूँ । प्रधान मंत्री महोदय ने अभी विश्वास दिलाया कि कोई बात बिना सदन से पूछे नहीं की जायेगी, यह बात धन्यवाद के योग्य है, लेकिन मैं उन से जानना चाहता हूँ कि क्या काश्मीर के सम्बन्ध में कोई फैसला होने से शेष रह गया है । मैं केवल इतना जानना चाहता हूँ, और कुछ नहीं ।

अध्यक्ष महोदय : मैं आखिर कितने सवालों की इजाजत देता चला जाऊंगा ।

श्री प्रकाशवीर शास्त्री : प्रधान मंत्री के प्रश्न का उत्तर दे रहे हैं ।

अध्यक्ष महोदय : अगर आप के दूसरे साथी खड़े हो गये तो मैं क्या कहूँ। आप कहते रहे, वे न जवाब देने देते हैं और न कुछ काम करने देते हैं।

श्री प्रकाशवीर शास्त्री : प्रधान मंत्री उत्तर दे रहे हैं।

श्री जवाहरलाल नेहरू : जो कुछ श्री प्रकाशवीर शास्त्री ने कहा मैं सिर्फ उसकी निश्चय कहना चाहता था कि पाकिस्तान के हाई कमिश्नर साहब शेख अब्दुल्ला से मिलने आये थे। वह मिलने आये थे और बाद में मैंने सुना कि उन्होंने उनको नियंत्रण दिया। वह उसे पाकिस्तान से लाये थे। इतना मैं जानता हूँ। कोई कायदा कानून नहीं है। वह दे सकते थे। वह मिलने आये थे, मैं ने उन्हें मना नहीं किया। हम चाहते तो कह देते कि न आइये, लेकिन मैं ने ऐसा उचित नहीं समझा और उन्होंने निमंत्रण दिया था। जहाँ तक मुझे इन्त है, शेख साहब ने कोई खास उसका जवाब नहीं दिया। वह उस पर विचार करेंगे।

श्री प्रकाशवीर शास्त्री : टेलिफोन जो किया गया है।

श्री रामेश्वरानन्द : मेरा प्रश्न रह गया।

अध्यक्ष महोदय : अब आप बैठ जाइये। आप ने एक प्रश्न के लिये कहा था और वह कर लिया।

श्री रामेश्वरानन्द : क्या काश्मीर का फैसला कुछ और होना बाकी है।

अध्यक्ष महोदय : अब आप बैठ जाइये।

श्री रामसेवक यादव : मैं केवल एक प्रश्न पूछना चाहता हूँ।

अध्यक्ष महोदय : अगर हर एक आदमी कुछ न कुछ कहता ही चले तो हमारा काम नहीं हो सकता है शाम तक।

श्री रामसेवक यादव (वाराणसी) : मैं एक ही महत्वपूर्ण सवाल करना चाहता हूँ।

अध्यक्ष महोदय : यह महत्वपूर्ण सवाल है लेकिन हम बहस नहीं कर सकते। उस दिन भी

श्री रामसेवक यादव : मैं दूसरी बात कह रहा हूँ।

श्री योगेन्द्र झा (मधुबनी) : नेपाल नरेश के साथ जो बात चीत श्री प्रधान मंत्री ने की उसके सम्बन्ध में भी प्रधान मंत्री को कोई बयान देना चाहिये।

अध्यक्ष महोदय : उस दिन भी यह बात हुई थी और श्री हीरेन मुकर्जी ने भी यह बात कही थी कि हमें प्राइम मिनिस्टर साहब पर छाड़ना पड़ेगा कि सेशन के आखीर में अगर वह चाहें, और जिस कदर चाहें या जो मुनामिब समझें, तो उतनी इतला इस हाउस को दें। इस वक्त जब कि बातचीत चल रही हो, हमारा किसी बात पर जोर देना कि आज हम इस बात पर यह जानना चाहते हैं या वह जानना चाहते हैं, यह फायदेमन्द नहीं होगा।

श्री रामसेवक यादव : जो बातचीत चल रही है उसी सिलसिले में मैं जानना चाहता हूँ, कोई नई बात नहीं पूछना चाहता। आपके द्वारा मैं इतना जानना चाहता हूँ कि माननीय जयप्रकाश नारायण की शेख अब्दुल्ला से जो बातचीत चल रही है, क्या इस सम्बन्ध में भारत सरकार और खास तौर से प्रधान मंत्री की अन्तमति है इसलिये वह बातचीत हुई है। (Interruptions)

श्री जवाहरलाल नेहरू : जी नहीं, मुझे मालूम नहीं कि उन की क्या बातें हुई हैं। मैं वहाँ मौजूद नहीं था, और मेरा खयाल है कि वह यहाँ हैं भी नहीं, जयप्रकाश जी चले गये। (इंटरप्शंस)

श्री रामेश्वरानन्द : सब प्रश्नों का उत्तर दे दिया गया, मेरा प्रश्न शेष है। मैं जानना

[श्री रामेश्वरानन्द]

चाहता हूँ कि क्या काश्मीर समस्या का समाधान दुबारा शेख अब्दुल्ला के द्वारा होने वाला है।

अध्यक्ष महोदय : आर्डर आर्डर। अगर मेम्बर साहबान इस तरह से बोलते चले जायेंगे तो कार्रवाई नहीं हो सकेगी। अब आप बैठ जाइये।

श्री हुकम चन्द कछवाय : मेरा बड़ा महत्वपूर्ण सवाल है।

अध्यक्ष महोदय : मैं जानता हूँ बड़े महत्व का सवाल है, लेकिन अब आप बैठ जायें।

श्री कछवाय : पाकिस्तान के बारे में हम क्या कर रहे हैं ?

अध्यक्ष महोदय : अब आप बैठ जाइये। मैं और इजाजत नहीं दे सकता। हाउस की मर्जी यह है कि इस पर बहस न की जाये। मैं खयाल करता हूँ कि हाउस मेरे साथ इत्तफाक करता है कि इस पर और कोई बहस न की जाये।

श्री रामसेवक यादव : अध्यक्ष महोदय, मेरा इतना निवेदन है

Mr. Speaker: The hon. Member will sit down.

13.10 hrs.

STATEMENT RE: NEXT SESSION
OF LOK SABHA

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Mr. Speaker, Sir, I learn that there was a demand from certain sections of the House about a statement from me to indicate the date of commencement of the next session. In deference to this demand, I inform the House, with your permission, that the Gov-

ernment have decided that the President be advised to summon the next session of the Lok Sabha on the 27th of May, 1964. Subject to exigencies of Government business, the session may continue up to Friday, the 5th of June, 1964.

It would take same time to decide upon relative *inter se* priorities of Government Business to be transacted during the session and we would in due course inform the Lok Sabha Secretariat about it. But at this stage I can only state that the most important business to be transacted would be the Constitution (19th Amendment) Bill. We would also take up some of the pending Bills, particularly those which have to be referred to Joint Committees.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, I rise on a point of clarification. Though the Prime Minister, rightly and happily, indicated that no decision on the Kashmir issue would be taken without this House being consulted about it, yet there is no indication in this statement that the Kashmir issue will be discussed in the next session.

Mr. Speaker: That will be seen. We cannot say that at this moment.

श्री रामसेवक यादव (बाराबंकी) :
अध्यक्ष महोदय

अध्यक्ष महोदय : अब इसके बारे में क्या कहना है।

Shri Hem Barua (Gauhati): Sir, I want to oppose this special session.

Mr. Speaker: Now he cannot oppose it.

Shri Hem Barua: I want to make a submission.

Mr. Speaker: No, no

Some hon. Members

अध्यक्ष महोदय : मेरी समझ में नहीं आता कि इतने मेम्बर खड़े हो कर एक साथ अपनी बात कैसे कह सकेंगे।

Dr. L. M. Singhvi (Jodhpur): In view of the heat that would prevail in Delhi at the time the next session is proposed to be summoned, would you consider, Sir, persuading the Government to have the session during the morning hours rather than during the day hours?

Mr. Speaker: That we will see.

श्री श्रींकार लाल बेरबा (कोटा) : केवल १७वें संविधान संशोधन बिल के लिए इस संकटकारी स्थिति में जनता का १० लाख रुपया खर्च करना अनुचित है।

अध्यक्ष महोदय : मैं इसकी इजाजत नहीं देता।

श्री दागड़ी (दिसार) : * *

अध्यक्ष महोदय : कोई इस तरह की बात लिखी न जाये।

श्री योगेन्द्र झा (मधुबनी) : **

NOTIFICATION UNDER THE AGRICULTURAL REFINANCE CORPORATION ACT, 1963.

The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman): Sir, on behalf of Shrimati Tarkeshwari Sinha. I beg to lay on the Table a copy of Notification No. G.S.R. 625 dated the 18th April, 1964, making certain amendment to the Agricultural Refinance Corporation General Regulations, 1963, under sub-section (5) of section 46 of the Agricultural Refinance Corporation [Act, 1963. Placed in Library. See No. LT-2869/64.]

REGULATIONS UNDER EMPLOYEES' PROVIDENT FUNDS ACT, 1952

Shri C. R. Pattabhi Raman: Sir, I beg to lay on the Table a copy of the Employees' Provident Fund Organisation (Staff Contributory Provident Fund) Amendment Regulations, 1964, published in Notification No. G.S.R. 261 dated the 22nd February, 1964, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952. [Placed in Library. See No. LT-2870/64.]

13.13 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF THE COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH AND AUDIT REPORT THEREON

The Deputy Minister in the Ministry of Education (Dr. M. M. Das): Sir, I beg to lay on the Table a copy of Annual Report of the Council of Scientific and Industrial Research for the year 1963-64, along with a copy of its Annual Accounts for the year 1962-63 and the Audit Report thereon. [Placed in Library. See No. LT-2868/64.]

13.15 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

MINUTES

Shri Krishnamoorthy Rao (Shimoga): Sir, I beg to lay on the Table the Minutes of the sittings (32nd to 44th) of the Committee on Private Members' Bills and Resolutions held during the current Session.

**Not recorded.

**Despatched from
Rourkela to
Ghazipur**

13.15½ hrs.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following messages received from the Secretary of Rajya Sabha:

(i) In accordance with the provisions of rule 101 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 4th May, 1964, agreed to the following amendments made by the Lok Sabha at its sitting held on the 30th April, 1964 in the Dakshina Bharat Hindi Prachar Sabha Bill, 1963:—

Enacting Formula

(1) That at page 1, line 1,—

for "fourteenth" substitute
"Fifteenth".

(2) That at page 1, line 4,—

for "1963" substitute "1964".

(ii) I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Tuesday, the 28th April, 1964, adopted the following motion in regard to the Joint Committee on Offices of Profit:—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do elect two Members to the Joint Committee on offices of Profit in the vacancies caused by the retirement of Shri G. Rajagopalan and Shri Braja Kishore Prasad Sinha from the Rajya Sabha and resolves that the House do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, two Members from among the members of the House to the said Joint Committee to fill the vacancies."

2. I am further to inform the Lok Sabha that at the sitting of the Rajya Sabha held on Tuesday, the 5th May, 1964, the Chairman declared the following Members of the Rajya Sabha to be duly elected to the said Joint Committee to fill the vacancies:—

1. Shrimati Sharda Bhargava
2. Shri M. C. Shah'.

13.17 hrs.

PRESIDENT'S ASSENT TO BILL

Secretary: Sir, I lay on the Table the Companies (Profits) Surtax Bill, 1964 passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 4th May, 1964.

13.17½ hrs.

ESTIMATES COMMITTEE**SIXTY-THIRD REPORT**

Shri A. C. Guha (Barasat): Sir, I beg to present the Sixty-third Report of the Estimates Committee on action taken by Government on the recommendations contained in the Twenty-sixth Report of the Estimates Committee (Second Lok Sabha) on the Ministry of Defence—Organisation of the Ministry of Defence and Services Headquarters.

13.18 hrs.

**STATEMENT RE: FERTILISERS
DESPATCHED FROM ROURKELA
TO GHAZIPUR**

**साथ तथा कृषि मन्त्रालय में राज्य मन्त्री
(डा० राम सुभग सिंह) : श्रीमन्, २६ मार्च
सन् १९६४ का श्री सरजू पांडेय द्वारा की
गयी शिकायत के सम्बन्ध में मैं एक वक्तव्य
सभा पटल पर रखता हूँ ।**

[Placed in Library. See No. LT-2867/64.]

STATEMENT RE: EAST PAKISTAN
RAILWAY GUARDAli, was arrested on his return to
Pakistan?**Mr. Speaker:** Shrimati Renu Chakravartty . . .**Shri Hari Vishnu Kamath:** (Hoshangabad): What about the other two items, Sir, in the name of Dr. Singhvi and Shri Mathur, respectively?**Mr. Speaker:** The Ministers are not available. They have been postponed.**Shrimati Renu Chakravartty** (Barackpore): Mr. Speaker, Sir, on the 10th April last, you may remember, in a prepared statement to a Calling Attention Notice, Shrimati Lakshmi Menon said in this House that an East Pakistan Railway guard had been detained by the Indian police on charges of smuggling, and when she was asked whether there were not charges against this guard of having molested two women who had come from Pakistan, she stated that there was no truth in that report. On the very next day the *Hindustan Standard* has written under the heading "Who is correct? Minister or Newspaper" this:

"Mrs. Gitarani Shiali and Manjurani Dakua, who were criminally assaulted in a hotel at Khulna by five Pakistani hooligans, of whom one is a Pakistan railway guard, recorded their statements at Bongaon before Mr. A. K. Bhattacharya, First Class Magistrate on April 4. The Magistrate's court was closely guarded by the police and entrance inside the room was prohibited."

I would like to know whether this is not a fact that actually there were recorded statements. I would also like to know whether it is not a fact that this very railway guard, Noor

Shri Hem Barua (Gauhati): Sir, before the hon. Minister replies, I would like to say something about this and seek a clarification. These two women, Gitarani and Manjurani have made their statements before a Magistrate. On their identifying Noor Ali, the Pakistan goods train guard, he was arrested, subsequent to the statement they made before the Magistrate on April 4. But then what happened? The guard has been released. The Minister says that there is no charge against that guard on the ground of smuggling and all that. Here is a definite statement made by two women involved in the incident and the case is *sub judice* in a sense. The case is before a magistrate. Whatever that may be, when the Minister says that this guard is free of all charges, before he is hauled up before a court of law on the strength of the statement of these two women, it prejudices the whole procedure.**Shri Bade** (Khargone): Sir, I only want to put one question. The hon. Minister replied that the guard was charged for smuggling. When this was done under section 164 of the Criminal Procedure Code, the police took the statement before the magistrate of the ladies and the charge was made against guard, why did the Minister say like this? There is not a single lady in the whole world who will say before a court that she has been molested.**The Minister of State in the Ministry of External Affairs** (Shrimati Lakshmi Menon): Sir, we have seen Press reports that two ladies of the minority community had been criminally assaulted by Pakistani Railway Guard Mohd. Noor Ali. He, as the House will recall in the statement made on April 10, 1964 had been arrested on April 2, 1964 under sections 41(5) of Defence of India Rules and 11 of the West Bengal Security Act for indulging in smuggling of persons and contraband commodities to and

[Shrimati Lakshmi Menon]

from East Pakistan, thus endangering the security of the State. Complaint had also been received that Noor Ali had criminally assaulted Gitarani Seoli and Manju Rani Dakua. He was produced in the court of Shri A. K. Bhattacharya, Magistrate First Class, Bongaon, but as there was insufficient evidence against him to warrant a charge-sheet, he was discharged from custody on April 6, 1964.

News items in the press have alleged that these two unfortunate ladies had also deposed before the First Class Magistrate, Bongaon. West Bengal Government who were contacted have confirmed that there is no truth in these news reports. One of these two ladies did complain to the police. On the basis of the complaint, the West Bengal Government formally protested against this barbarous incident to the East Pakistan Government and requested that an immediate inquiry should be made into the matter and that deterrent punishment should be awarded to the culprits and effective steps should be taken to ensure that similar incidents do not recur.

Shrimati Renu Chakravarty: In view of the reply which has just now been given by the hon. Minister, it is quite clear that the statement made on the prior occasion was wrong, because the West Bengal Government has made a very formal protest saying that the entire matter must be enquired and gone into. Therefore, there is a *prima facie* case. I would like to know why the Central Government did not, even after being pressed by this House, take much more care to find out exactly what the position was. I would like to know why, in view of the fact that many cases are coming to our notice where women are being molested and not allowed to come over to India, some machinery cannot be set up by Government to see that the honour of women is protected.

Shrimati Lakshmi Menon: Mr. Speaker, you would recall that on

that occasion I was answering a question with regard to the suspension of trains between Khulna and Sealdah. At that time I made a statement, and I repeat it now, that the suspension of trains was due to the fact that a Pakistani guard was arrested on certain charges.

Shri Bade: On that very day we put a specific question on this subject but the Minister said that there was no molestation at all.

Shrimati Lakshmi Menon: I stated that the Pakistani guard was arrested not on charges of criminal assault on women but under the Defence of India Rules. I had made that statement.

Shri Hari Vishnu Kamath: For what offence?

Shrimati Lakshmi Menon: For smuggling. Then, it was also pointed out that these two ladies deposed before the First Class Magistrate, Shri A. K. Bhattacharya. But they did not. I repeat it, as I mentioned in my statement they did not. But one of them did complain to the police. As this had happened on the Pakistan side, we could not take any action except send a protest to the Pakistan Government, which the West Bengal Government has done.

Shri U. M. Trivedi (Mandsaur): Sir, I would like to know one thing. How dare the hon. Minister say that the molestation of two Indian women who were coming over to India having taken place on the Pakistan side, when the offender was found in India he could not be proceeded with. Under what provision of law does the Minister say so? Was the West Bengal Government asked to explain the particular provision of law under which an offender found inside India could not be proceeded with on account of the offence having been committed in Pakistan? What is this? This is ridiculous. The offender is there, the complainant is there and still action was not taken.

Shri Bade: Sir, may I point out....

Mr. Speaker: I might have forgotten all my law. But I cannot allow him to proceed in this manner. **Shri Banerjee.**

Shri Hari Vishnu Kamath: Sir, on a point of clarification. If I heard the Minister right....

Mr. Speaker: I have called **Shri Banerjee.**

Shri S. M. Banerjee (Kanpur): From the statement of the hon. Minister it appears that one of the girls did complain to the police. What was the specific complaint which she lodged with the police? Further, what steps have been taken by the government to safeguard the interests of all those who are coming to India?

Mr. Speaker: The Minister has answered it. You must have heard her saying that one of the ladies made a complaint to the police, deposed that she had been criminally assaulted in East Pakistan. According to the Minister because the offence was committed in East Pakistan under the law our courts have no jurisdiction in this case.

Shri S. M. Banerjee: Apart from that, the Minister also stated that a protest has been lodged with the East Pakistan Government.

Mr. Speaker: According to her, that was the utmost that could be done.

Shri S. M. Banerjee: On the basis of what? It is stated....

Shrimati Lakshmi Menon: As I have stated, on the basis of the complaint of one of the ladies.

Shri S. M. Banerjee: The hon. Lady Minister should have more patience. Let me put the question.

Shrimati Lakshmi Menon: The question was "on what basis?". I say it is on the basis of the complaint made by one of the two ladies. As I said,

they did not depose before the First Class Magistrate. On the basis of the complaint made by one of the girls to the police, the West Bengal Government has sent a protest to the East Pakistan Government. Government is fully conscious of the offence committed against women in Pakistan. In fact, that formed the subject of discussion in the Home Ministers' Conference that took place recently.

Shri S. M. Banerjee: We never knew that.

Shri U. M. Trivedi: The Minister has not answered my question.

Mr. Speaker: Probably, there might be difference of opinion and I may be wrong. I cannot vouchsafe for the correct position but in my opinion also it is the court within the territorial jurisdiction of which the offence is committed and not the one under which the man is found....

Shri U. M. Trivedi: Sir, you could not have forgotten your law. Under the law, at least the prosecution is in the place where the complainant is.

Mr. Speaker: I may be wrong but I think it is where the offence is committed and not where he is found. Of course, I cannot vouchsafe for it....

Shri U. M. Trivedi: You may be right, but there are two opinions.

Mr. Speaker: It may be a legal mistake also, but the position is....

Shri U. M. Trivedi: What I feel is, leave aside the legal position, if the Pakistan Government could illegally take away Col. Bhattacharyya from our territory, prosecute him and punish him, when a man is already in our territory and he has committed an offence, why is no action taken against him? It is the most shameful thing; it is unbearable.....

Mr. Speaker: Order, order.

श्री हुकम चन्द कछवाय (देवास) : क्या यह हकीकत नहीं है कि पाकिस्तान के डर के कारण उस व्यक्ति को छोड़ दिया गया जब कि बंगाल गवर्नमेंट ने इसका भाना है कि उसने अपराध किया है और इसलिए मैं समझता हूँ कि मंत्री महोदय ने सदन के सामने झूठा ब्यान दिया है और सदन को धोखे में रक्खा है :

अध्यक्ष महोदय : माननीय सदस्य को चाहिए कि वे थोड़ा सोच कर बोलें और यह ध्यान रखें कि वे क्या अल्फाज इस्तेमाल कर रहे हैं ।

Shrimati Lakshmi Menon: Sir, I take very strong exception to the words used by the hon. Member.

Mr. Speaker: Certainly, they are objectionable. I also take objection to them. Hon. Members should be careful when they use words.

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय, मैंने यह पूछा था

अध्यक्ष महोदय : माननीय सदस्य बैठ जायें । और मेरे बुलाये हुए इस तरह से खड़े हो जायें और ऐसे अल्फाज बोलें जो कि नामुनासिब हों ।

Shri Hari Vishnu Kamath: If I heard the Minister right, she said that he was arrested under the Defence of India Rules. I do not know on what charge he was arrested.

Shrimati Lakshmi Menon: Smuggling.

Shri Hari Vishnu Kamath: The other point is, my hon. friend, Shrimati Renu Chakravartty rightly stated that this is not the only instance—hundreds of such instances, perhaps even more might have occurred, and are daily occurring. Does the Government propose to set up a joint team with the Government of Pakistan to escort the migrants in-

cluding women, across the border? If they are not agreeable to it, can we not approach the International Red Cross or international women's organisations to help in escorting these women across the border?

Mr. Speaker: It is a suggestion for action.

Shrimati Lakshmi Menon: These are suggestion which are already under consideration. A committee of all women's organisations has been constituted. It is meeting from time to time and trying to find out what action can be taken so that these women can be escorted to India and see if they are put to any other kind of hardship.

Shri Hari Vishnu Kamath: What about action under the Defence of India Rules?

Mr. Speaker: She has already answered it—it is for smuggling.

13.28 hrs.

DURGAH KHAWAJA SAHEB
(AMENDMENT) BILL—Contd.

Mr. Speaker: The House will now take up further consideration of the motion moved by Shri Humayun Kabir on the 5th May, 1964, namely:—

"That the Bill to amend the Durgah Khawaja Saheb Act, 1955, as passed by Rajya Sabha, be taken into consideration."

Shri Sham Lal Saraf will continue his speech.

श्री इयामलाल सराफ (जम्मू तथा काश्मीर) : जनाब स्पीकर साहब, कल जो बिल जनाब हुमायून कबिर साहब ते हाउस में पेश किया है उस की मेरे दोस्त श्री स० मो० बनर्जी ने ताईद की है और मैं भी उस की ताईद मज्जीद के लिए खड़ा हुमा हूँ ।

इस बिल में दो चीजें तरमीम के लिए पेश की गयी हैं । एक यह कि नजराना जो पेश

किया जाय वह नाज़िर ही ले सकता है, उन्हीं को वह दिया जा सकता है। नज़राना या चढ़ावा जिसे कहते हैं उसको वही ले सकता है और कोई नहीं ले सकता है। इस के साथ ही वह लोग जो कि यह काम वहां करें वह प्रॉटेक्टर्ड रहे अंडर बी ला और वह ऐज ए पब्लिक सर्वेंट ट्रीट किये जायं। बिल में यह जो तजवीज़ें पेश की गई हैं वह बहुत सीधी-सारी बातें हैं उसके किसी को ऐतराज नहीं हो सकता और इंकार नहीं हो सकता है। लेकिन इस अजमेर शरीफ की दरगाह के पास कई और बातें बाबस्तां हैं जिनको कि मैं अर्ज करना चाहता हूं। आप जानते हैं कि हमारे इस मुल्क हिन्दुस्तान में एक बहुत बड़ी पुरानी सभ्यता है, पुराने आदर्श हैं जो कि हजारों सालों से चले आ रहे हैं जिनमें से एक बहुत बड़ा आदर्श यह है कि जहां तक हमारे कल्चर का ताल्लुक है, हम इस उमूल पर हमेशा चले हैं लिब एंड लेंट लिब, मतलब यह कि हम खुद जिदा रहे और दूसरों को भी जिदा रहने दें।

13:29 hrs.

[MR. DEPUTY SPEAKER in the Chair]

लगभग दो हजार साल हुए, जब कि हमारे देश में क्रिस्टियन्ज सब से पहले साउथ में तशरीफ लाए, तो उन इलाकों में बहुत बड़े क्रूसेडज चल रहे थे, बड़ी-बड़ी लड़ाइयां चल रही थीं, जहां क्रिस्टिएनिटी पैदा हुई थी, लेकिन हमारे देश ने उन को अपने सीने में जगह दी और वे लोग यहां पर आबाद हुए। उस के बाद अरब से मुसलमान भाई यहां पर आए। मैं ने हिस्ट्री का—और इस्लामिक हिस्ट्री का भी—थोड़ा—बहुत मुताला किया है। आम तौर पर लोगों में यह इम्प्रेसन है कि हिन्दुस्तान में इस्लाम तलवार के जोर से फैला। मैं मानता हूं कि वह किसी हद तक इस तरीके से फैलाया गया, लेकिन सब से बड़ी बात यह थी कि यहां पर सूफ़ी और शीलिया आए, बड़े-

बड़े अच्छे स्पिचुअलिस्ट्स आए, जिन की वजह से यहां पर इस्लाम फैला। उन के अलावा एक बुनियादी बात यह थी कि हमारी अपनी सभ्यता यह रही है कि जिन्दा रहे और दूसरों को भी जिन्दा रहने दो।

आप देखिए कि हमारे देश में कुछ वक्त पहले दो आवाजें उठीं—एक तो यह कि मजहब की बिना पर कौमें अलग—अलग हो सकती हैं या मजहब की बिना पर दो देश बन सकते हैं और दूसरी यह कि मजहब की बिना पर एक खास मजहब के लोगों के लिए अलग जगह मिलनी चाहिए। अगर इन उमूलों का सब से बड़ा जवाब किसी ने दिया, तो वह हज़रत मुईन-उद्दौन चिश्ती ने दिया। उन्होंने अपनी जगह, अपनी बुलन्दतरी जगह, किसी उस इलाके में नहीं रखीं, जहां पाकिस्तान बना। उन्होंने अपनी जगह उस इलाके में रखी—हमेशा के लिए रखी—, जहां उस मजहब के लोगों की बहुत ज्यादा संख्या है, जिस का उन के मजहब से ताल्लुक नहीं है। वहां पर हजारों-लाखों की तादाद में हर मजहब के जायरीन जाते हैं।

मैं ने अपनी आंखों से कई दूसरी जगहों पर भी ऐसी मिसालें देखी हैं। जिस प्रान्त से मैं आया हूं, वहां के मुसलमान ही नहीं, बल्कि दूसरे मजहबों के मानने वाले लोग भी उन की रहानियत और तालीम से फ़ैज़याब होते हैं। मैं जम्मू काश्मीर की रियासत की एक खास जगह का जिक्र करना चाहता हूं। श्रीनगर शहर में जिस जगह मैं रहता हूं, उस को रैनावाड़ी कहते हैं। वहां पर किसी जमाने में, चार सौ, साढ़े चार सौ साल पहले एक मुसलमान ऋषि, एक फ़कीर रहते थे, जो कि बड़ी रहानियत के मालिक थे। उनका नाम मियां शाह साहब था। वहां पर हिन्दुओं की संख्या ज्यादा है और मुसलमानों की कम। उन्होंने अपनी जिन्दगी में अपने रहने के लिए वह जगह पसन्द की, जहां चारों तरफ हिन्दू रहते थे। मैं अर्ज

[श्री श्यामल ल सरांज]

करना चाहता हूँ कि मेरे घर में भी उनके उस दिन बहुत अच्छी तरह से मनाया जाता है। हम उस दिन अपने अजीब रिश्तेदारों को अपने घर खाने को बुलाते हैं।

हमारे यहां एक ऋषि थे, एक बड़े बुजुर्ग थे, जिन को मुसलमान भाई पीर पंडित ऋषि पीर के नाम से पुकारते हैं। मुसलमान भाई उनकी समाधि पर हजारों की तादाद में जाते हैं और खिराजे-अकौदत पेश करते हैं।

मैं दावे के साथ कह सकता हूँ कि बुनियादी तौर पर हमारी सभ्यता में कमी भी कम्प्यू-नलज्म नहीं थी। इस में शक नहीं कि जुल्म हुए, जजिया लगाया गया और इस किस्म की और बातें हुईं और किसी वक्त हमारे मुसलमान भाईयों पर भी गैर-मुस्लिम ने कोई सख्ती की, लेकिन हमारे मजहब और हमारी सभ्यता में बहुत पहले से कम्प्यू-नलज्म नहीं था। हमारे देश में सब से बड़ी चीज थी रहनियत और अखलाक, जिसकी वजह से उस की दुनिया में कद्र थी।

मिनिस्टर साहब ने इस बिल के जरिये दरगाह ख्वाजा साहब एक्ट में कुछ एमेंडमेंट की है। मैं कुछ बातों की तरफ उन का ध्यान दिलाना चाहता हूँ।

वहां पर आज-कल रहने-सहने का जो इन्तजाम है, उसको दुस्त किया जाये, चाहे वह दरगाह की तरफ से किया जाये या किसी और तरीके से। वहां पर हर मजहब के लोग हजारों लाखों की तादाद में जाते हैं। वहाँ पर पुष्कर भी हमारा पवित्र स्थान है, जहाँ बहुत लोग जाते हैं। लेकिन अजमेर में जायरीन और यात्रियों के लिए रहने की को ई जगह नहीं है। इसलिए यह जरूरी है कि उन के लिए अच्छी से अच्छी जगह का इन्तजाम किया जाये। चूँकि मेलों के

मौकों पर भाखों प्रादमी वहां जाते हैं, इसलिए वहां पर रेनीटेशन और हाईजीन का पूरा इन्तजाम होना चाहिए, जिसकी आज कमी है। चाहे म्यूनिसिपैलिटी की तरफ से हो और चाहे किसी और जरिये से हो, वहां पर बेहतरीन इन्तजाम होना चाहिए।

इसके अलावा वहां पर ला एंड गार्डर का पूरा इन्तजाम होना चाहिए। उन दिनों वहां पर पिक-पाकेटिंग और बीसियों दूसरी बातें होती हैं। उनको रोकने के लिए वहाँ पर ठीक इन्तजाम होना चाहिए।

जहां तक ट्रैफिक का तात्लुक है, बाज दफा ऐसा भी होता है कि सारा ट्रैफिक ब्लाक हो जाता है। इसलिए मेलों के दिनों में वहां पर ट्रैफिक का इन्तजाम ऐसा हो कि लोग आसानी से आ जा सकें। ऐसी जगहों पर बाहर के विजिटर और टूरिस्ट भी जाते हैं। उनकी देख-भाल भी अच्छी तरह से होनी चाहिए।

मिनिस्टर साहब को यह प्रीकाशन भी लेनी होगी कि पवित्र स्थानों में, चाहे वे मुसलमानों के हों, हिन्दूओं के हों या सिखों के, पालिटिक्स नहीं आने देना चाहिए। जब हम छोटे थे, तो अकाली मूवमेंट के जमाने में हम धार्मिक नेताओं के दर्शन करना चाहते थे, क्योंकि वह मूवमेंट धर्म और रहनियत की बुनियाद पर चलाई जाती थी। बाद में बदकिस्मती से अकाली भाई सिख धर्म में पालिटिक्स ले गए। आप देख रहे कि उसकी वजह से आज हालत क्या है।

मैं मिनिस्टर साहब और इस हाउस के आनरेबल मेम्बरों से दरख्वास्त करूंगा कि वे इस मामले में होशियार रहें कि किसी

भी पवित्र स्थान और दरगाह के इन्तजाम में पालिटिक्स न लाया जाये और पोलिटिकल पार्टीज का उस में कोई हाथ न रहे। तभी ये पवित्र स्थान हमारे लिए भम्बा रहेंगे मुहब्बत का, अक्कीदत का, सहानियत का, उन सब अच्छी बातों का, जिन से हमारे देश की और दुनिया की बेह्तरी हो सकती है।

Mr. Deputy-Speaker: Shri Mukerjee. I would request hon. Members to take not more than five minutes each. We have to close this at 2.15.

Shri H. N. Mukerjee (Calcutta Central): Mr. Deputy-Speaker, Sir, I am tempted to take part in this discussion because I feel that after the tensions of the morning it is perhaps a good thing to be discussing a subject of a soothing character which my hon. friend, the Minister, has introduced.

I support his amending Bill because it stands to reason that we have to take care of a great shrine which is not only a place of religious pilgrimage in this country but also a magnificent cultural centre. The Ajmer Dargah is, I say, a magnificent cultural centre because it is typical of the composite culture which is the achievement of our country.

When Islam came to this country there was a likelihood of a collision because the infinite eclecticism of Hindu thought might be thought to have been something entirely antagonistic to the militant affirmations of the new gospel.

Dr. M. S. Aney (Nagpur): It was the invader.

Shri H. N. Mukerjee: The militant affirmations of Islam appeared to be something which might go against the kind of eclecticism which was implicit in Hindu thought; but what happened was a magnificent specimen of human adjustment and that was that Islam with its militant affirmations found a hospitable home in India. In no other country that Islam on its march had touched took place the kind of

synthesis which we discover in this country. That is why when Timur attacked India he made it one of his religious excuses for the attack that Islam in India had got somewhat distorted. But no distortion had taken place; on the contrary, Islam had found a hospitable arena in which to operate, and with the co-existence of Hinduism and Islam and the culture which they represented a kind of co-ordination took place, a kind of understanding phenomenon which we ought to recall, particularly, in times when communal incidents distort and mar the harmony of our lives.

When we remember these great medieval mystics, Moinuddin Chisti, Nizamuddin Aulia, Bahauddin Zakaria and others like the great Kabir, Rajab and Dadu, when we remember those names and remember, at the same time, the names of our other saints and mystics from the deep south, the Nayanars and Alvars, the Maratha saints, the saints of Gujarat and Rajasthan, Nanak, Chaitanya, Ramananda, Ravidas and a host of so many others, it is a most splendid constellation which does glory to any aspect of human history. And here, in Ajmer, is the Durgah which is the embodiment of that kind of unity just as in Delhi the Nizamuddin shrine is another example of this kind of thing. I remember one of those in-charge of the Nizamuddin dargah, Hafiz Hassan Nizami, once making a commentary on certain verses of the Quran and he had written

हिन्दुस्तान के दौं पैगम्बर, राम और कृष्ण ।

He goes as far as to say that after all, according to the persons who are religiously minded, God finds embodiment in human shape and here Rama and Krishna are supposed to be, more or less, something like the *avatars* according to the Hindu conception. It is a good thing. We are a secular democracy. We should look after our shrines properly because these are not merely the centres of religious thought and action but also wonderful cultural institutions and being a

[Shri H. N. Mukerjee]

secular democracy, it does not mean that we are indifferent to these great shrines and cultural monuments. Yesterday, I think, Mr. S. M. Banerjee, when he was speaking, referred to the Soviet Union. The Soviet Union is an atheistic and materialistic State because they follow an ideology which is uncompromisingly materialistic. But even so when Samarkand, the centre of Muslim culture, was in danger lately on account of certain geological factors operating, enormous sums of money were spent by the Soviet Government so that the mosques and shrines of Samarkand could be safe. So, even when there is a materialistic dispensation, the shrines of this character are given every kind of assistance. We here have a secular democracy where we work together—Hindus and Muslims and Christians and all others. They fight from time to time but that is not the basic fact of history. My hon. friend, the Minister himself has written books and articles in order to suggest that we have a composite culture, a total culture, which in its totality Hindus and Muslims and all others should share and we should not have any kind of exclusivism which goes against the grain of Indian thought.

I say, therefore, that it is a good thing that we have this legislation. It is incumbent on Government to see that all shrines are properly looked after. For instance, in the Madurai temple on the occasion of the Abhishek ceremony a certain kind of repainting of the old sculpture took place. I have been told that some rather undesirable results have ensued. I am not very sure. But all shrines are to be taken care of and this Bill is an example of what Government ought to do and, therefore, I am supporting it.

श्री अ० सि० सहगल (जंजगीर) :
 उपाध्यक्ष महोदय जैसा कि सदन को विदित है दरगाह ख्वाजा साहब एक्ट १९५५ इस आशय से बनाया गया था कि दरगाह शरीफ

का प्रबंध और संचालन ठीक ढंग से हो। इसके कुछ समय बाद यह देखा गया कि दरगाह शरीफ के चढ़ावे पर कुछ लोगों की गिद्ध दृष्टि लगी रहती है। उसको रोकने के लिए दरगाह ख्वाजा साहब संशोधन विधेयक गत वर्ष राज्य सभा में रखा गया। यद्यपि १९५५ के एक्ट के अनुसार दरगाह शरीफ का चढ़ावा नजर आदि वहाँ के नाजिम ही लेने के अधिकारी थे तथापि समय समय पर यह देखा गया कि ऐसे लोग जिन्हें यह चढ़ावा लेने का अधिकार न था भोली भाली जनता से चढ़ावा नजर आदि वसूल करके अपनी जेबें गर्म करते थे और इससे न केवल श्रद्धालु जनता के मन को ठेस पहुंचती थी बल्कि दरगाह शरीफ के संचालन एवं प्रबंध में बाधा भी पड़ती थी। हमने धार्मिक स्थानों, गुरुद्वारों, मंदिरों आदि के संरक्षण एवं प्रबंध आदि के लिए कानून बनाये तो हमारा यह भी फर्ज था कि हम देखें कि कानून की किसी त्रुटि के कारण व्यवस्था भंग करने वाले बच न पायें और व्यवस्था में भंग न होने पाये। अजमेर एक पवित्र स्थान है और इसी लिए लोग इसे अजमेर शरीफ के नाम से याद करते हैं।

हमारे परम श्रेष्ठ भवतार मेहर बाबा ने १९३६ में वहाँ एक मस्त आश्रम देवी मार्ग के निराश्रित लोगों की सेवा के लिए खोला था। मेहरबाबा ने अपनी पुस्तक 'वे फेयरज' में लिखा है कि ख्वाजा मोइनुद्दीन चिश्ती अपने युग के साहबे-वक्त थे। उनके देवी प्रभाव के कारण ही दरगाह शरीफ अजमेर रहानी केन्द्र एवं पवित्र तीर्थ स्थान बन गया है। यह उनके देवी प्रभाव की बुलन्दी के कारण ही संभव हो सका है।

इस पवित्र स्थान की परम्परा को बनाये रखने के लिये यह प्रति आवश्यक है कि वहाँ के चढ़ावे पर पूरा पूरा नियंत्रण हो। पाखों व्यक्ति वहाँ से एक रहानी जीवन

शक्ति प्राप्त करते हैं। इस में कोई दो रायें नहीं हैं। वे यात्रा के लिए वहां एकत्रित होते हैं। अपनी श्रद्धा के फूल वे वहां चढ़ाते हैं, नजरें अर्पित करते हैं। यह जरूरी है कि यह लाखों करोड़ों की रकम वहां की इमारत के लिए तथा वहां किये जाने वाले कल्याण कार्यों के लिए खर्च हो न कि ऐसे लोगों के पास जाए जो उसे अपने निजी स्वार्थके लिए हड़प जावें।

एक बहुत बड़े सूफी ने कहा था :—

“Muslims all over the world were reminded that all human beings are equal in the eyes of God.”

इन शब्दों के साथ मैं प्रार्थना करूंगा कि विल को पास किया जाए। इसके साथ साथ मैं यह भी प्रार्थना करूंगा कि सिख गुरुद्वारा बिल १९५८ जो बहुत दिनों से वहां अटक हुआ है उसे भी जनता की भावना एवं समय की मांग का दृष्टि में रखते हुए शीघ्र ही पास करने की कृपा करें।

मैं इतना ही कह कर समाप्त करता हूँ :
‘मजहब नहीं सिखाता अपस में बैर रखना।’

श्री यशपाल सिंह (कैराना) : इस सुन्दर विल को लाने के लिए मैं भिन्स्टर साहब को मुबारकबाद पेश करता हूँ और साथ ही निवेदन करता हूँ कि यह विल आज से चार साल पहले आना चाहिये था। जो देर हुई उससे हमारा हाँ कुछ न कुछ स्परिचुअल विकास रहा है।

आज जो कुछ आपने कहा है और जो विल आप लाये हैं इसमें लिए सारा सदन आपको बधाई देता है। हमारे हिन्दुस्तान की यह कल्चर रही है कि हमने धर्म को एक समझा है। हमने समझा है कि धर्म एक है, उसको पाने के रास्ते अलग अलग हैं। भगवान एक है, उन तक पहुंचने के रास्ते अलग अलग हैं। इसीलिए हिन्दुस्तान की कल्चर में, हिन्दुस्तान के इतिहास में आज से नहीं लाखों सालों से वे सब चीजें मिलेंगी जिन से

मनुष्य को इंस्पिरेशन मिला है और हमारा स्परिचुअलिज्म ऊंचा उठता है। पाकिस्तान इस बात को गलत कहता है कि वहां इस्लामी राज्य है। वहां इस्लामी राज्य नहीं है वहां फिरकापरस्तों का राज्य है। जो कुछ वे वहां कर रहे हैं उससे इस्लाम का नाम ऊंचा नहीं आता। जब इस्लामी राज्य की बात हम कहते हैं तो मुझे इस्लाम की टीचिंग याद आ जाती है। जिस वक्त हजरत उमर साहब वेतुल मुकद्दस में तशरीफ ले गये थे तो जीने में खड़े हो कर ही उन्होंने नमाज अदा की थी और कहा था कि ऊपर चढ़कर अंगर नमाज अदा करूंगा तो इसका यह भी मतलब हो सकता है कि मेरा कोई फलोअर वहां मस्जिद भी बना सकता है। चूंकि इस्लाम की टीचिंग के मुताबिक प्योरिटी को कायम रखना है और मेरी जो टीचिंग है धर्म को मानने की और ईश्वर तक पहुंचने का जो वादा दिया गया है, उसको कायम रखना है, इसलिए मैंने ऐसा किया है। मैं खुद अजमेर शरीफ गया हूँ मैंने कई दफे उस जियारत के दर्शन किये हैं वहां का सैनिटेशन इस लायक नहीं है कि उससे हिन्दुस्तान की नाक ऊंची हो सके। वहां का इन्तजाम इस लायक नहीं है कि हम यह कह सकें कि हमने अपनी जियारतों का और तीर्थों का मुनासिब इन्तजाम किया है।

तो जो विल आप लाये हैं उनमें लिये मैं आपको कांग्रेसुलेट करता हूँ और इसका तहे दिल से समर्थन करना हूँ। लेकिन कहना चाहता हूँ कि इस दरगाह शरीफ पर जब लोग जाते हैं तो उनकी ताज्जुब होता है कि यह इतनी बड़ी जियारत है लेकिन वहां का इन्तजाम अच्छा नहीं है। लिहाजा मैं निवेदन करूंगा कि उसमें इन्तजाम के लिये आप ठोस कदम उठावें।

Shri Mohsin (Dharwar South): I am in entire agreement with my hon. friends who have spoken before me. They have expressed great respect towards these saints, and more espe-

[Shri Moshin]

cially to Khwaja Moinuddin Chisti.

These tombs of big saints seen all over India are the symbol of the national secularism, and these saints have done a great lot in bringing secularism in the country, and we see the result today. Hindus, Muslims, Parsis and people from all communities and people from all walks of life go and pay homage and offer prayers and nazars at the Durgahs. There, we never see any distinction of caste or creed, any distinction of rich and poor etc. But everybody goes there and pays homage to the great saints. This is the true character of India, the true image of India where the people of all communities go and pay their homage.

Recently, we have heard that the Malayan Prime Minister, Mr. Tunku Abdur Rahman had paid a visit to this Durgah. Often, we see the great personalities not only from India but from all countries of the world going and visiting this Durgah. They hold this Durgah specially in high respect. That is proof of the part the saint must have played in his life-time.

These saints have done a great lot in bringing Islam to this country, true Islam, and yet, they had a secular outlook. They treated all people with the same eye, and loved them equally and treated them equally. My hon. friend Shri Sham Lal Saraf had said that Islam had not been spread by the sword, though it might have been to some extent. But I differ from him. If Islam has been spread in India, it is not by the sword or by the kings but it has been spread only by the saints, by persuasion, by advice and by teaching and preaching. Of course, the kings have come from Iran or Arabia or Iraq or other places; they might have come and invaded, but they wanted to rule here, and some of them came only to loot, and they looted and then went away. They might have called themselves as Muslim Kings, but many of them

were not Islamic Kings, and therefore they might have committed some misdeeds, sometime or the other, but those misdeeds cannot be ascribed to Islam as a whole.

This Bill has been brought forward to cure some defects found in the original Act. An enquiry was held in the year 1949, and a committee was appointed under Mr. Justice Ghulam Hussain, and that committee had submitted a report. At that time, things were worse in this particular Durgah as is seen in the other Durgahs also. I would do well by quoting some portion from the report of that committee itself. The report says:

"As a result of careful enquiry, the Committee concluded that a large number of witnesses complained about the behaviour of Khadims and the complaint ranged from rudeness to acts of indecency and conduct involving moral turpitude and most of the complaints related to soliciting and recovery of money by all manners or means, and one evil practice resorted to by them was that as soon as a pilgrim got down at Railway Station, Ajmer, he was met and surrounded by a horde of Khadims who would auction him. To avoid a conflict in Khadims' interest, the man was put to sale and one who made the highest bid became his Vakil. The sale proceeds were then distributed among the Khadims. The Khadim who became the Vakil was anxious to make as much profit as he could out of the transaction and tried to extort by all means, fair or foul, the last price out of his victim. Cases have been known when, on a visitor failing to pay the amount demanded of him, his belongings were auctioned or loans were advanced to him by the guide (Vakil) to be repaid on his return home. There was no person of any consequence in India, who regarded, with approval, the exist-

ing practice of Khadims asking for and realising Nazars in the Durgah."

These were the misdeeds practised by the guides. That was the reason why Government was obliged to bring forward the former Bill.

But there was a lacuna in the Act. Although the Act prohibited the receipt of any nazars or the soliciting of any nazars from the public by anybody except with the permission of the Nazim himself, there is no provision for penalty in case nazars are solicited and the Khadims can still collect nazars. They are not just hundreds but thousands of Khadims, whose main business is to fleece money from the pilgrims. Many a time, I have had occasion to visit these Durgahs. But after one visit, one does not feel like going again because of the attitude of these Khadims. It is most deplorable that even today such a state of affairs exists in these Durgahs. The present Bill contemplates to make the receipt of such nazars and offerings from the public a penal thing. That is a very good cause.

I hope that the hon. Minister will see that when more funds are collected for this Durgah, the moneys will be made use of for really good purposes, for instance, for educational purposes. Let Arabic schools be opened, and let true Islam be taught in such places so that the five crores of Muslims in India may become true Muslims. Let them also teach theology and such other things there. If that is done, then, I think that the purpose of the Bill will be served.

श्री काशी राम गुप्त (अजमेर) : जनाब नायब सदर साहब, अजमेर शरीफ की जो ख्वाजा साहब की दरगाह है वह कि हिन्दुस्तान के लोगों के लिये ही नहीं है, बल्कि सारी दुनिया के लोगों के लिये है, जो कि जियास्त के लिये यहाँ आते हैं जब इन के लिये भी हमें पहले कानून बनना पड़ा और आज उस में

संशोधन लाना पड़ रहा है तो यह इसकारण कि आज तीर्थों और पवित्र स्थानों में आज जो पैसों से खिलवाड़ होता है उस से हमारा जो स्तर है वह गिरता जा रहा है। यह एक फिक्क की बात है। जनाब वाला, एक जमाना था जब ऐसे स्थानों पर लोग बहुत साफदिल से जाते थे और वहाँ पर जो लोग रहते थे वह उन के रहनुमा होंते थे न कि उन के कफनकण होंते थे। आज हम को इस के लिये भी कानून की शरण लेनी पड़ रही है। मैं तो मंत्री महोदय से यह निवेदन काँगा कि वह कम से कम यह देखें कि आज यह कानून जो बन रहा है वह कागज में ही बन कर रह जाये, उस के अमल की जरूरत न पड़े, क्योंकि अगर इस के अमल की जरूरत पड़े तो उस से यह जाहिर होगा कि हम इन पवित्र स्थानों की दरअरस दिल से जियास्त नहीं करते और वह लोगों को परेशान करने का एक तरीका बन जाता है। मुझ से पहले कई साथी बोले। जनाब सराफ साहब ने वहाँ की तकलीफों के बारे में जो कुछ कहा वह बहुत जायज है। हमारे बनर्जी साहब ने कहा कि उन को डर है इस बात का कि कहीं लोग इस से और ज्यादा मुसीबत में न फँस जायें। वह भी एक सही हकीकत नजर आती है, क्योंकि जब कानून बनता है तो उस पर अमल करने वाले लोगों की निगाह इस बात पर लगी रहती है कि कोई इयाँ कानून में कैसे फाँसा जाए और अगर वह फँस गया है तो उस के साथ कैसा बरताव किया जाए। मेरा उन से निवेदन है कि हमें यह कानून बनाना तो पड़ा, लेकिन इन के बनने से हिन्दुस्तान की शान नहीं बढ़ती। इस में जाहिर होता है कि ऐसे पवित्र स्थान पर भी लोग पैसों के लिए लूटते और मारते हैं। यह दरगाह शरीफ सारे हिन्दुस्तान की ही नहीं बल्कि सारी दुनिया के लिए जियास्त की जगह है, और जिन की यह दरगाह है उन्होंने मुहब्बत के जरिये इस्लाम को लोगों तक पहुंचाने का प्रयास किया, और लोगों ने भी अपने धर्म में रहते हुए भी उन के प्रति श्रद्धा और भक्ति

[श्री काशी राम गुप्त]

प्रदर्शित की। इस से जाहिर है कि उन में कितनी भारी रूढ़ानियत की ताकत थी। इसलिए जब हम इस रूढ़ानियत को ताकत को बरकरार रखना चाहते हैं, तो हमें भी रूढ़ानियत की तरफ जाना होगा और हमें देखना होगा कि वहाँ इन कानून का नही प्रमल हो। और इस का वही प्रमल तभी हो सकता है जब कि न केवल वहाँ जाने वालों का बल्कि सरकार का दिमाग भी रूढ़ानियत का हो।

14.00 hrs.

मैं आशा करता हूँ कि मंत्री महोदय वहाँ पर जो लॉग सरकार के हैं उन का इस और ध्यान दिलायेंगे कि किस प्रकार लोगों को तकलीफें मिलती हैं पुलिस आदि से और उन सब से लोगों को बचाने का प्रयत्न किया जाएगा ऐसी मेरी आशा है। मैं समझता हूँ कि इस कानून के बनने के बाद जो इन का मंशा है वह अच्छे ढंग से पूरा किया जाएगा।

Dr. M. S. Aney: On an occasion like this, when a Bill like this is before the House, what comes before the mind is the nature of the institution in whose interest the Bill is brought here. The particular purpose that my hon. friend, the Minister, has in view is only a limited thing, that certain undesirable things are taking place and he is making an honest effort to create an atmosphere there which should be sufficiently pure and inspiring. In that way, the Bill will commend itself to everybody.

But my mind is drawn to the Bill for different reasons. There are certain institutions in this world which transcend conceptions of all limitations, of all barriers, of all narrow thinking, which go beyond all these things and which have before them a cosmopolitan view, a human view. It is this which constantly comes before the mind. Religions have always been looked upon by many as a matter of pride. At the same time, religion has also produced a zeal which in its worst forms is manifested in

bigotry. But actually religion has got a bigger conception, a higher conception, to unite the whole world. That is the real role of religion. Such ideas are brought to the mind by certain institutions and among these is this one. This is one of the greatest institutions in this respect. There are in the Mahimna a *stotra* the following lines:

इत्रानाम् त्रैविद्यात् ऋजु कुटिल नाग
पय जुगाम्,

नृगामिको गभ्यस्त्वमनि पयनामणव कव।

Men have got different tastes and they go by different ways. They find their paths and follow the paths of different religions. But all these religions and paths lead to one place, that is the big ocean, Bhagwan. All these rivers flow to the big ocean. That is the conception of Eternal omneity.

These institutions with their sacred books, literature and works of art which are intended to bring this conception before the mind deserve special respect, special honour and a special tribute from mankind. This Bill is connected with an institution which is there in honour and reverence of a great saint, in whose name it stands so that the ideals for which he stood may be perpetuated. Even in these degenerate days, it is inspiring to go in pursuit of these higher ideals so as to make the complex population of India as one united composite whole. It is in that spirit that I give my consent to the Bill which my hon. friend has brought forward.

Mr. Deputy-Speaker: Shri Kabir,

श्री श्रीकार लाल बेरवा (केटा) :
हमारी पार्टी को आप ने कोई समय नहीं दिया।

उपाध्यक्ष महोदय : अब समय नहीं है।

श्री श्रीकार लाल बेरवा : मुझे पांच मिनट का समय दिया जाए।

उपाध्यक्ष महोदय : टाइम नहीं है।

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): I am grateful to hon. Members who have spoken and I am very sorry that the hon. friend who just now stood up did not get an opportunity. He might perhaps speak on the next Bill, subject to your permission.

Shri Hari Vishnu Kamath (Hoshanabad): Give five minutes out of your time.

Shri Humayun Kabir: I have only a few minutes for myself.

श्री यशपाल सिंह : पीरों और फकीरों की जवान में बोलिएगा ।

श्री हुमायून कबीर : हर एक जवान पीरों और फकीरों की है ।

As my hon. friend, Shri H. N. Mukerjee said, it is a good thing that we have occasions when all parties, all sections of opinion can unite, for here we are considering a matter which is of great significance in our national life.

The Bill in itself is, if I may be permitted to say so, a minor one containing only two clauses removing certain lacunae. But this Bill is associated with the name of the one of the greatest saints of this country, one who was a symbol of human unity.

श्री श्रीकार लाल बेरवा : अध्यक्ष महोदय, कोरम नहीं है ।

Mr. Deputy-Speaker. The bell is being rung . . . Now there is quorum.

Shri Humayun Kabir: I was saying that this is one of the occasions when there is complete unanimity in the House, and naturally so, for we are considering a Bill which is associated with the name of one of the greatest saints of this country. As more than one hon. Member said, India in many respects is unique because all the great religions of the world have met and commingled here. Perhaps there

is no other country in the world where we have such an assemblage of all the great faiths. That is why Tagore described India as a country which God has chosen as the laboratory of all religions of the world. There may be differences on minor points—wherever there are human minds, there are differences—but there are certain values in life where all human minds unite. The great Khwaja Moinuddin Chisti had an insight into these truths. He recognised that it is love of human beings which is the guiding principle of human conduct and which serves humanity in the best possible way. That is also why he did not devote himself to any formal propagation of any religion. He was not a proselytiser in the narrow sense of the term. His proselytisation was in the religion of love, in the religion of sanctity, in the religion of service to all mankind regardless of caste, community or creed. That is why today his shrine attracts people from not only all over India, but even from outside, who go there in a spirit of service and love and unity. It is, therefore, right and proper that an atmosphere of sanctity and service must be maintained in a shrine of this type, and I entirely agree with my hon. friend Shri Gupta who expressed the hope that this law, after it is passed, may never be used. I am sure every Member of this House will share this hope that the atmosphere may be such that the law, after it is passed, is never required to be used.

Two or three difficulties were mentioned. On the question of the difficulties of the pilgrims there, I am happy to say that the management of the Durgah Khawaja Saheb are taking certain steps. There will be a *musafir khana* to house about 2,000 pilgrims, and also a hostel with 27 rooms for those who want more seclusion.

In the last few years the Committee has been trying to improve the general conditions. They have also paid some attention to the khadims. It is true that sometimes khadims have

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extorted money, but one reason for that may have been that they had no other means of livelihood. Therefore, attempts are now being made to give some training to the children of these khadims, so that they can follow some useful profession. It is also proposed to establish some kind of a technical institution with the funds of the Durgah Khawaja Saheb which will be open to the children of the khadims and others as well.

By these various measures, some of the drawbacks which have been pointed out will be perhaps rectified. I am sure we all share the hope that very soon this Durgah will not only be noted for its spiritual excellence and the attraction it has exercised on the minds of people from different parts of the country, but also for the physical conditions which will be in consonance with the dignity of this shrine.

I have really nothing more to add but to say that I welcome the unanimity of opinion which has been expressed in the House, and I hope that shrines like this will serve to attract people of all faiths. Especially in these days when small things divide us, when sometimes our vision is blurred by suspicion, hatred and differences among ourselves, the clear light of truth will shine from these shrines and will move all people and give them a lesson and an inspiration, so that we can build here that India of which our saints have dreamed throughout the ages, for which our political workers have laboured and suffered, and for which the common citizen aspires today, so that conditions of life here may be sweet and bright for all concerned.

Mr. Deputy-Speaker: The question is:

"That the Bill to amend the Durgah Khawaja Saheb Act, 1955 as passed by the Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.
Amendment made: Clause 1

Page 1, line 4,—

for "1963" substitute "1964". (2)
(Shri Humayun Kabir).

Mr. Deputy-Speaker: The question is:

"That Clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Fourteenth" substitute "Fifteenth". (1)

(Shri Humayun Kabir)

Mr. Deputy-Speaker: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That the Title stand part of the Bill."

The motion was adopted.

The Title was added to the Bill.

Shri Humayun Kabir: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

14.16 hrs.

THE WAKF (AMENDMENT) BILL

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): I beg to move:

“That the Bill further to amend the Wakf Act, 1954 be taken into consideration.”

The Wakf is one of the distinctive institutions of the social and economic structure of Islam, and provides for the relief and uplift of the poorer section of the community, apart from the service to religion. The institution has, from the beginning, been popular and widely accepted by members of the community, and in course of time, the principle was extended to solicitude and benefit of one's family members and descendants.

In India, the institution has, from the beginning, been rendering great service to all sections of the community, and it is noteworthy that the benefits of the Wakfs have not been confined to Muslims alone. Similarly in the creation of Wakfs also, non-Muslims have played an honourable role.

Surveys of Wakfs throughout India are not yet complete, but even at this stage we can say that there are, on the figures of the survey that has been completed, at least 95,000 Wakfs, valued at over Rs. 75 crores.

It is interesting to note that the largest number of Wakfs are in the State of Punjab, where there are some 25,000 properties, estimated at a value of about Rs. 20 crores. Next in number is Andhra Pradesh where there are over 20,000 Wakfs, and their total value is about Rs. 10 crores. Rajasthan has a smaller number of Wakfs

about 16,000 but their value is about Rs 18.5 crores. This is very interesting because in Rajasthan it is apparent from the nature of the case that many of the Wakfs have been created by non-Muslims. It is a tribute to the generosity and the magnanimity of many Rajput rulers that they have endowed lavishly properties for the service of mosques, tombs, durgahs and similar institutions.

Where such large sums are involved, and where, through these Wakfs, very great social service can be rendered, it was perhaps inevitable that the State should take some interest, and yet I have to say with regret that after the decay of Moghul rule, for almost a hundred years, hardly any attention was paid to Wakfs. Neither the legislature nor the administration paid any proper attention to Wakfs, with the result that sometimes the Wakfs were abused, sometimes the properties were dissipated, and sometimes the funds were diverted for purposes which were not the intention of the original Wakifs, and in some cases money was used for purposes which were not quite worthy.

As soon as political consciousness grew in this country, and soon after we had Indian Ministers in the different provinces, interest in Wakfs also grew. Discussions about reforms began soon after 1921, but the first Act was not passed till 1934. Bengal passed the Bengal Wakfs Act in 1934. This was followed in U.P. by the Kakfs Act of 1936. Delhi had an Act in 1943, and Bihar in 1947.

These were welcome beginnings, but they could not deal with the all-India problems, and therefore, after independence it was felt that there should be a Central Wakfs Act which could deal with the problems of the country as a whole, bring uniformity in administration, set certain ideals before the Wakfs Boards, and in this way help the Wakfs realise the objectives for which they were created.

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The late Mr. Kazmi was a great enthusiast in this matter, and he sponsored the Wakfs Bill, but I think it would not be unfair to his memory to say that the real architect of the Wakfs Act was Maulana Abu Kalam Azad. Under his guidance, the Central Wakfs Act was passed in May, 1954.

It is an all-India Act but it can be brought into force in a particular State only after the Central Government has notified it in the Official Gazette, and the Central Government can do that effectively only with the consent of the State Government. It now applies to the whole of India excepting West Bengal, Bihar, U.P., Jammu and Kashmir and parts of Maharashtra and Gujarat. I may add that some provisions of the States Acts which have proved to be of advantage have been incorporated in the present Bill. I have no doubt that where there are separate Acts as in U.P., Bihar and Bengal they also have benefited by the legislation by the Centre.

This Act was passed in 1954, that is ten years ago. There is no doubt that the passing of that Act brought in a new deal for wakfs throughout the country. By and large the Wakf Boards established as a result of that Act have benefited the administration of wakfs throughout the country and in that way served the community. Nevertheless, these ten years have also shown the existence of certain lacunae and certain administrative gaps and certain things which require reforms. Since that time there have been discussions and as a result of those discussions it was felt that an amending Bill should be brought before this House. In December 1960, an inter-State wakfs conference was held. Hafiz Ibrahim Sahib who was then the Minister in charge played a

leading role and tried to induce different States to adopt various ameliorative measures so that the wakfs could be administered more effectively. This conference was attended by the State ministers in charge of wakfs, Secretaries of State Governments, chairmen of State Wakf Boards, Members of Parliament and a number of distinguished persons from various States. It made a number of recommendations and these recommendations were considered by an *ad hoc* committee, the Central Advisory Wakfs Council which went into these recommendations in detail and made certain modifications and suggestions. So, for the last ten years the matter has been before Members of Parliament and the Government and it is on the basis of these discussions that the present Bill had been brought here.

I said earlier that by and large the State Wakf Boards had functioned purposefully and discharged their duties effectively within the limitations of their powers. Some boards tried to introduce reforms and have also initiated constructive activities calculated to promote educational and economic development. The present Bill will strengthen their hands and with the co-operation of the State Governments, they will be able to bring about changes so that wakf funds could be utilised more effectively for the benefit of not only Muslims but the entire Indian community. When such large funds are involved for charitable and beneficial purposes, it is obvious that their wise and effective use would, besides serving the entire community, help the State also in discharging some of its duties. I will give only one example.

There is great demand for education throughout the country a demand so insistent that very often schools and colleges have to be started even without adequate preparation; at the same time because of lack of funds we have not always been able to meet in full the demands from the people at large.

It is here that charitable institutions can play a very important role. It is also common knowledge that where educational institutions are run by private charitable organisations,—charitable in the truest sense of the word, not charitable in the sense of condescension or contempt but charitable because of a feeling born out of love, fellow-feeling and human sympathy,—the results are often remarkable. Similarly in running hospitals and nursing homes, charitable institutions can play a very important role and I am sure that if the funds of the wakfs are utilised for such purposes, it will not only help the Muslim community but other communities as well, while simultaneously relieving the State of some of its burden.

I have said before that wakfs from the beginning catered to the needs of all Indians and that they have been created for religious, charitable purposes by non-Muslims as well. That is the spirit of the Muslim law: in fact that is the spirit of every religion. No religion can ever differentiate between human beings and yet call itself a religion in the truest sense of the term. All human beings are equal in the eyes of God; that is the cardinal principle which every religion must accept. Therefore, it is right and proper that the wakfs also should have the same spirit. We are taking advantage of this Bill to incorporate in the law this point. In fact and in practice, the wakfs have in the past served all communities but in the Act passed in 1954, there was a certain limitation on the nature of beneficiaries. Beneficiary was defined in that Act as 'a person or object for whose benefit a wakf is created' and includes 'religious, pious and charitable objects and any other objects of public utility established for the benefit of the Muslim community.' We are taking advantage of the present amendment to broaden this to say that wakf is created for religious or charitable purposes in accordance with the Muslim law. By this definition, they will be able to serve a much wider clientele, following the true principles of Islam.

I will now very briefly go through the major clauses of the Bill. The Bill contains clauses which can be broadly divided into two categories: those which bring in a certain broadening of the principle and where certain new ideas are introduced; and others which are merely intended to improve the administration of wakfs and strengthen the wakf boards in different parts of the country. I have already mentioned clause 2 which defines beneficiary. Similarly, clause 4 also brings in a new idea. Under section 62 of the principal Act, the Central Government is required to issue directives if the need should arise with regard to the administration of wakfs. Experience has shown that in issuing such directives it is desirable to have an advisory body and to know how the public mind is reacting in this matter. So, in clause 4 we are proposing to establish a Central Wakf Council whose advice and guidance would be available to the Central Government whenever there is any need to lay down any policy or to offer advice any of the State wakf boards.

Similarly, clause 7 also brings a change but here it is in a sense an extension of a recognised principle even under the existing law. If the purpose of the wakf fails, the funds can be diverted to charitable, social and religious purposes in the service of humanity. At present that permission can be given only by a court. There may also be cases where the purpose of the wakfs has not failed but where it is no longer operative; it has not ceased, but it cannot be given effect to. We have tried to take advantage of this Bill and to extend the scope of this section by the present clause 7 and allow the application of the law of *Cy pres* so that the funds can be utilised for social purposes by the Wakf Board itself. When there is a State board which is constituted in a proper manner and is fully conversant with the entire wakf affairs of the State, we think it is not necessary to bring in the courts at every stage in order to have such extension. We have taken care to see that in extend-

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ing the application by pres none of the purposes of the original wakf Act are in any way interfered with or modified. It will be in consonance with the spirit of the Wakf and nothing will be done which is in any way inconsistent with either the wakf or the provisions of the law.

Two other clauses which bring in what I may call a new principle are clauses 16 and 17 where we are augmenting the resources of the State Wakf boards and also providing some funds from the Central Wakf Council. We are also taking powers for receiving benefactions. In the past, the State boards could only use funds which came to them by way of payment from the different wakfs and they were not entitled to receive benefactions or donations of other types which might be available from time to time.

I may mention one rather interesting case which we had in mind. There are a number of Muslim citizens of India who have deposited large amounts in banks but who do not draw any interest, and these interests lie with the banks year after year. In the past, some of these funds were utilised for helping the work of Christian missionaries and Christian missions. We feel that if the Wakf Board and the Wakf Funds are eligible for receiving donations from the public and receive such accumulated interest money, this itself may be a substantial source, of income, so that out of the funds augmented in this way a large number of charitable and beneficial activities can be undertaken.

I may mention in this connection that one of the State Boards, the Andhra Pradesh State Board, has started a scheme by which unemployed people will be given training and they will also be given some assistance so that they can set up small-scale business of their own. In this way, not only, with the Board help to solve the unemployment problem in the country but also add to the wealth and the resources of the community and the country.

Similarly, clause 21 seeks to bring in a modification by broadening the definition of wakf. I said earlier that it is to the credit of many non-Muslims that they have made large benefactions for maintaining mosques, dargahs or mazars, and yet under the old wakf Act they could not strictly speaking be regarded as wakfs. We are amending the definition, so that benefactions made by non-Muslims for the purposes which are mentioned in the Bill will also be regarded as wakfs.

These are some of the major changes so far as any new ideas or extension of an old principle are concerned. The other clauses are primarily with regard to administrative improvement.

Clause 11 deals with the methods of recovery of wakf property which has been illegally alienated. In the past, there was no remedy except going to the civil court. Here certain other methods are suggested. At the same time we have also taken care to see that no one's rights are prejudiced. Normally this clause will apply only to cases where a wakf property has been notified as a wakf property and it is recognised as a wakf property. Under the law such wakf properties cannot be alienated without the permission of the Wakf Board. Now, if some mutawalli or some agent illegally alienated such property in the past there was no remedy in such cases except going to the civil courts. And you know, Sir, how long and expensive civil suits are. We are therefore providing that where a recognised wakf has been illegally alienated, a notice can be issued, and by issuing that notice the property can be recovered. Clause 11 says:

"On receipt of a requisition under sub-section (1), the Collector shall pass an order directing the person in possession of the property to deliver the property to the Board within a period of thirty days from the date of the service of the order",

And then the procedure of serving the order is laid down and then it says:

"Any person aggrieved by the order of the Collector under sub-section (2) may, within a period of thirty days from the date of the service of the order, prefer an appeal to the district court within whose jurisdiction the property is situate and the decision of the district court on such appeal shall be final."

So, while on the one hand we are trying to expedite the process of law and safeguard the interests of the wakf properties in this way, we have also taken care to see that nobody's legitimate interests are harmed, and there will always be an appeal to the civil court.

Shri Himatsingka (Godda): What about *bona fide* purchasers for value?

Shri Humayun Kabir: Well, if it is a notified wakf, the existing law as it exists in the case of other property will apply. If somebody in a *bona fide* manner purchases a property which belongs to somebody else, there is a law dealing with that, and the same law will apply.

Then in clause 12 and 13, we have strengthened the provisions for the removal of mutawalli by saying that if a mutawalli does not perform his duties properly there should not be undue delay in removing him.

Clause 19 is a simplification of the procedure for instituting suits, for at present it has been held at least by one High Court that permission is required not only from the Wakf Board but also from the Advocate-General. Therefore, we have provided that in future suits will lie after the appropriate Wakf Board has been consulted.

These are some of the major provisions. I said earlier, some of the clauses of the Bill seek to extend the principles and make the work of the wakf more consistent with the needs

of the changed circumstances. The others are primarily for improving the administration.

In conclusion I would only say what I have stated earlier, that through these wakfs which are a testimony to the spirit of generosity of members of the community and through which for generations people have been served and have been benefited, we can render a great service to the country. These wakfs can serve not only as an instrument for improving the economic condition of the people: they can serve also as an instrument for bringing about educational expansion, and by bringing the members of the different communities together in receiving the benefit of the wakfs, these wakfs can also serve as a great instrument for effecting national solidarity. These wakfs which will serve all communities and whose advantages will be extended to members regardless of religion, caste or creed will therefore be an instrument for the benefit of the Muslim community and the other communities and in this way cement the bonds of friendship and fellowship among the different sections of the Indian people.

Sir, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Wakf Act, 1954, be taken into consideration."

The time for this Bill has not been fixed. How many Members want to participate in this? Four. Shall we fix one hour? We have already taken twenty minutes.

An Hon. Member: One and half hours.

Mr. Deputy-Speaker: Very well.

Shri Indrajit Gupta (Calcutta South West) Does it include the time taken by the Minister?

Mr. Deputy-Speaker: Yes. He began at 2-15.

Shri Gauri Shanker Kakkar (Fatehpur): I stand to congratulate the Minister on bringing this amendment. It has been our experience with Muslim wakfs and Hindu endowments in the country that the very purpose, the very spirit and purpose with which the wakf or endowment was created has been ultimately misused and the money, the usufructs and the properties actually squandered for personal purposes. It has been gaining notoriety everywhere, it was gaining strength, and it has become a common feature in the country that in the case of religious endowments and wakfs there are chances generally, to a great extent, of misuse of the actual purpose and the usufructs or the profits coming out of that property.

So towards that end it is, of course, a very sincere attempt. I welcome this amendment on two grounds. In the first place, a sincere attempt has been made to strengthen the wakfs which have already been created.

And then, the attempt has also been made to bring it within the limited scope for which it was meant to have been created. For that, I think it will be an attempt towards national integration to a very great extent. As I have submitted, I know this has been under consideration since long by the Government of India and various State Governments, that once for all, there should be a thorough assessment and a comprehensive law should come up to check the purpose and the spirit of such persons who had actually come forward and donated their property for the benefit of the public.

In this amending Bill I find that the definition in clause 2 has been added and gives a fair chance to non-Muslims in the same manner as the Muslims, to get the advantage of the wakf. It is indeed a very genuine attempt towards national solidarity. I know there have been a number of cases as the hon. Minister has cited,

where so many non-Muslims had also donated huge properties and wealth towards the wakf for the dargahs, shrines and so on. But the actual working of the wakf was done in such a manner that the benefit was to go only to the Muslim community and not beyond that. So, I would welcome this provision that according to the Muslim law if the wakf was created, the non-Muslims are also included to stand to gain and take advantage out of the benefit accruing from this.

Then, as I have submitted, to safeguard against the mischief of the wakf property or endowment property, there should be a very strict provision with regard to the actual working and administration of such property which has been donated and which has been given for charitable purposes. For that, I welcome the measure which has been adopted in this amending Bill, to check and have control over the activities of mutawallis or the managers of the bank. As a matter of fact, the mischief actually starts with the manager or the mutawalli of such wakf or endowment. Sometimes they think that the property is not actually meant for charitable purposes or for the benefit of the public, but for their own personal purposes and for their own family benefit. Here, I find that there is a provision to take action against the mutawalli in case of mismanagement, and there is a clear provision that he should be removed by the Board.

Then, another clause which has been added here is clause 11 under the proposed Section 36A which is modelled on similar provisions in certain enactments relating the public trusts—the transfer of wakf property by way of sale, gift, exchange or mortgage. It has also been the experience that in certain cases, the properties which are the subject-matter of a wakf or endowment, are sometimes being alienated or transferred, which is against the citations or the spirit for which

they are endowed. Then it becomes very difficult for the mutawalli Board to enter into litigation, which means huge expenses. Here, the provision has been made to the effect that if it is proved that the wakf property has been alienated or transferred or mortgaged, a notice by the Collector to vacate and eject the transferee from that property is to be given. By the addition of this clause, the case of a *bona fide* purchaser will not suffer, because, now, there is a specific provision that in the case of a wakf property, alienation or transfer will not be there and without actually entering into litigation, the Collector can vacate and then get the ejectment of the transferee.

In the end, I have to mention two things. I welcome this enactment, as I have said, but I would like the Minister to consider that in the case of such States where the Central Wakf Act will not be applicable, this should be enforced, I want that there should be a universal policy throughout the country. I can understand the hon. Minister has given a hint that by undertaking this amendment the other States will get a hint and they will be benefited, but I want that there should be a provision that this Central Wakf Act will be applicable in the case of such States where so far it has not been applicable. In that case, it would be a universal law, and it would be a check on misuse or squandering of money. There should be a special provision; as has been just stated by the hon. Minister, in the case of Muslims they do not accept the interest of the bank; they treat it as *shara*. So, there should be a provision that all such interests be diverted towards this wakf so that the ultimate benefit should go to the public. The spirit and the purpose for which the wakf was created—for the public purpose or for the benefit of the public in general—should be looked into and it should be strictly enforced and it should be seen that on account of wakf, our education, our social reform and such other things are going

to take real advantage and not the individual, personally looking after the wakf as the mutawalli. I once again welcome this Bill and I wholeheartedly support it.

Shri Mohsin (Dharwar South): I rise to support the Bill. This Bill contemplates to amend certain provisions so that the wakfs made by non-Muslims are also covered under this Act. As the hon. Minister has already pointed out, there have been many properties which have been gifted by non-Muslims for religious, charitable and educational purposes of the Muslim community, and the present Act does not cover such properties to be brought under the Wakf Act. This Bill proposes to remove that lacuna and include such properties also under the operation of this Act. Besides, the hon. Minister has kept open the income of the wakf property also to non-Muslims. The definition of wakfs has been widened as to cover the gifts by Muslims and non-Muslims as well. Hon. Members might doubt that it is only a change of wording: instead of "benefiting the Muslim community", the wording is "according to the Muslim law". For their advantage, I may say that Islam is not a religion to give charity to one community only, i.e. Muslims. Under Islam, charity could be given to all, irrespective of community or creed. He may be a Hindu, Muslim, Parsi or Christian. Educational facilities could be provided to the students of all communities and all poor people may be fed, irrespective of caste or creed. The income from the wakf property could be utilised in such a manner. The Minister has shown great tact and intelligence in bringing this measure and keeping it wide open to all communities, in accordance with the secularism of our country.

This Bill wants to introduce one Central Wakf Council to lay down the policy and programme to be followed by the wakf boards in every State. This need was felt everywhere wherever the wakf boards had been established. There was no uniform policy. Some

[Shri Mohsin]

boards were very active in pursuing a policy and some boards in some other States were very inactive. They always looked upon the Central Government for directives. This was not a happy thing and the Central Government also could not give more attention to this. This will remove that defect by establishing a Central Council which will lay down the same policies to be followed by the State boards and which will have some supervision over them.

In clause 5, there is a provision to set up two separate boards for sunnis and shia communities. Somehow or other, I do not welcome this idea of separate boards for sunnis and shias. Of course, it is conditional on the fact that shia properties are more than half or something like that. They may be more or less, but when we are thinking of integration of all communities, I do not think it is conducive to have separate boards for shia and sunni communities. Both the communities profess Islam. They do not say that there are two Gods, but only one God and who also believe in one book and one prophet. I do not know why there should be separate boards. Let us not widen this gap between the shias and sunnis, but bring them nearer so that they can work with harmony and understanding under one board.

The Bill provides for the removal of mutawallis and also for discontinuing the State Boards whenever there is misfeasance or misappropriation of money or when the board does not carry on its duties properly. This is also a very good provision.

Under clause 3, the cost of publication of the list of wakfs is proposed to be levied from the State boards. As far as I am aware, the State boards do not have sufficient money. The Mysore board has not got enough funds even to meet the travelling allowances of the members when the meeting is called. They

cannot do any work now. In such circumstances, if the Central Council wants that even the charges for notification or publication of the list of wakfs to be borne by the State boards, I do not know how they will function. As the Minister stated, Rajasthan may have got many wakf properties, but other State boards, like the Mysore board which has got very little property, cannot take up the expenditure on account of this publication, etc.

In Clause 11, the Minister has pointed out that some provisions have been introduced prohibiting alienation by mutawallis or managers of property. This is a very good clause. We have been seeing that the managers of wakf properties have been alienating the properties to their own advantage, as if they were their own properties. As a result of this, we know that many Durgahs and mosques have lost all the properties. They have been neglected to such an extent that there is no provision even for lighting in some Durgahs and mosques. In Mysore, wakf properties have been very much neglected and they have not been even surveyed. Many of the mutawallis have sold out the properties and they have also become paupers. The wakfs i.e. Durgahs and mosques have been left without any income at all.

There is nothing in clause 11 to acquire the properties which have been lost already. This may be a check that in future the mutawallis may not be able to alienate the properties. But what provision is there to recover the properties already alienated? Hundreds of properties have already been alienated. They have passed through many hands. The question of limitation is also there. There is a similar provision in the Bombay Trust Act wherein the limitation has been extended to 60 years just as Government properties and properties of local authorities are governed. As against 12 years under the ordinary law of limitation, the period is extended to 60 years, within

which the properties could be recovered. If such a clause is inserted, many of the lost properties could be recovered and the Wakf boards would be in a better position.

Then, the definition of wakf is not full and comprehensive, as a result of which, many disputes have arisen in the working of this Wakfs Act. To my knowledge, there has been duplication of proceedings under the Wakfs boards and under the Trusts Act in the Bombay-Karnatak area, where the Bombay Trusts Act is applicable. The wakfs board has held some property as wakf property, whereas the Assistant Charity Commissioner has held it to be a public trust. Mutawallis have been driven from one board to the other, because when both the Acts are in force, it is difficult to decide which are the properties which come under the Wakfs Act. I know many cases where Durgahs have been treated as not wakf property in Mysore State, by the charity commissioner. It is better to set at rest all these disputes by defining wakfs so as to include all the properties like Durgahs, mosques, imambaras, maqbaras and such other Muslim institutions to be covered under the Wakfs Act.

On the whole, this is a very good measure which would lead to better administration of the trusts and thereby do some constructive work in the educational field. This measure also contemplates to collect 1 per cent of the income of the boards for the Central Wakf Council and utilise it for educational purposes. This is a very good idea. I think if this is properly implemented, it will be advantageous not only to the Muslim community, but to the people of the country as a whole.

15 hrs.

श्री यशपाल सिंह : (कैराना) : उपाध्यक्ष महोदय, यह वकफ (मंशोधन) बिल बहुत सुन्दर है और मैं इस के लिये उन को मुबारकबाद देता हूँ लेकिन उस के साथ ही कुछ चीजों की ओर उन का ध्यान दिलाना चाहता हूँ ।

सब से पहले तो यह जरूरी है कि अनएथोराइज्ड ट्रान्सफर न किया जाय । अनएथोराइज्ड ट्रान्सफर के होने से यह होता है कि किसी तरीके से हम वहां की सैकटिटी को कायम नहीं रख सकते ।

दूसरी चीज यह है कि इस बिल में ऐसा प्राविजन होना चाहिए कि जो मुतवल्ली लोग हैं, वह धार्मिक तरीके से, मजहबी तरीके से और दीनयात के मुताबिक जिदगी बितायें और ऐसा न हो कि जो मुतवल्ली हैं, वकफ के मालिक हैं और जिन को कि धर्म के नाम पर ईमान के नाम पर वकफ किया गया है अपनी ऐय्याशी और दूसरे ऐसा बेजा कामों पर उस का पैसा खर्च व बर्बाद करें । मुझे मंत्री महोदय से इस की शिकायत करनी है कि यह मुतवल्ली लोग ठीक से अपने फरायज अंजाम नहीं देते हैं । जिस काम के लिए उन को पबलिक ने एक एथारिटी दी है वकफ करने वाले ने एक अधिकार दिया है उस के लिए वह कभी उपयोग नहीं करते । इसलिये इस बिल में ऐसा प्राविजन होना चाहिये ताकि वह सही तौर पर अपने फरायज अंजाम दे ।

इस के साथ ही साथ यह भी जरूरी है कि इस के मेनेजमेन्ट के लिये और इस पर जो कंट्रोल है उस में गवर्नमेंट के अलावा पबलिक का भी रिप्रजेंटेटिव जरूर होना रहना चाहिए । अगर पबलिक का नुमायन्दा नहीं रहेगा तो सरकार छा जायेगी और जिस स्त्रिट से वकफ किया गया है वह भ्रमल में नहीं आ सकेगा । दीन और ईमान की राह में अगर कोई वकफ किया गया है तो वह किसी खास सरकार के लिए या किसी खास ऐथारिटी के लिये नहीं किया गया है । दीन का मतलब भी यही है, धर्म का मतलब भी यही है कि उस में हर एक मनुष्य को यह हक हों कि वह सही और गलत जान सके । इस मिलमिले में मैं आप को बतलाऊँ कि खलीफा तक को क्वेश्चन कर लिया गया था । खलीफा से पूछा गया कि इतना बड़ा कुर्ता आप का बना है तो यह कुर्ता एक चादर से

[श्री यशपाल सिंह]

तो नहीं बन सकता। एक, एक चादर सब को तालीम की गई थी। आम मजमे में एक शख्स ने खड़े हो कर उन से यह पूछ लिया। खलीफा को यह एकस्प्लेनेशन देना पड़ा कि मैं ने अपने बेटे की चादर लगा कर इस कुर्ते को पूरा किया है। अब इतने बड़े बिल में मैं ने देखा कि गवर्नमेंट का तो सब कुछ है लेकिन पबलिक का कोई नुमायन्दा नहीं है। उम में पबलिक का भी रिप्रेजेंटेटिव होना चाहिये।

जहां तक इस बिल को लाने के लिये मैं श्री हुमायून् कबिर को मुबारकबाद देता हूं वहां यह भी अजं करना चाहता हूं कि यह आपके क्लॉज ४ (ए) में ऐसा लिखा हुआ है :—

“(4A). A mutawalli, who is aggrieved by an order passed under any of the clauses (c) to (e) of sub-section (1) or under sub-section (2), may, within one month from the date of the receipt by him of the order, appeal against the order to the State Government and the decision of the State Government on such appeal shall be final and shall not be questioned in any court of law.”

अब जुडिशिएरी जो है वह हमारे कांस्टिट्यूशन की गारंटीज कही जाती है और इसलिए सरकार के हाथों को इतना मजबूत कर देना कि सरकार के डिस्मिशन के खिलाफ न कोई हाईकोर्ट में जा सके और न सुप्रीम कोर्ट में जा सके यह हमारे कांस्टिट्यूशन की स्पिरिट के खिलाफ है। यह चीज हमारी डेमांडेसी के खिलाफ है, हमारी संकुलरिज्म के खिलाफ है इसलिए मेरी दरखवास्त यह है कि इस क्लॉज को हटा कर यह मौका उसे दिया जाय कि अगर किसी स्टेट गवर्नमेंट ने कोई गलत आर्डर दिया है तो उसे उसके खिलाफ हाईकोर्ट में और सुप्रीम कोर्ट में जाने का हक होना चाहिए।

इसके अलावा सूद लेन का जहां तक सवाल है कई लोग उन जगहों में बैठ कर जो यह सूद लेते हैं तो वह गलत है और हमारे मिनिस्टर साहब ने बजा तौर पर यह सूद लेने को मना किया है। सूद लेना वाकई धर्म के खिलाफ है। हमारे हिन्दू धर्म में सूद लेने का अधिकार केवल बनियों को है, वैश्यों को है। वह भी 100 साल में दुगुना हो सकता है। 100 साल के बाद दुगुना ले सकते हैं यहाँ हालत यह है कि केवल चार साल के बाद दुगुने की डिग्री हो जाती है। इसलिए यह जरूरी है कि यह सूद लेना कानूनन मना होना चाहिए। जिन संस्थाओं ने सूद नहीं लिया है वे भी मुबारक-बाद की मुस्तहक हैं।

इसके साथ ही साथ फेमिली के लिए प्राविजन जरूर हो लेकिन उस प्राविजन के ऊपर कंट्रोल हो। अनएथोराइज्ड ट्रांसफर न हो सके और जो रिप्रेजेंटेटिव ग्रौफ दी पीपुल हो वह भी वह भी उसको देख सके। यह भी जरूरी है कि जिस ऊंचे प्राइडियल को लेकर आपने यह बिल बनाया है तो उस जायदाद पर गवर्नमेंट का टैक्स नहीं होना चाहिए। उस जायदाद के ऊपर कोई गवर्नमेंट का चन्दा नहीं होना चाहिए। वह जायदाद दीन के लिये और धर्म के लिये दी गई है और धर्म इस बात को कहता है कि सब की सेवा और मानव मा की संवा मनुष्य मात्र की खिदमत धर्म का काम है। हमारे देश ने इस बात को हमेशा के लिए महफूज रक्खा है। इसके लिए हमारी गीता में यह हुक्म हुआ है और उसमें यह कहा गया है :—

‘येऽप्यन्य देवता भक्ता यजन्ते श्रद्धया-
न्विताः।

तेऽपि मामेष कान्तेय यजन्त्यर्वाध
पूर्वकम् ॥”

चाहे किसी भी रास्ते से, जो हजार रास्ते हैं उन हजार रास्तों से जो भी इबादत करता है वह एक ही माबद को पहुंचता है। जब

एक चीज धर्म के नाम पर बकफ़ की जाती है तो उसके ऊपर सरकारी टैक्स या सरकारी चन्दा नहीं होना चाहिए। मुतवल्ली के खिलाफ़ जो स्टेट गवर्नमेंट आर्डर देती है उसके खिलाफ़ उसे हाईकोर्ट में और सुप्रीम कोर्ट में अपील करने का हक़ होना चाहिए।

गोता में बहुत सुन्दर कहा गया है :—

‘ये प्रथा मां प्रपद्यन्ते तांस्तथैव भजाम्यहम् ।’

अर्थात् जो जिस तरीके से मेरी पूजा करता है मैं उसको उसी तरीके से प्राप्त होता हूँ। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ और चाहता हूँ कि उसमें वीपुल का रिप्रेजेंटेशन रहे।

Shri U. M. Trivedi (Mandsaur): Sir, the measure, as far as it goes, is not very bad. I do not say it is very good. But what I felt when I saw this item was, why is it that Shri Kabir is in charge of this Bill. In our State, we are here to administer the law without fear or favour and irrespective of class, creed or colour. Why should Shri Humayun Kabir be picked up to push through this Bill, to pilot this Bill in the House? We have a very able Law Minister who ought to have piloted this Bill.

The second thing that I felt was that this Bill has got very far-reaching effects. It practically changes the whole law of wakf, and yet no move has been made by the Government to get it through a select committee. It is a very strange picture that we have today, when you were kind enough to ask us what time we would like to have to discuss this Bill. Certainly, looking at the very thin attendance in the House you, probably, at our request, were justified in saying that we will take one-and-a-half hours. But, Sir, it is most ridiculous that a Bill which is going to affect in our country 50 million people is going to be rushed through like this. There are wakfs spread all

over India. I am not sure about the state of affairs that obtains in Mysore State about which my predecessor spoke. But I know that wakfs exist in Gujarat, Maharashtra, Rajasthan, Madhya-Pradesh, Punjab and all over Uttar Pradesh and Bengal. To make this change without having it broadcast and without securing the views of the people is something strange. You are making a change of a radical nature. You are allowing the Board to rush to the court without even following the ordinary procedure which is obtainable for one and sundry in this country, to have the sanction of the Advocate-General and that too on the condition that two or more interested persons can obtain such a sanction. You are changing this wholesome provision of law which has stood the test of litigation for the last nearly 100 years or more because this was copied from the English law of 1840 and is still in continuance. We are giving it a go-by. Why should there be this unreasonable discrimination in favour of the Muslim Wakfs? Is it that we are afraid that we will do injustice as a government to the cause of the Muslims? Or is it that the Advocate-General concerned will try and do harm in a discriminatory manner to the Muslims as such and will not give the necessary sanction for instituting a suit? Even as it is, section 55 says:

“A suit to obtain any of the reliefs mentioned in section 14 of the Religious Endowments Act, 1863 and in section 92 of the Code of Civil Procedure, 1908, relating to any wakf may, notwithstanding anything to the contrary contained in those Acts, be instituted by the Board without obtaining the leave or consent referred to in those Acts.”

As against this, the proposed section says:

“A suit to obtain any of the reliefs mentioned in section 92 of the Code of Civil Procedure, 1908

[Shri U. M. Trivedi]

relating to any wakf may, notwithstanding anything to the contrary contained in that section, be instituted by the Board without obtaining the consent referred to therein."

Then it says:

"No suit to obtain any of the reliefs referred to in section 92 of the Code of Civil Procedure, 1908, relating to any wakf shall be instituted by any person or authority other than the Board...."

Therefore, the remedy that was available under section 92 of the Code of Civil Procedure to persons taking interest in the working of the Wakfs has been taken away. Why this right of an ordinary Muslim to challenge the working of the wakfs in which he is interested is taken away passes my comprehension. I have not heard any explanation from the hon. Minister why a measure of this type has been tried to be put through. I hope he tries to explain this position when he replies to the debate.

Clause 4 is an innovation of a particular type whereby government wants probably to tighten up its hold on all religious endowments. It has started with the Hindus. Now it has come over to the Mohammedans. Section 8A(2) says:

"The Council shall consist of a Chairman, who shall be the Union Minister in charge of wakfs...."

Why should from the beginning the Union Minister be in charge of the wakfs? Next probably they will say "now we have got a Minister in charge of the wakfs; so, we must have also a Minister in charge of the Hindu charitable trusts". The next step or argument would be, because the Mohammedans have now yielded, therefore, the Hindus must also yield.

Then, what does the section further say:

"...and such other members not exceeding twenty in number, as may be appointed by the Central Government."

Is this not making law in an entirely autocratic way? Why does the government want so much power in its own hands? Why should it not allow the community affected thereby to function in its own way in an independent and autonomous manner under the provisions of the Constitution?

Articles 25 and 26 are thrown overboard by this provision. The great sanctity that we attach to articles 25 and 26 is thrown to the winds. We want all the Muslim wakfs to be under the control of the Union Minister. Then, we will appoint 20 members who will look into the working of the wakfs. Sir, perhaps you do not know that these wakfs all over India value crores and crores of rupees. Now the interference will begin. What is the object in view? If I am not far wrong, the only object is, the Muslim community is already frightened out of its wits by the Congress Government by saying "if you vote for a Hindu as a Hindu, you are doomed"; that fear is there. Now another measure is clamped upon them and they are told "look here, you are in our hands; not one farthing will be paid to you, you will not derive any benefit unless you vote under our dictates".

This is rather a marvellous piece of legislation by which by the back-door methods you want to keep the Muslim community under your clutches. I, therefore, say, whatever the pious motives may be which might have guided them—I do not know; perhaps, the hon. Minister is laughing up his sleeves and does not like the idea of exposing the motive behind it—I feel constrained to say that I am not happy over the manner in which this Bill is being rushed

through, is being piloted and the provisions that are being made to deprive the ordinary Muslim by taking away the right which is vested in him.

Sir, I will not take much of your time but I will draw your attention to clause 11 of the Bill. Of all the provisions that are there, this is a welcome provision. I have handled many wakfs cases and in the Tonk State there used to be hundreds of wakfs. People in adversity, when they somehow or other happen to be *mutavalli*, in whose hands the properties were, they took opportunity even to transfer those properties and fill their pockets out of the proceeds. So, this is a good provision. But I do not like the last rider that has been added to it. The clause says:

"Notwithstanding anything contained in the wakf deed, no transfer of any immovable property of a wakf by way of—

- (i) sale, gift, mortgage or exchange; or
- (ii) lease for a period exceeding three years in the case of agricultural land, or for a period exceeding one year in the case of non-agricultural land or building,

shall be valid without the previous sanction of the Board."

The law should be that it shall not be valid. There should not be any rider attached to it. Let anybody who wants to sell that property make his own arrangement and follow the law as it is laid down. There should be no question of the previous sanction of the Board. We should not leave the doors open to corruption so that ultimately the Board may be persuaded to grant sanction. It should be invalid *ab initio* and till eternity until the law is changed. I cannot see any reason behind the rider that has been attached to it.

Then I come to clause 13. The new section 43(4A) says:

"A mutawalli who is aggrieved by an order passed under any of the clauses... may, within one month from the date of the receipt by him of the order, appeal against the order to the State Government and the decision of the State Government on such appeal shall be final...."

Why should he go farther than that and say "and shall not be questioned in any court of law? Even if it is final, the constitutional remedy provided in article 226 of the Constitution always remains. Your putting it down "and shall not be questioned in any court of law" creates a difficulty. Of course, the powers of the High Court under article 226 and of the Supreme Court under article 32 or 136 cannot be taken away by this provision. I can appreciate that. But it will create difficulties in the mind of the man in the street. Even a lawyer who is not aware of this position, by simply reading the law as it is would think that it is final, whatever is done is done and he is helpless because he cannot approach any court of law. I have come across many provisions where it is stated that it shall be final. But this rider that has been attached to it that it shall not be questioned in any court of law, that is redundant and is not useful.

In the end, I say that the Bill ought not to have been piloted in this form. I do reiterate that it requires close scrutiny for it is going to affect many people.

Only one more point and I am done. Why should the discrimination against Shias continue? Now, Ahle-hadis, Shaffis, Hanafis and Sunnis are kept there. Why discriminate between them and Shias? I cannot appreciate it. Why should we perpetuate this difference even among the Muslims themselves. I see no reason

[Shri U. M. Trivedi]

whatsoever for continuing this discrimination.

Shri Humayun Kabir: Mr. Deputy-Speaker, Sir, I am thankful to the hon. Members who have spoken and for the support that they have extended as also to Shri Trivedi for his qualified support and some critical remarks.

I shall start with Shri Trivedi's points. He asked as to why this Bill was not being sponsored by the Law Minister. The answer is very simple, namely, because it is not the Law Minister's charge. Earlier today, I sponsored the Durgah Khawaja Saheb (Amendment) Bill when the same question could have been asked. I piloted through this House a few days ago the Oil and Natural Gas Commission Bill and there again the question was not asked. I am surprised that a lawyer of the standing of Shri Trivedi.....

Shri U. M. Trivedi: Oil and Natural Gas Commission is your subject.

Shri Humayun Kabir: Wakf is also my subject, and, therefore, I am piloting it. I am surprised that a lawyer of the standing of Shri Trivedi should not look at what subjects are allotted to a particular Ministry and who is in charge and should thus raise an objection which, if I may be permitted to say, is frivolous.

Then he raised the question about the far-reaching changes and said—he used these words, namely, that it is being rushed through backdoor methods. I do not know whether he was present here when I introduced the Bill; perhaps, he was enjoying his lunch or his midday siesta.

Shri U. M. Trivedi: I do not indulge in that.

Shri Humayun Kabir: At that time I had explained that this is not being done in a hurry. These proposals have been under discussion for

almost ten years and every clause has been discussed with every single State Government, almost all the proposals were sent to the State Governments; their comments were received; discussions were held with them and, as you know, in such subjects unless a majority of the State Governments agree a Bill cannot be introduced; I am happy to say that almost every clause has been accepted by all the State Governments; only in the case of one or two clauses one or two State Government did not accept.

There have also been, as I said in my opening remarks, discussions with Members of Parliament. There have been discussions with the Central Wakf Council. There was an inter-State Wakf conference to which came not only all the State Ministers in charge of wakfs and the State Secretaries but also members of legislatures, both Central and States, many distinguished public men, representatives, scholars and learned men. They have all examined these provisions and it is on the basis of almost unanimous recommendations that this Bill has been brought forward.

Dr. M. S. Aney (Nagpur): May I ask whether the Law Commission has had any occasion to examine the nature of the Wakf Act and made any recommendation for changing that?

Shri Humayun Kabir: I cannot at the moment recall that.

Dr. M. S. Aney: It is a very important thing.

Shri Humayun Kabir: All the laws have not been surveyed by the Law Commission. In this case I confess I am not aware; I will check it up. In any case, this Bill had overwhelming support and I was very happy to find that in the House also today everyone, including Shri Trivedi, had support for it, though Shri Trivedi had some objection to certain clauses.

Now I will take up the clauses to which he made specific reference. He referred to clause 19 of the Bill. What does clause 19 propose to do? In cases where suits are instituted by the Board, one of the High Courts, the Kerala High Court, had held that the Board could not give the permission and that the permission had to be taken both from the Board as also from the Advocate General. We thought that this duplication of authority was not necessary. There is no question of any reflection on the Advocates Generals. They are all highly distinguished public servants and they are held in high esteem, but since these boards have been constituted for the specific purpose of dealing with all wakf matters, it was thought that it was far better to have one single authority for giving such sanctions. Under section 55 of the parent Act, any person could file a suit in respect of a wakf property with the consent referred to therein. It is only in order to remove the impediment that this provision is being made. The State Boards can now move on their own and will not have to consult the Advocate General in addition. That is the purpose of clause 19.

Then Shri Trivedi and a number of other friends talked about the rights of the people. That is with regard to clause 4. Shri Trivedi saw some sinister purpose in the fact that the Central Council will have as its Chairman the Minister in charge. The answer is very simple. The Minister in charge, whoever he may be, will be a representative of the people. Under the democratic form of government no one can hope to hold this position unless he has a representative character and if, at any time, Shri Trivedi and his party can obtain that representative character and can secure that sanction from the people of India, he or some member of his party may perhaps hold this position some day.

Shri U. M. Trivedi: But we do not want to nominate 20 people.

Shri Humayun Kabir: Only some one having a representative character can hold this position. The other 20 persons will be men of all types and they will be mainly non-officials. That is apparent; it is obvious from the nature of the case that they cannot be officials because if they are officials, there is no purpose of having an advisory board which will help the Central Government in gauging public opinion and public feeling and in seeking advice on issues which can have very vital and far-reaching effects.

Shri Trivedi welcomed clause 11 but said that all such sales should be completely invalid. What we have said is that immovable property can be sold, gifted, mortgaged or exchanged with the permission of the Board.

Shri U. M. Trivedi: No, no.

Shri Humayun Kabir: No such transaction will be valid without the previous sanction of the Board. That is, the Board can give sanction in certain cases. Shri Trivedi's suggestion was that no sanction should be given at all.

Shri U. M. Trivedi: I am sorry, you have not understood me. What I had said was that any sale of wakf property by anybody should be void *ab initio* and should not be validated after the sale.

Shri Humayun Kabir: Precisely. I have not misunderstood you. You want it to be void *ab initio*; but there may be certain special circumstances where it is necessary to sell a property. I will give one example.

It may be that there is a wakf property which is intended to maintain a particular school in an area and it has certain properties. For one reason or another certain capital investments have to be made in order to develop that school and unless some part of the money can be

[Shri Humayun Kabir]

received like that, it cannot be done. Very often Government makes grants on a matching basis, that is, the Government may be prepared to give 75 per cent if the trust itself can provide the 25 per cent. Now, under Shri Trivedi's dispensation the trustees or *mutawallis* will have to forego 75 per cent because they cannot dispose of a small proportion of the property in order to secure the 25 per cent which will entitle them to obtain the 75 per cent.

There are many other examples like that. Very recently an example came to my notice.

Shri U. M. Trivedi: Then put "previous sanction".

Shri Humayun Kabir: That is precisely what is meant by this clause. Then, there is no difference between Shri Trivedi and me if that is all he has in view, that is, previous sanction.

Finally.....

Shri Mohsin: What about alienations that have already been made?

Shri Humayun Kabir: I will come to your points very soon.

We are giving here certain powers but in the case of past transactions, to open them would be dangerous. Many transactions have taken place and also till a wakf property has been properly notified and gazetted as wakf property, we cannot give that right today which we are seeking to give under this clause. In the past there was no register of wakfs. It is only when the wakf has been registered, a register has been maintained and published in the official gazette and, as such, has been recognised by the State Governments, that any alienation after that may attract the mischief of the law. If we try to give retrospective effect to it, no one would know where one would stop. Then, any one could come and

claim any property to be wakf property; somebody may come and say, if Shri Mohsin has any property which is his personal property and which he might have acquired or his grandfather might have acquired 75 years ago, that it was a wakf property 75 years ago and that it was alienated by the *mutawalli*. Who is going to examine the records of that date? It is with great difficulty that we could persuade the legal luminaries.....

15.29 hrs.

[SHRI SONAVANE in the Chair]

Shri Mohsin: If a property is registered under the Wakf Act today, can we file the suit against alienation which had been made within 12 years time?

Shri Humayun Kabir: Any legislation of this type can only be prospective; it cannot be retrospective. I admit that there may have been cases of wrongful alienation. There have been many wrongs in the world but we cannot, through any particular law of today, undo the wrongs of the past. We can only take measures to see that these wrongs will not be committed in future.

Then, both Mr. Trivedi and Mr. Mohsin referred to clause 13 and were very angry that the decision of the State Government on the appeal should be final. I do not know if they read carefully the earlier parts of that clause. Here, a *mutawalli* is removed because he has been convicted of an offence of criminal breach of trust or misappropriation or because he has dealt improperly with the property of the wakf or is of unsound mind or suffering from other mental or physical defects which render him unfit to perform the duties. It is only in such cases that he is removed and there we must have some kind of finality. Otherwise, if this litigation goes on indefinitely, the only result will be that

the corpus of the property will disappear and, therefore, I think, those who have the welfare of the wakfs at heart will welcome this amendment which has been moved.

My friend Mr. Kakkar wanted a comprehensive law. Well, we welcome a comprehensive law. He wanted that it should apply to all the States. But the Constitution stands in our way. Unless the State Governments agree, we cannot have this law enforced. But we are trying to persuade all the State Governments to agree. As I said earlier, at present there are only four States which do not come under this law. I am having discussions with them and I hope that it may be possible to persuade them to accept this law.

Again, my friend Mr. Mohsin referred to the establishment of separate Boards for Sunni wakfs and Shia wakfs and he said that they are undesirable and that we should have only one Board. I entirely agree with him. But the fact is that today in two States there are these Boards and one of the reasons why these two States do not want the Central Act is this. They have given the reason that because under their Act there can be separate Boards and under our Act there could not be separate Boards, they could not accept the Central Act. I am only removing the difficulty. It is not necessary that there must be two Boards. There may be one Board but in case....

Shri Mohsin: In Mysore Board, Sunni and Shia are together.

Shri Humayun Kabir: I congratulate Mysore for that wisdom. There are other States where there are similar Boards. But if in a particular State, a community wants a separate Board, I would not stand in their way. In these matters, one should try to accommodate as much as possible the viewpoints of different minorities and when there is a minority within a minority, we should be very careful in respecting their sentiments. I

would like to win them over, not try to force them or impose something on them. By this clause we are providing that if they so wish, they can have a separate Board. It is possible that the first step will be taken and they will accept the Central Act and once they have accepted the Central Act, then we can persuade them to try to have one Board only and not two Boards. I may assure hon. Members that I have myself moved in this direction and I have suggested to the States, where there are two Boards, namely, U.P., that at least they may have joint meetings. Let them start with joint meetings and joint discussions and maybe at the time of the voting the two Boards can vote separately. Even that will be welcome. But we must go slow in these matters. I am one of those who believe that in matters which concern culture, in matters where the spiritual and other interests of the community are concerned, there should never be an attempt at steam-rolling. But we should try to educate them and win them over. I do not see why small groups should not have the right of running their own units like this so long as there are sound principles, so long as the financial administration is sound, so long as there is no defalcation, so long as the public purposes are served. There is a great advantage in allowing small charitable institutions, small charitable trusts, to carry out these welfare activities because there is a certain creativity in such activities whereas whenever we have a centralised State Board there is a risk that though it may become uniform it may also become regimented.

Then, my friend also referred to the definition of wakfs. We have already expanded it. He referred also to the Religious Endowments Act. The purpose of the present Bill is to make the Wakfs Act operative and to make the provisions of the Religious Endowments Act inoperative wherever the Wakfs Act is in operation.

[Shri Humayun Kabir]

My friend Shri Yashpal Singh suggested that the trustees, mutawallis, should always be religious people. I agree with him provided 'religious' is used in the broad sense of the term. Sometimes, unfortunately, 'religious' is identified with the observation of certain creeds and certain outward forms. It is far more important that there should be men of real religious spirit and a man is of real religious spirit where he has the welfare of humanity at heart. I entirely agree with him that honest and religious persons of this type should be in-charge of the wakfs.

I have already dealt with the question about the representation of the public. All the State Boards and the Central Council will be composed mostly of representatives of the public because it is the purpose of these Boards to advise the Government and let the Government know what the public feel in such matters.

I think, I have dealt with every point that has been raised. Once again, I would like to thank hon. Members who have extended, may I say with the exception of Mr. Trivedi, such unstinted support to the Bill.

Mr. Chairman: The question is:

"That the Bill further to amend the Wakf Act, 1954, be taken into consideration."

The motion was adopted.

Mr. Chairman: We shall now take up clause-by-clause consideration of the Bill. There are no amendments. I will put all the clauses together to the vote of the House.

The question is:

"That clauses 1 to 24 stand part of the Bill."

The motion was adopted.

Clauses 1 to 24 were added to the Bill

Mr. Chairman: The question is:

"That the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

The Enacting Formula and the Title were added to the Bill.

Shri Humayun Kabir: I move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

SLUM AREAS (IMPROVEMENT AND CLEARANCE) AMENDMENT BILL.

The Minister of Works and Housing (Shri Mehr Chand Khanna): Sir, I beg to move:

"That the Bill to amend the Slum Areas (Improvement and Clearance) Act, 1956, as reported by the Joint Committee, be taken into consideration."

Sir, about six months ago, I introduced a Bill in this House rather an amending Bill, relating to the improvement and clearance of slums. It was then pointed out that in spite of the best efforts made, we were faced with certain difficulties and with a view to removing those difficulties, an amending Bill was brought before the House. That Bill was fully discussed and the various aspects of the Bill were thrashed on the floor of this House. The principle of the Bill was accepted. Since the principle of the Bill was accepted and fully discussed, I do not want to cover the old ground again, and that will not be correct also.

It was then decided at the request of certain Members that the Bill be referred to a Joint Committee of both Houses of Parliament, namely the Lok Sabha and the Rajya Sabha. This Bill has been before the Joint Committee.

The Joint Committee held four sittings. They even invited memoranda and evidence, and some of the Members also visited the slum areas. Except for my hon. friend Shri Dinen Bhattacharya who excepting for the first meeting never attended a single meeting of the Joint Committee....

Shri S. M. Banerjee (Kanpur): What has that got to do with this? That is irresponsible and irrelevant talk.

Shri Mehr Chand Khanna....all others have presented a unanimous report.

Shri S. M. Banerjee: What is the significance of his absence? Is it a defence against his attack?

Shri Mehr Chand Khanna: The significance is this that if Shri Dinen Bhattacharya had been present at the meetings of the Joint Committee and if he had discussed the various aspects of the Bill with the other 23 Members, there would have been no need for him to append a minute of dissent. That is the only significance.

Shri S. M. Banerjee: That is wrong. The hon. Minister is actually insinuating. A particular Member may not attend certain sittings of the Joint Committee. But how can he be debarred from appending a minute of dissent?

Mr. Chairman: There is only some mention of it. There is nothing wrong in that.

Shri S. M. Banerjee: That is in bad taste.

Shri Mehr Chand Khanna: I do not know why my hon. friend Shri

S. M. Banerjee is always taking up the cudgels on behalf of a particular Member or a particular party and trying to defend him. I am only making a statement of a fact.

Shri S. M. Banerjee: My hon. friend is making a speech in the House. He is not talking in a slum.

Shri Mehr Chand Khanna: Please let me continue. I do not know why my hon. friend does not join them openly and take up the cudgels on their behalf, instead of raving about in this manner all the time?

Shri Indrajit Gupta (Calcutta South West): It is in very bad taste.

Shri Mehr Chand Khanna: I agree....

Shrimati Renu Chakravartty (Barrackpore): Everything that he touches goes off with a bad start.

Shri Mehr Chand Khanna: At least, I am grateful to the lady Member that whatever she has said, has said with a certain amount of grace.

What I was saying was this. Here was a Joint Committee for which a motion was made in the House, and then the Committee was formed. Different parties were requested to send in their nominees. The Committee held four sittings and went into oral evidence, and also visited slum areas and spent days over discussions and deliberations, and when the time came, all of them wrote a unanimous report excepting one hon. Member who had appended a minute of dissent. As far as the Report of the Joint Committee is concerned, I have nothing much to say.

15.43 hrs.

[MR. SPEAKER in the Chair]

The Joint Committee have only suggested some minor amendments to clauses 2 and 18 of the amending Bill. In clause 2, a sub-clause has been inserted defining land. Secondly, the sub-clause relating to the provision

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of latrines has been elaborated to include conversion of dry latrines into water-borne latrines. In clause 18, provision has been made for the hearing of appeals by an officer not below the rank of an additional district judge; previously, it was only district judge. It is, however, proposed to make a further amendment to clause 18 of the Bill. Under the Delhi Delegation of Powers Bill, 1963, provision has been made that the powers of the administrator under section 20 of the Slum Areas (Improvement and Clearance) Act, 1956, may be exercised by the Chief Secretary or an officer appointed by the Central Government. As the provisions of the two Bills are at variance with each other, clause 18 of the Slum Areas (Improvement and Clearance) Amendment Bill is being amended to bring it in line with the provision in the Delhi Delegation of Powers Bill, 1963, which, I think, was passed by this House only a day or two ago. To achieve this purpose, provision is proposed to be made for the exercise of the appellate powers of the administrator under sections 10, 15, 20 and 30 of the Slum Areas (Improvement and Clearance) Act, by the chief secretary or an officer appointed by the Central Government.

In clause 20(b), the Committee have changed the basis for the fixation of rent both in the case of premises in which work of improvement has been executed as well as in the case of premises which have been demolished and re-erected. In the case of the former, previously, the rent was to be fixed at 7½ per cent of the cost of work of improvement and the cost of any additional land required for the improvement work.

You would recall, Sir, that when this Bill was before this House, some hon. Members felt that the rate of 7½ per cent was very high, both in the matter of improvement as well as of clearance. So, this matter was gone into by the Joint Committee, and

they have recommended that the rent should be fixed at 6 per cent of both the amounts, that is, land and improvement. In the case of re-erected buildings, the rent was to be fixed previously at 7½ per cent of the cost of reconstruction and the cost of the land. Now, it will be fixed at 4 per cent of both these amounts. The cost of land will be determined in accordance with the provisions of section 15 of the Act. So, what we have done is that we have reduced the rental which was originally fixed on the basis of 7½ per cent, in one case from 7½ per cent to 6 per cent and in the other case from 7½ per cent to 4 per cent so that it may be within the easy reach of a slum-dweller who unfortunately has to live under certain unfortunate conditions.

Now, I come to the minute of dissent of Shri Dinen Bhattacharya. Shri Dinen Bhattacharya has made a reference to clauses 6 and 7. He has suggested that Government should themselves resort to direct acquisition of slums and their re-development according to proper plan, for quick and effective execution of the work of slum clearance. He says that under the existing Act, opportunity has first to be given to the owner of a slum area to re-develop it according to the plans and specifications approved by the competent authority, and the owner can delay the re-development. According to him, this defect has not been removed even under the amending Bill. This, however, is not correct. Clauses 6 and 7 of the amending Bill should be read together and not in isolation.

Under clause 7, power has been given to the competent authority to take over a slum area soon after it is cleared and before the work of re-development is started by the owner. The competent authority can also take over an area, even after the re-development work has been started by the owner, if it is found that he is not executing the work according

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to the plans and specifications approved by the competent authority or is delaying the work.

The second point raised by Shri Dinen Bhattacharya is about the place where the existing occupants of the buildings will be taken during the transitional period. It may be stated that the Delhi Municipal Corporation—this Act applies only to Delhi and one other Union Territory—have already set up two transit camps for the slum-dwellers of the adjacent areas, one in the Ajmeri Gate area, and another in the Tis Hazari area. About 200 tenements have been constructed there and will be allotted to the slum-dwellers whose areas are taking up for improvement and re-development. The competent authority will be responsible for arranging accommodation for the slum dwellers during the transitional period.

The third point raised by Shri Bhattacharya is about the slum dwellers who will be rendered surplus when an area is improved or re-developed. The slum dwellers are now living in extreme congestion and it is inevitable that there will be some surplus population. The intention is that the majority of them will be settled in the buildings constructed at site, while the surplus population will be settled in some other areas. This matter will be looked after by the competent authority under the Act.

In this connection, it may be stated that the work of slum clearance is of a vast magnitude and can be accomplished only if private resources are also harnessed in addition to the available government finances. It is for this reason that provision has been made in the Act to enable the owners of slum areas also to re-develop such areas. But they will have to do it according to the plans and specifications approved by the competent authority and would also be under the obligation to let out the premises to the old tenants at a concessional

rent. Some incentives are also proposed to be given to them by allowing them to construct business premises and offices in the ground floor and first floor of the buildings, if it is permissible under the Master Plan.

The second observation of Shri Bhattacharya is in relation to clause 12. This relates to the fixation of rent. In cases where the buildings in a slum area have been improved or re-erected, the Joint Committee, as I have just mentioned, has already made provision for the fixation of rent at 6 per cent of the cost construction and cost of land in the case of improved buildings, and at 4 per cent of the cost of construction and cost of land in the case of re-erected buildings.

Shri Bhattacharya has raised two objections. Firstly, that there is no guarantee that the owner will take back the old tenants. Section 32 of the Act reads as follows:

“Whoever does any act in contravention of any notice, order or direction issued or given under this Act shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.”

If the owner of the slum area does not take back the old tenants, he will be acting in contravention of the orders of the competent authority under section 20A of the amending Bill, clause 12, and will make himself liable to imprisonment and fine in terms of the said section 32. It has been stated that prosecution will not be a sufficient deterrent. But it is difficult to agree with this view. The owner of the slum area would not willingly like to go to jail.

The second objection raised by the hon. Member is that determination of rent would be a process of prolonged litigation. This has already been

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taken care of under the proposed section 20A, cl. 12. In sub-clause (2) of this clause, it has been provided that the owner will furnish plans and estimates of the work of improvement or re-erection of the building to the competent authority who will, on the basis of such plans and estimates, will fix the provisional rent that will be payable by the old tenants. The old tenants will be put in possession of the improved or re-erected buildings on the basis of this rent. Thereafter, the parties, if they so desire, can approach the competent court for determination of rent in accordance with the provisions laid down in the proposed section 20B, clause 12. Thus in the event of litigation, the tenant will be in an advantageous position, as he would be in possession of the premises.

Another point raised by Shri Bhattacharya is that provision should also be made against subletting or transfer of ownership of tenants of plots allotted to slum dwellers, with the necessary penal clauses. The greatest safeguard against these malpractices is that the slum dwellers are allotted premises or plots as near the place of business as possible and at reasonable rents which are within their paying capacity. This basic principle has been kept in view in the amending Bill. Provision has been made to the effect that the old tenants will have the right to go back to the improved or re-erected buildings. Secondly, provision has been made for fixing the rent of such premises at a very concessional rate.

As for action against sub-letting, there will be two types of premises let out to slum dwellers. One will be those owned by Government and the other those owned by private persons. If the allottee sublets a part or whole of the premises, Government will be able to take action under the Public Premises (Eviction of Unauthorised Occupants) Act and the private landlords under the Delhi Rent Control

Act. In cases where the ownership of tenements and plots is transferred to the slum dwellers by Government, an adequate provision will be made in the agreement against transfer of ownership to unauthorised persons.

In Delhi, we are now making a start as part of an experimental measure before we go to the rest of India. The allottees of houses under the slum clearance scheme have been permitted to purchase them in instalments over a period of 20 years but subject to the condition that they will not transfer the houses till they have paid the full cost of the houses and for a period of five years thereafter, without the permission of the Chief Commissioner or an officer authorised by him in this behalf. Suitable action will be taken to enforce this condition.

As I said in the beginning, if Shri Bhattacharya had been present in the Committee meetings and had discussed all these matters threadbare, there would have been no need for this note of dissent. Because for obvious reasons, from the various clauses of the Bill, the implications of the Bill and the decisions taken by the Joint Committee in the shape of recommendations that have come before the House, the whole position becomes very clear. The Bill has been discussed threadbare in this House and the other House. The principles of the Bill, as I said earlier, have been fully accepted—they were accepted as far back as 1956, when this Bill came for the first time before this House. Then our hon. colleague, Shri A. K. Sen was appointed to look into the question further. He made certain recommendations which have again been implemented. The rate of subsidy has been increased. It was previously, I believe, round about 50 per cent; it has now gone upto 62 per cent. The measures we have taken, with the co-operation of the general public, are in the interest of the slum dweller himself.

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Firstly, the idea is to improve slums. We might even give a little incentive because some of these lands were purchased a long time back and the purpose is the entire clearance of slums. So with the backing that I got from this House before and the backing that I am sure that I will get from the House, because the report of the Joint Committee is more or less unanimous, we should be able to go ahead with our slum clearance programme.

In Delhi, the situation is deteriorating practically every day. Apart from slums, we have got a large number of jhuggis and jhompri-wallas. Their number, according to the first census taken was round about 25,000 to 30,000—that was three or four years ago. Later on, according to our estimates, the number has gone up to 60,000. The problem is of a very serious nature. Once I made a statement in this House and outside that even those who have been left out inadvertently would be treated as our charge because when we propose to provide accommodation to 40 or 50 thousand, a few thousand more will not make a difference. But my main difficulty today is two-fold. One is that in spite of the penal measures that we are taking, in spite of some effective steps we are taking and in spite of the great support I have from this House, this unauthorised squatting is going on even today on a very large scale. Only about three days ago, I was passing through Shanti Path in Diplomatic Enclave towards Moti Bagh. To my utter disgust and surprise, I found new jhuggis being put up.

16 hrs.

So, this problem has to be solved, and jhuggi dwellers have to be provided with alternative accommodation, and we mean to do that. We have made a provision of Rs. 10 crores in the Budget; if need be, I can get some more money. But this problem goes on spreading, and there are certain parties that are bent upon doing that. I am not accusing any particu-

lar party, my friends may also be there. Certain vested interests have been created over a long number of years, and, unfortunately, we have to disturb them.

Yesterday, and I think it was in the newspapers this morning, a demonstration took place outside Corporation Hall, in old Delhi, and the demand that is made, when you read it, is very simple: instead of giving us 25 square yards, give us 80 square yards. The policy of the Government is to give 80 square yards to each eligible squatter, and their number, I have told you, is roughly 60,000 today. We want to remove these people, to take them to places very near to Delhi, so that they can go on doing their work, but if today the demand is made for 80 square yards instead of 25 square yards as we propose to give, this problem will be delayed for a long number of years.

Today we have sanctioned, under the Slum Clearance Scheme, about 7,800 tenements, of which more than 6,000 have already been completed, but under the jhuggi jhompri scheme which was started hardly a couple of years ago, and we are giving it a very great fillip now, 5,508 plots of 80 square yards have been sanctioned of which 4,720 have been completed; 15,430 plots of 25 square yards have been sanctioned, and 8,619 have been completed. Thus, against a sanction of 20,000, we have completed more than 13,000 plots, and anything between 8,000 and 9,000 families have also been moved to these sites. But plots of 80 square yards would mean three plots of 25 square yards; if plots of 80 square yards each are to be carved out, this scheme will have to be delayed for a long number of years. And on top of it, unauthorised squatting will go on.

I have seen most of these jhuggis; quite a large number of them form a part of my own constituency. I do not think any jhuggi-jhompdiwalla has a piece of land more than 25 square yards, he has not got even that. Any jhuggi-jhompdi that you see in

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Delhi is hardly 10 x 15 feet, i.e., anything between 10 and 15 square yards. So, what we are trying to do now is to develop these plots according to a phased programme. We are providing them with basic amenities of life, minimum I should say, in the beginning; we are providing them with roads, schools, dispensaries and all that. So, that, when they go there, they set up their own *jhuggis* in a developed area, and as time passed, we will give them 80 square yards.

So, I want to make a categorical statement in this House on behalf of Government that it is our intention to accommodate every eligible squatter whose name was enumerated in the census of 1960 June-July. Even if a name has been left out by mistake, we are prepared to consider him, not only consider him but accept him. I have gone to the length of telling these *jhuggi-jhompdiwallas* that if they can show their names in the voters' list of 1957, I will accept that the names have been left out. If a boy of a *jhompdiwalla* is going to school nearby and he can produce a certificate from the school that he has been studying in that school, we are prepared to accept that as evidence. If he has received a letter or a money order, or even if he has been fined in a court of law, if there is any kind of evidence which he can give which will convince us that he is an eligible squatter, we are prepared to consider his case. Our idea today is to take all those eligible squatters, even those who have been left out by mistake, to developed sites on the periphery of Delhi. We have developed a large number of sites in Narela, Ramesh Nagar, in the South of Delhi, in the North of Delhi and all these areas. Our idea is to take them there, give them developed plots of 25 square yards now, and as we go on developing, we will give them plots of 80 square yards each.

As I mentioned two minutes ago, out of the total of about 20,000 plots sanctioned, 5,500 plots of 80 square

yards have been sanctioned and 4,700 out of them have been allotted already. So, we go on allotting. But some kind of propaganda or agitation is being launched, demonstrations are being staged, and the idea is to scattle it, to give a political colour to the scheme which is in the best interests of those unfortunate people, to suit certain political ends. I am not blaming any party, or nobody at all. In this case I do hope that I will have the support of even my hon. friend Shri Banerjee, and that he will agree that if we have the best interests of these unfortunate people at heart we should do something quickly and expeditiously, so that we move them from those filthy, unhealthy, unsocial surroundings and give them a sort of decent living.

Shri S. M. Banerjee: Let us go this evening and clear them. This evening Parliament is going to adjourn, let us go and see that they are cleared.

Shri Mehr Chand Khanna: The only trouble will be that you will go away to Kanpur, I know.

Shri S. M. Banerjee: There are slums in Kanpur also.

Shri Mehr Chand Khanna: This Bill only relates to Delhi. I have got great regard for him, he is a fine friend. Outside we always agree, but here we always differ, I do not know why, but that is neither here nor there.

So, I appeal to every section of the House, those who have got the best interests of these unfortunate people at heart, to see that I am given every kind of support and help, not only in the passing of this amending Bill, but also in the practical implementation of scheme. A slum is a bad spot, whether in Kanpur or Delhi or Bombay or Madras, and if I can do anything to ameliorate the sufferings of these unfortunate people, nobody would be happier than myself.

With these words, I move.

Amendment Bill

Mr. Speaker: Motion moved:

"That the Bill to amend the Slum Areas (Improvement and Clearance) Act, 1956, as reported by the Joint Committee, be taken into consideration."

Shri Indrajit Gupta: Although this Bill relates specifically to Delhi, the fact remains that it has a country-wide significance because certain principles are being laid down in this Bill which are likely, since this is a Central legislation, to serve as a sort of model or guiding line for other pieces of legislation dealing with this problem in other parts of the country. Also, I do not think—I am sure the Minister will agree with me—that the problems of slum clearance or the conditions of slums wherever they may exist in the country are basically very different; they are more or less the same, whether it be in Delhi or anywhere else. Therefore, while we certainly welcome this Bill in so far as it goes—it does represent some advance on the past position—I am constrained to say that it does not go far enough, and that it is necessary to point out certain deficiencies and loopholes which exist even in this Bill as it has come before us from the Joint Committee.

I would remind the Minister that outside Delhi, in other cities of this country, slums not only exist, but are growing. He has expressed quite a lot of sorrow at this fact. We all feel dismayed to see it. The Prime Minister, whenever he is confronted face to face with slums in any part of this country, also gives vent to his dismay, and sometimes expresses himself very indignantly as we know. On one occasion, when he visited some slum areas, I think it was in Kanpur, he made a statement that these should be burnt down because they are not fit for human habitation. The point is that the Minister must realise that with the growth of industries and with the economic development going on, unless some very radical measures are taken however much he and I may deplore it, the problem of slums will grow;

it will not necessarily decrease simply because we are passing an Act of Parliament here.

In this connection, I would just like to bring his attention, an illustration. Just now, I came across the report of a socio-economic survey of slum dwellers in Hyderabad city conducted by the Bureau of Economics and Statistics of Andhra Pradesh Government. They say that the results of the survey revealed the multiplication of slums in Hyderabad city at a rapid pace in the recent past. There is multiplication going on. They say that during the last fifteen years the number of inhabitants in the slums of old Hyderabad city has increased by 25 per cent; as many as 65 new slums with a population of 66,000 proliferated in the city during the same period. Industrial growth and depression contribute much towards erection and movement of slums. The report also notes that the high cost of construction and the intermittent or under-employment and the growth of industrial areas without suitable plans for labour accommodation often forces people to accept shelter in sub-standard houses. I think this report of the Government of Andhra Pradesh has really summed up the core of the problem in all the cities, whether they be old major centres in our country like Calcutta or Madras or Bombay or Kanpur or whether they be the many new industrial towns and centres which are developing and are bound to develop. This problem of slums will acquire quite an important significance and so when this particular legislation is discussed here and is piloted by the Minister, I think his range of vision should be a little wider than being limited to the question of *jugghis* and *jhompdies* of Delhi or to some minute of dissent by the unfortunate Mr. Bhattacharya who is not here and who has been the main target of the Minister's criticism. These are all minor matters. The problem is vast.

The Minister makes frequent trips to Calcutta and I am sure that sometime or the other he must have avail-

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ed himself of the opportunity to visit some of the slum areas. I do not mean areas particularly where refugees are concentrated but the general slum areas in Calcutta and Howrah. Sixty per cent of the population of that city lives in *bastis* and if the whole of Calcutta and Howrah is taken into consideration, the percentage would be even higher. You will remember that at the time of the unfortunate communal disturbances last January, a particular aspect of these riots was brought to the attention of the whole country by the Press and that was that one of the major forces operating behind the pattern of communal disturbances which occurred in Calcutta was the destruction and the burning down of a great number of *bastis*, and the forcible eviction of these *basti* dwellers naturally they could not exist there any more—from these lands. Every body in the country knows and the Government has admitted it too, that powerful *basti* owners and vested interests did play a very major part in these Calcutta communal disturbances. Because the whole object was that if the ramshackle *bastis* must be burned down under the guise of communal disturbances and these people could be evicted, than, it would be possible after that to earn considerably higher profits from the land, either by leasing out the land or erecting new buildings or putting up the price of land, because of land speculation, land values are very high in Calcutta as in every other major city today practically. And it is only an accident of that particular circumstances that the minority community areas, where the minority communities were concentrated more, were affected in Calcutta. I am sure that some of the *basti*-owners deplored the fact that it was not possible to exploit the communal disturbances to wipe out other *basti* areas too where the majority community resides. So, they had to satisfy themselves with those areas where the minority community was concentrated.

I may also mention in passing that this may be one of the reasons which impelled Shri Frank Anthony to make certain remarks which were not quite accurate but which led to such a furore recently a few weeks ago here. I know that area; the area to which he made reference is in my constituency, where his community is mainly concentrated in Calcutta. I know. It is true that a few houses of Anglo-Indians were also destroyed and burnt. But that was not because they were Anglo-Indians. Shri Anthony's remarks were rather unfortunate because he tended to give the impression that his community was also a target of these communal attacks; that was not at all. But what happens in many of these areas, is,—which are predominantly inhabited by Muslims, poorer Muslims in the *bastis*,—there is a certain intermingling of the poorer sections of the Anglo-Indian community: They are also very poor. But they live mixed up with the Muslims in certain areas. When these whole *bastis* were being burnt down or were sought to be burnt down, inevitably some of the unfortunate Anglo-Indian families were also affected. Shri Anthony unfortunately did not make that distinction and he gave a wrong impression to the House and the country. However, it was bad enough, as it was.

The reason why I am pointing out this is this. Of course, this Bill relates only to Delhi. But it says that the first opportunity for improvement or development of the area should be given to the owner of that land there or the owner of that building. I have not much first-hand experience of the *basti*-owners or land-owners of Delhi. But from our experience in Calcutta, I would say that it is really an illusion to expect that most of the *basti*-owners are interested really in slum clearance and slum improvement for the sake of these poor *basti*-dwellers. People can go to any length, as they did in Calcutta, to get organised gangs of hooligans, under cover of communalism, to attack and burn down the

bastis, and get them cleared. Everybody knows that the West Bengal Government had to come out with a special ordinance saying that in order to foil the game of these basti-owners and to see that all these people who had been affected and whose houses had been burnt down in the riot-affected areas should be given a certain measure of protection and those lands would not be allowed to pass into the hands of unscrupulous profiteers. But this kind of thing goes on.

Then there is another thing. These problems arise everywhere. That is perhaps an unusual circumstance; one would not call it a normal feature of life. But, for example, there are various schemes—slum clearance and improvement schemes—of various types in different parts of the country. But this Bill,—the principles which it embodies, if this is the pattern, model which has to be followed in other parts of the country too—does not give us any adequate safeguard in my view against some of the other evils and some of the other very disquieting features of this problem. For example, in Calcutta city, there is the Calcutta Improvement Trust which has got all sorts of schemes for improvement and clearing of slum areas. Unfortunately—I do not mean this in any narrow sense, but it is a fact—the experience that Calcutta's people have had so far with the Calcutta Improvement Trust Schemes—most of these schemes—is that once that land has been cleared and some new housing project is taken up by the CIT, it is found that most of that passes into the hands of certain section of non-Bengalis. I am not saying this from any provincial or narrow point of view but it is a fact, because there are certain moneyed interests—which Shri Khanna knows—in Calcutta who happen to be—it might not have been but they happen to be—non-Bengalis. They are in a position to financially to speculate on land and grab certain residential areas, lands and building houses. Therefore, the unfortunate result is that in Calcutta, the Calcutta Improvement Trust has

come to be regarded not as a sort of instrument of doing anything for the welfare of the people, but with a feeling of apprehension and panic in the minds of the people. The CIT has come to be regarded as if it were an instrument of eviction and repression and not as an instrument of welfare. But there is no precaution, no safeguard, against it.

Any law of slum clearance and betterment which depends primarily on the assumed goodwill and the assumed charitable disposition of those basti owners themselves is, I am afraid, doomed to failure, just as in other fields of economic and social life this Government is continuing to base itself only on appeals and depending on the goodwill and cooperation of the vested interests, with the result that none of these schemes are coming to fruition. For example, in the case of foodgrains control, Government continues to go on appealing to the All-India Foodgrain Dealers Association and so on, depending on their charity and mercy to stop doing blackmarketing, cornering or speculation of foodgrains. It does not work; it cannot work. It is no use living in a fool's paradise.

Therefore, one of the biggest weaknesses of this Act is this. May be in its application to Delhi, with the Minister sitting here on the spot, he may be able to get certain things done which are not possible at further distances; I do not know, I wish him well. Certainly to the extent he can do something here in Delhi, why should he be afraid that we will not give him our cooperation? Of course, we will. But the point is, the basic problem of basti-owners is that you cannot clear bastis piecemeal. In Calcutta, in every major street, fine-looking broad thoroughfares, lined on both sides by very good, three or four or six-storeyed houses, if you go behind the buildings by any lane or by-lane, you will find that behind everyone of these rows of buildings, there is a huge basti. They cannot be cleared piecemeal. You cannot take up one little basti, clear it and build

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something there. In cities like Calcutta, schemes on a big scale have got to be executed. A whole area will have to be taken up for redevelopment. A proper plan like that has to be drawn up and executed. In such a case, I submit it is futile to expect that the basti-owner or the owner of that land on which the basti is situated can do it. Even if he wanted it, he could not do it and most of them do not want to do it either. So, the weakness of this legislation is that this competent authority for clearance and development, whoever it may be, in different parts of the country is not vested with the primary and supreme power to acquire an entire area directly and to develop it as part and parcel of a real big master plan.

There is too much hesitation and vacillation in the clauses of this Bill, as if we are under some sort of moral obligation more to the owners of the *bastis* than to the poor unfortunate dwellers there that every time we must give the *basti*-owners the first chance to do something. Even that I would not object to, but after that there is ample scope left for endless disputes and litigation to go on. The owner will claim his rights and he will dispute certain actions of the competent authority. An endless delaying process can be set in motion like that.

I cannot help referring to one or two points which are contained in Mr. Bhattacharyya's minute of dissent. I do not find there is anything wrong with them. He is making some positive constructive suggestions. I know once or twice in certain areas of Calcutta, an attempt was made to start the work of slum clearance and terrific opposition from the dwellers of that locality had to be faced, so that the authorities had to retreat. Why is it? Is a slum dweller basically or intransigently averse to being put in a better house or to live in a place where better facilities of sanitation, water supply, roads, housing and so on are available? Why does he resist? What is the fear in his mind? What is

the apprehension which makes him spontaneously, in these big cities, oppose any such scheme of this type? These are real problems. We must grapple with them.

There is this problem of alternative accommodation. Where is he to go? His *basti* will be cleared. He is told sometimes that later on when that area has been developed he may be given an opportunity to re-settle in that area or that he will be provided with a house. But two questions arise. First of all, where will he go in the meantime, in the interim period? Where will he go with his family? There is no clear-cut provision for this.

Shri Mehr Chand Khanna: I have made that clear.

Shri Indrajit Gupta: I do not know about Delhi, but I know most of this type of resistance takes place in our area because of this. There is no provision. Where are they to go? Unless these schemes are taken up on a big scale, nothing can be done. Even then, accommodation will not be provided and cannot be provided in Calcutta. Where will they provide it? If they take up a piecemeal scheme of clearance, where will they put these, let us say, 1000 families? Because no satisfactory answer comes to this question, people prefer to go on hanging on to their wretched huts in the *basties* where the conditions are atrocious, inhuman. They prefer to do that,—a bird in hand is worth two in the bush—rather than be thrown out not knowing where to go. So some principles must be laid down on a priority basis regarding this.

Then, there is the question of a certain proportion of the population which is likely to be displaced by the slum clearance scheme. They become surplus in the sense that they cannot be re-housed and re-settled in the same area again. These are very congested localities generally, as they are at present, and a certain proportion of that population will become surplus to that area itself. Where are they to

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go? What are the interim arrangements that will be made? There is mention about transit camps. Transit camps may work in Delhi, but I do not know whether they can work in Bombay, Calcutta or other big congested cities like that where built-up areas exist for miles together. There is no clear-cut provision about this at all.

There is also the question of fixation of rents in the new re-developed areas. Some provisions exist here. Some provisions have been laid down. But as my friend the Minister knows, in these big cities rent is generally a nominal matter. Of course, it does not fall strictly within the purview of this law, but unless simultaneously with this re-development and re-settlement the question of somehow or other checking, combating and suppressing these practices of salami and pugree is also taken up, this rent does not have any meaning at all. I am told even here, in these jhuggies and jhoparies, many of these people who are displaced as a result of these schemes would prefer to go and live somewhere else. "Somewhere else" means somewhere which is more convenient to them for the purpose of their daily occupation and earning their livelihood. Sometimes it does not mean mere re-settlement in a particular area will help that family very much. If he is removed to a great distance from the normal place of his occupation through which he was earning his livelihood and to which he has become accustomed, it will not help him. Shri Khanna knows the huge blocks of tenements which have been put up in South Calcutta—in Tollygunge area—not for slum dwellers as such but for refugees. They remained un-tenanted for years together. One of the main reasons was that it would entail these people being shifted quite a number of miles away from the place where they used to go every day to earn their livelihood. It would entail a great increase in their expenditure by way of transport and so on. Rather than go to these new tenements, they prefer to live in

their old huts which are convenient to them.

These are some of the things which I would like to point out. I do not think this type of legislation is adequate to meet the needs of the case. Because, if one leaves it to the owner of land to agree that he will allow these displaced persons to come back and occupy the new buildings which are to be put up, there is no guarantee that he will do anything of the kind. There are hundreds of ways by which he can get out. It is found that in many of these places actually these new tenements or buildings are inhabited by people who are non-allottees; the original people to whom they were allotted, or in whose names they continue to be allotted, do not occupy them at all. They are occupied illegally or improperly by other people who have probably agreed to pay a little higher rent, under the counter as it were, or who are able to pay the rent whereas the original slum dweller cannot afford to pay the rent which has been fixed. So, all these problems do exist.

I do not wish to take up any more time of the House, but I would just suggest to the hon. Minister that if he intends this Bill to be a sort of model or a line of guidance for the rest of the country then, of course, he should admit that it is very very inadequate, specially to meet the needs of the big metropolitan cities, and the sooner we really take this subject much more seriously the better it is. Because, though we have talked a lot about it, we have to admit it with shame that for sixteen years after the achievement of independence precious little has been done and slums still remain in our country. And however strongly we may feel about it, unless we do something in practice, they will remain not only a disgrace to us but they are exploited by all sorts of people even for doing publicity against India abroad. There are certain people who are interested in it. Most lurid accounts appear in papers and journals abroad, accompanied by photographs, of the slums

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and the conditions of the slum dwellers, thousands of people fighting or quarrelling near one water tap and that kind of thing, and this is being propagated throughout the world, or parts of the western world at any rate as the typical picture of India after three Five Year Plans. So, our conscience should be stirred a little more strongly and we should act promptly if we really mean business. After all this Parliament is sovereign and it can legislate for the whole country. So, we must determine that we shall wipe out this scourge from the face of our country. If we look at the problem from this point of view, we will find that this Bill is inadequate. We will support it, so far as it goes, but, at the same time, we will ask Government not to rest content but to act more vigorously and take the necessary action promptly so that slums are wiped out.

श्री यशपाल सिंह (कैंगना) : अध्यक्ष महोदय, यह बिल जो आया है यह बहुत सुन्दर है लेकिन मैं इसमें यह सुझाव देना चाहता हूँ कि सरकार लिटीगेशन को न बढ़ाये। इतनी ज्यादा मुकदमेबाजियाँ बढ़ रही हैं कि उनकी वजह से देश की तरक्की रुकती है। इसी में सुफहा १ पर यह लिखा हुआ है :

"Provided that where the owner of the building is different from the owner of the land on which the building stands and the works of improvement required to be executed relate to provision of water taps...."

और आगे कहा गया है :

"...the notice shall be served on the owner of the land."

ओनर आफ दी लैंड और ओनर आफ दी बिल्डिंग का जब तक झगड़ा रहेगा तब तक सरकार को तरक्की भी रुकी रहेगी और लोग भी नहीं बस सकेंगे। मेरा निवेदन यह है कि जो मकान जहाँ बने हुए हैं, उनमें अगर कोई बेकायदगी हुई है तो सरकार

उसकी जिम्मेवार हो, पबलिक के लोग जिम्मेवार न हो। हमारा बहुत बड़ा कंस्ट्रिक्शन मानव शास्त्र धर्म का और याज्ञावल्क्य स्मृति का है। उसमें लिखा है कि अगर किसी प्रजा के घर में डाका पड़ता है तो उस डाके की एक एक पाई सरकार के खजाने स दी जाए। पबलिक के लिए लिखा हुआ है कि जहाँ गवर्नमेंट की बिल्डिंग के ऊपर थोड़ी बहुत बेकायदगी हुई है वहाँ सरकार का फर्ज यह है कि जो बंसा हुआ है उससे राइट्स लिए जाये और जो थोड़ा बहुत नुकसान हुआ है उसकी सरकार जिम्मेवार हो।

मैं इस मामले में अपने मिनिस्टर साहब को बहुत खशकिस्मत सगंधता हूँ कि उन्होंने जो काम किया वह अच्छा किया। लेकिन इसके साथ साथ मैं कहना चाहता हूँ कि जो ५.५३ करोड़ रुपये दिल्ली में ४३ गन्दी बस्तियों को साफ करने में खर्च किया गया। इस बिल में यह नहीं दिखाया गया कि विलेज कम्युनिटी के लिए कितना खर्च किया गया। देहात में देश के ८५ प्रतिशत लोग बसे हैं, लेकिन देहात के स्लम क्लियरेंस के लिए देहात की तरक्की के लिए आज तक कोई ऐसा कम्प्री-हेंसिव बिल नहीं आया कि देहात के लोग भी उससे कुछ फायदा उठा सकें।

इस दिल्ली के अंदर जो सफारिजें ए० के० सन कमेटी ने की थीं उनको इम्प्लीमेंट नहीं किया गया है। उस कमेटी ने कहा था कि स्लम क्लियरेंस के लिए बड़े भारी पैमाने पर उन इलाकों में जमीन एक्वायर की जाए, लेकिन अभी तक उस काम का साँचा हिस्सा भी नहीं हो सका है। जरूरत इस बात की है कि यह काम बजाय सरकार के लोगों को सौंपा जाए, और जिस तरह से यह नारा लगाया जाता है कि जमीन जोतने वाले की है उसी तरह से यह नारा भी लगाया जाए कि जो मकान में रह रहा है मकान पर उसका

दृढ़ होना चाहिए। यह करना पड़ेगा सरकार को। अगर सरकार आज इसको नहीं करती तो उसको यह काम पांच साल बाद करना पड़ेगा।

इसके अन्दर सब से ज्यादा महत्वपूर्ण बात यह है कि अशोक सेन कमेटी ने सिफारिश की है कि इस काम के लिये दो हजार करोड़ रुपया दिया जाय, लेकिन अब तक केवल ६०० करोड़ दिया गया है। सरकार को दो हजार करोड़ रुपये की व्यवस्था इस काम के लिये करनी चाहिये नहीं तो यह मसला कभी तय नहीं होगा।

सरकार बहाना करती है कि आबादी बढ़ती जा रही है। लेकिन इस आबादी बढ़ने का दायित्व भी सरकार पर है, किसी और पर नहीं है। और अगर आबादी बढ़ती है तो उसका कुछ इनाज किया जाना चाहिये। अगर हमारी कोई राय मान ले तो उससे स्थिति में सुधार हो सकता है, और उससे सरकार और देश दोनों को लाभ हो सकता है। मैंने कई बार कहा है कि इस आबादी का इनाज धर्म युद्ध है। आज हमारे करोड़ों लोग हिमालय को तरफ बढ़ें जहां चीन ने हमारे देश को ३८,००० मुरब्बा जमीन पर कब्जा कर रखा है और उसको उससे छोनें। अगर हम फतेहवाब हो गए तो चीन को बनो बनायो कार्रियों में रहेंगे, और अगर मर गए तो सरकार का आबादी का ममला हन हां जायेगा। हमारे यहां भीता में कहा गया है :

संभावितस्य चाकोर्तिमेमरणदतिगिच्यते

जिन्दगी की और अपमान की जिन्दगी के तो मोत अच्छे है।

क्या सरकार के लिये यह चीज शोभादायक है कि दिल्ली में एक एक टैप के ऊपर सौ-सौ और पचास पचास आदमी खड़े हों। इतना हो नहीं चांदनी चौक में तो यूरिनलस पर

यह हालत है कि सौ सौ आदमी खड़े हैं और एक दूसरे की खुशामद करता है कि मुझे पहले चला जाने दो मेरी गाड़ी जाने वाली है। क्या यह स्थिति सरकार के लिए शोभादायक है।

मैं इस बात को मानता हूँ कि जो काम श्री मेहरचन्द्र खन्ना ने किया है उतना बड़ा काम हिन्दुस्तान का कोई दूसरा आदमी नहीं कर सकता था, और मुझे आगे भी उनसे भरोसा है। उनकी देश भक्ति उनसे यह काम करवाती है। जो देश भक्त होते हैं उनको भगवान काम करने की शक्ति दे देता है। नेता जी सुभाषचन्द्र बोस कोई मिलिट्री के आदमी नहीं थे, आई०सी०एस० के आदमी थे, लेकिन उनकी देश भक्ति के कारण भगवान ने उनकी शक्ति दे दी और दुनिया में सबसे बड़ी फौज के कमांडर इन चीफ बने और उन्होंने सब से सख्त फौज पैदा कर दी। मैं जानता हूँ कि खन्ना जी ने बीमारी की हालत में एक करोड़ लोगों से ज्यादा को बसाया और उन घरों के बच्चों से हम आज भी ये गीत सुनते हैं :

पराई आग में जलना मरीजों की
दवा होना,

कोई सीखे मिहरचन्द्र से लाइलाजों
की शफा होना।

और अगर इस काम को एप्रोसिएशन नहीं मिलेगा तो काम आगे नहीं बढ़ सकता। सरकार को चाहिये कि तहय्या कर ले कि आज हमको गरीब आदमियों को बसाना है। अगर सरकार ऐसा तहय्या कर ले तो हम सब काम छोड़ कर, घर का खाना छोड़ कर इस काम में सहयोग करने को तैयार हैं। मैं अपनी तरफ से दावत देता हूँ कि मैं अपने फ्लैट में एक परिवार को बिना किराये बसाने को तैयार हूँ। आज वजिरो के पास इतनी बड़ी कठियां हैं कि जिनमें घुड़दोड़ ही सकती है और उनमें चालीस चालीस हजार आदमियों को बसाया जा सकता है। अगर ऐसा किया जाय तो यह मसला हल हो सकता है। मैं कहता हूँ कि आज जो लोग पूर्वी पाकिस्तान

[श्री यशपाल सिंह]

से उजड़ कर आ रहे हैं उसमें उनका कोई पाप नहीं है। गुनाह तो हम ने किया था कि धर्म के बेसिस पर विभाजन को स्वीकार कर लिया। पाप तो किया था हम ने और उसका फल भुगतना पड़ रहा है उनको। वे तो हमारे लिये पूजनीय हैं। जैसे ईसा मसीह ने लोगों के पास का गफकारा किया था उसी प्रकार ये लोग हमारे पास का गफकारा कर रहे हैं। ये तो हमारे मसीहा हैं। यह दुनिया का कोई कायदा नहीं है, यह कोई इन्साफ नहीं है कि पाप तो करे जैद और फांसी लगायी जाय बकरे को। हमने तकसी-न को मंजूर किया था। उसका फल हम सब को भोगना चाहिये। तो मेरा कहना यह है कि जिस तरह से मैं अपने फ्लैट में एक परिवार को बसने के लिये तैयार हूँ उसी प्रकार मिनिस रों की कोठियों में दस दस बीस बीस और सौ सौ परिवार बसाए जायें। अगर देखा जाय तो दिल्ली के अन्दर आज भी यह हालत है कि एक, एक आदमी के पास इतनी इतनी बड़ी कोठियाँ हैं कि वह उन को सफाई नहीं करा सकते, उन में झाड़ू बूहारू नहीं दे सकते, जाला भी नहीं हटा सकते, उन बड़ी बड़ी कोठियों को व्हाइटवाश भी नहीं करा सकते तब भी उनमें बटे बटे हुए हैं। अगर वह वक्त नहीं लायेंगे तो जनता ले आयेंगी। जाहिर है कि जो पहल करेगा, जो इनीशिएटिव लेगा वह जातेगा। जनता अगर पहल करेगी तो वह जीतेगी लेकिन अगर सरकार ने पहल की तो वह जीतेगी लेकिन एक बात साफ है कि यह कराड़ों लॉग घर से बेबर नहीं रह सकते।

अप्रत्यक्ष महोदय, मैं आज तक झुग्गी झोंपड़ी वालों के किसी प्रदर्शन में शामिल नहीं हुआ हूँ। मुझे उन के साथ हमदर्दी है। मैं उन के लिये तन, मन दे सकता हूँ। मैं उन के लिये तन मन, धन से हर एक सेवा कर सकता हूँ लेकिन मैं उन्हें जाकर इसलिये नहीं भड़काता, आज तक उनके किसी जलूस में इसलिये नहीं जाता, उन के प्रदर्शन में इसलिये शामिल

नहीं होता कि मुझे माननीय श्री मेहरचन्द खन्ना की काबिलियत पर विश्वास है और जब जनता को विश्वास है तो यह काम करना पड़ेगा और इस काम को सरकार पहल करे और इस आधार को मान कर पहल करे कि लेंड मस्ट गो टु दी टिलर। जमीन जो जोतता है वह उस का मालिक बनाया जाय। मकान में जो रहता है वह उसका मालिक बनाया जाय तभी यह मसला हल हो सकता है।

इस में प्रगति की जाय। देश की तरक्की क्यों रुकती है उस के लिये मैं एक मिनट की बात कहना चाहता हूँ कि तरक्की इस लिये रुकती है कि जो देश को चलाना चाहते हैं उन के ऊपर रैस्ट्रिक्शन्स हैं। इजरायल में इसलिये सजा दी जाती है कि दुकानदार ने दुकान क्यों नहीं खोली लेकिन हमारे यहां दिल्ली में हम देखते हैं कि इसका बिल्कुल उलटा चल रहा है। यहां भले ही दुकान ६ महीने बंद रहे कोई पूछने वाला नहीं है अलबत्ता अगर दुकानदार ने साढ़े सात बजे अपनी दुकान को बंद नहीं किया तो इसके लिये सजा दी जाती है कि उसने अपनी दुकान को वक्त पर बंद क्यों नहीं किया। बस इतना ही फर्क है कर्महीनता और कर्मवीरता में। वह इसलिये सजा देते हैं कि दुकान खोली क्यों नहीं और यहां इसलिये सजा देते हैं कि दुकान बंद क्यों नहीं की।

आज भी एक मुहकमा है सरकार का जो कि खास तौर से स्पीड के ऊपर रैस्ट्रिक्शन्स लगाता है ताकि गाड़ियां तेज न चल सकें। वे ४० मील की स्पीड से ज्यादा न चल सकें, ५० मील की रफ्तार से ज्यादा न चल सकें इसको वह देखता है लेकिन इस सरकार ने कोई ऐसा मुहकमा तैयार नहीं किया जो कि यह देखे कि गाड़ी दस मील की स्पीड से कम क्यों जा रही है और गाड़ी बीस मील की स्पीड से कम क्यों जा रही है। अगर हाई स्पीड के ऊपर कंट्रोल हो तो लो स्पीड के

ऊपर भी कंट्रोल होना चाहिये ताकि वह जरूरत से ज्यादा धीमी न चले। अगर लो स्पीड पर कंट्रोल नहीं होगा तो राष्ट्र का हिलजबूद हो जायेगा। इन शब्दों के साथ मैं इस बिल का स्वागत करता हूँ और सरकार से कहता हूँ कि वह बिजली की गति से इन लाखों आदमियों के बसाने के काम को अपने हाथ में ले और जो भी सहयोग उसमें हम दे सकते हैं उसे देने के लिये हर वक्त सब काम छोड़ कर वह सहयोग हम उसे देने के लिये तैयार हैं। भगवान से प्रार्थना है कि हमें इसमें सफलता मिले।

श्री बाल्मीकी (खुर्जा) : अध्यक्ष महोदय, मैं गन्दी बस्ती क्षेत्र (सुधार तथा सफाई) संशोधन बिल का स्वागत करता हूँ। इसलिये स्वागत करता हूँ कि इस बिल का सम्बन्ध इन गन्दी बस्तियों में रहने वाले हजारों लाखों आदमियों से है, इस विधेयक की खूबियां भी हैं और दोष भी। हमें आशा है कि हमारे माननीय मंत्री जी उन लाखों आदमियों को जिनके बसाने का अब तक भी इतने दिन के बाद भी कोई उचित प्रबन्ध नहीं हुआ है, बसाने की सुविधा देंगे और इस प्रकार इस समस्या को हल कर सकेंगे। यह बात भी साफ है कि गन्दी बस्तियों में जो हमारे भाई रहते हैं उन में से कुछ की समस्याएँ हल हो गयी हैं लेकिन बहुतां की बाकी हैं और उन लोगों को मंत्री महोदय से बड़ी आशा है और उनका विश्वास है कि मंत्री जी के रहते हुए उन की समस्याएँ हल हो जायेंगी और उन को विशेष ङंग से बसाया जायेगा।

सारे देश के अन्दर जो भी गन्दी बस्तियां हैं, दिल्ली की या और बड़े नगरों की, उनमें से बहुतां को देखने का अवसर मुझे प्राप्त हुआ है। अभी १०-१२ दिन पहले कलकत्ते में और बंगाल के कुछ भागों में मैं गया था और वहां भी मैंने देखा कि यह गन्दी बस्तियां बजाय घटने के बढ़ती ही जा रही हैं।

लाखों आदमी अभाग्यवश पूर्वी पाकिस्तान से यहां आ गये और अभी आ रहे हैं। यह देश का दुर्भाग्य ही कहा जायगा कि हमारे यहां एक ऐसी विकट स्थिति उत्पन्न हो गई है कि उस भाग से लाखों लोग इधर आने को विवश हो रहे हैं। उन के बसाने के लिये प्रबन्ध किया जा रहा है वह एक अलग समस्या है, लेकिन आप देखें कि अनधिकृत झुग्गी झोंपड़ी व मकानों का जो बनाने का सिलसिला है वह अभी बन्द नहीं हुआ है इसीलिये बन्द नहीं हुआ है कि जो सुपरवाइजरी मशीनरी इस काम को रोकने के लिये है वह कोई बहुत स्वच्छ नहीं है। वह दूध में घुली हुई नहीं है वह भ्रष्टाचार की तह के अन्दर है। मैं यह कहने के लिये तैयार हूँ कि यहां दिल्ली में भी और दिल्ली से बाहर भी इस तरह की बस्तियों में जो लोग आते हैं, या नई नई झोंपड़ी बनती हैं उसमें कोई इस तरीके का काम हमारी ओर से या किसी भी ओर से नहीं चलता है। हो सकता है कि किसी संस्था का हाथ हो वह एक अलग बात है। इधर ध्यान देने की आवश्यकता है कि ग्रामीण क्षेत्रों से, जहां काम धंधे, रोजगार और जीवन-यापन का दूसरा कोई साधन नहीं है। मजबूरी में लोग इधर आते हैं। आज इतने दिन की स्वतन्त्रता के पश्चात् तीन योजनाओं के पश्चात् भी ऐसे साधारण लोगों को जो भूमि हीन हैं, धनहीन हैं, भ्रमवहीन हैं, सम्पत्तिहीन हैं और सुखहीन हैं बसाने का प्रयत्न नहीं किया गया है। मैं यहां इस सदन में कहने के लिए तैयार हूँ कि मेरे पास मुई की नोक के बराबर भी अपनी धरती नहीं है। अगर मैं पार्लियामेंट का केम्बर नहीं होता तो पकीनी तौर से बिला किसी लिहाज के क्यों यहां दिल्ली में मेरे कोई रहने का प्रबन्ध ही नहीं होता मैं भी उन अनधिकृत लोगों के साथ ही अपनी झोंपड़ी डालता, विशेष कर जो हमारी आज की सरकार है वह समाजवाद को मानती है और समाजवादी व्यवस्था में विश्वास करती है इस नाते मनुष्य के जीवन

[श्री बाल्मीकी]

के लिए मनुष्य के सुखी जीवन के लिए और मनुष्य को कुछ दूसरे जीवन-यापन के साधन देने के लिए कोई उचित प्रबन्ध किया जाय। वैसे प्रबन्ध हुआ भी है लेकिन आवास का प्रश्न अब भी एक कठिन प्रश्न है। गन्दी बस्तियों में रहने वालों का प्रश्न भी एक ऐसा ही प्रश्न है। जैसा कि मैंने अर्ज किया है कि हमारे जीवन को सुखी तथा सफल करने के लिए उन लोगों के जीवन को सुखी करने के लिए जो कि घनहीन हैं भूमिहीन हैं वैभवहीन हैं और सुखहीन हैं उनको सुखी करने के लिए जो प्रयत्न चले हैं वह अच्छे तरीके से नहीं चले हैं।

हमारी नीति औद्योगीकरण की है और जो हमारा बजट बनता है वह औद्योगीकरण को आधार मान कर बनता है। उद्योग इस प्रकार बढ़ते हैं और जाहिर है कि अगर उद्योग बढ़ते हैं उनके पीछे अनधिकृत बस्तियां और अनधिकृत स्थानों पर बसने वाले लोग भी बढ़ते हैं। उनको रोकना नहीं जा सकता है इसलिए जरूरी हो जाता है कि गांवों में रहने वाले ऐसे लोगों को वहीं बसाया जाना चाहिए...

अध्यक्ष महोदय : माननीय सदस्य श्री काफ़ी समय लेंगे या अपने भाषण को वह खत्म करने वाले हैं ?

श्री बाल्मीकी : अभी तो मैं मुख्य विषय पर आने वाला हूँ। इसलिए अभी मैं इस पर और समय लूंगा।

अध्यक्ष महोदय : ठीक है माननीय सदस्य अपने भाषण को अगले सेशन में जारी रखें।

श्री बाल्मीकी : मुझे यह प्वाएंट समाप्त कर लेने दिया जाय बाकी मैं अगले सेशन में लूंगा।

अध्यक्ष महोदय : माननीय सदस्य अब अगले सेशन में ही बोलें।

श्री बाल्मीकी : बहुत अच्छा।

16.49 hrs.

CALLING ATTENTION TO A
MATTER OF URGENT PUBLIC
IMPORTANCE

REPORT BREAKDOWN OF MILK SUPPLIES
BY DMS—contd.

Mr. Speaker: Shri Indrajit Gupta may put his question now regarding the Delhi Milk Supply Scheme.

Shri Indrajit Gupta (Calcutta South West): From the statement I find that the factors responsible for the short supplies are the very unfavourable conditions for milk production due to various reasons, such as heavy rains and death of buffaloes etc. which have been prevailing from about the middle of September, 1963. If that be the case, I would like to know why during the period from September, 1963 to May, 1964, the Ministry has always denied reports that the Delhi Milk Scheme is heading for any difficulties. Also, why is it that the consumers were given only 24 hours' notice before the cut was imposed? Even if the cut be imposed, why should the Delhi Milk Scheme raise its own price of milk? Even if there is scarcity, why should the prices be raised?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): The previous occasion when a statement was made that there may not be any necessity for any cut was in March. The daily supply of buffalo milk on 4-4-64 exceeded 3,500 maunds. It is in the last few days that there has been a short-fall in the supply. It went down to even 2,250 maunds day before yesterday, so that with extreme regret we had necessarily to effect this cut.

I may also submit that although buffalo milk supply has been reduced to about 60 per cent of the original supply, we said that we would be prepared to make up for it by the supply of toned milk. It is well known that from the point of view of health, for children and other requirements, toned milk is much more preferable than buffalo milk. As it is, we are supplying 132,951 litres now altogether, out of which 70,723 litres are in buffalo milk.

Shri U. M. Trivedi (Maudsaur): Why not say it in gallons so that we can appreciate it!

Shri A. M. Thomas: About 60 per cent we are supplying in buffalo milk. Because of the cut effected, only a reduction of 7.5 per cent has been made in the quantity.

Regarding price, although this decision was taken simultaneously with the cut, we were considering the price factor for a long time and we were feeling that the price of milk charged in Delhi is very much lower than the price in other areas. The Delhi Milk Supply Scheme has been incurring heavy loss. In 1959, it incurred a loss of Rs. 5.02 lakhs, in 1961-62, a loss of Rs. 4.16 lakhs and in 1962-63, there is a loss of Rs. 10.64 lakhs. The losses were mounting up like that, so that we had necessarily to effect some rise in the sale price of milk.

Also, compared with the price charged by other dairies, here it is cheaper. For example, in Bombay it is Rs. 1.04 whereas we charge only 70 nP (revised rate).

Shri Indrajit Gupta: That is your model.

Shri A. M. Thomas: Even in Calcutta, it is 96 nP.

Shri Indrajit Gupta: So what?

Shri A. M. Thomas: We are charging only 70 nP. I do not think it can be said that it is.....

Shri S. M. Banerjee (Kanpur): There are no buffaloes in Bombay...

Shri A. M. Thomas: Ours is still the cheapest

Shri S. M. Banerjee: From the statement, it appears that Government had knowledge that during summer, there would be scarcity in Delhi. Naturally, they suspended issue of fresh cards in February 1964. Is the scarcity and rise in prices due to mismanagement in this particular Scheme, and if so, will a Committee be appointed to see that the mismanagement is completely removed and public confidence restored in the milk supply, which has been shaken very badly?

Shri A. M. Thomas: The drop in the supplies cannot be traced to any mismanagement or anything like that. In fact, in the supply areas there has been a drop in supplies. We get supplies mainly from Meerut. There has been a considerable drop in production. That has been the main reason. I do not think there is any necessity for a committee to inquire into this particular matter.

I may also submit—there may perhaps be a cycle or something like that—that throughout the country there has been a drop in production of milk. For example, I have seen complaints voiced in newspapers in Madras (the Madhavaram milk supply) that there has been a reduction. In Bombay, there has been a reduction. In Calcutta, there has been this phenomenon. So it is there throughout the country.

Shri S. M. Banerjee: I want to know if there is any mismanagement in distribution.

Mr. Speaker: He denies that.

श्री हुकम चन्द कछवाय : क्या मन्त्री महोदय के ध्यान में यह बात है कि दिल्ली मिल्क स्कीम के चेयरमैन श्री सिक्का पहले कलकत्ता में काम करते थे और वहां पर उस

[श्री हुकम चन्द कछवाय]

फ़ैक्टरी को काफी नुकसान पहुंचाने के बाद जब उनको यह पता लगा कि मेरा यहां से पत्ता कटने वाला है तो उन्होंने उस फ़ैक्टरी में ऐसी स्थिति पैदा कर दी कि आज तक उस फ़ैक्टरी की हालत सुधरी नहीं है और वह वहां पर काफी घोटाला करके आए हैं ?

अध्यक्ष महोदय : माननीय सदस्य को किसी आदमी के बरखिलाफ़ इस तरह नहीं कहना चाहिए ।

श्री हुकम चन्द कछवाय : मैं कहना चाहता हूँ कि केवल एक व्यक्ति के कारण दिल्ली मिल्क स्कीम में सारी गड़बड़ चल रही है और उसमें लाखों रुपये का घांटा हुआ है । २ मई, १९६४ को हिन्दुस्तान टाइम्स में एक आर्टिकल प्रकाशित हुआ था जिसमें पूरे आंकड़े दिये गए थे कि वहां पर कितना घोटाला चल रहा है । क्या मन्त्री महोदय का ध्यान इस सज्जन के बारे में गया है जिसके कारण यह सारी गड़बड़ चल रही है ?

जितने दूध के डिपो हैं दिल्ली मिल्क स्कीम के द्वारा उन सब पर यह नोटिस लगाया गया है कि ३ तारीख़ दूध की सप्लाई में कटौती कर दी जायेगी जबकि मन्त्री महोदय ने कहा है कि कोई कटौती नहीं की जाने वाली है । इन दोनों बातों में से कौन सी सही है ?

Shri A. M. Thomas: I do not think the conduct of the Chairman arises in this particular case. I do not at the same time also claim that everything is all right with the Delhi Milk Scheme. There may be irregularities in the matter of drawing up the accounts. Our attention has been drawn to that by the Public Accounts Committee. All these things are being looked into, and also necessary measures are being taken. Apart from that, it will not be quite proper to bring in the name of the Chairman in the matter of the drop in

Mr. Speaker: Shri Kapur Singh.

Shri Kapur Singh (Ludhiana): After considering the facts now made available to us, I am satisfied that the conduct of the Government does not call for any criticism. So, no question.

Shri Nambiar (Tiruchirapalli): The Government, having known that there would be scarcity of milk during the summer season, did not take sufficient care to see that instead of buffalo milk cow's milk was given rather than toned milk. May I know what steps have been taken to give to the card-holders cow's milk instead of toned milk? Also, to what extent is it possible to substitute milk by the co-called white butter mentioned in the statement and thus add to the supply of milk?

Mr. Speaker: Not so long.

Shri Nambiar: This confusion has been created....

Mr. Speaker: His long speech would create more confusion.

Shri Nambiar: I shall conclude it now.

Instead of toned milk, cow's milk could have been given, and the difficulty would have been reduced. And there has been lesser utilisation of white butter, which is also given as milk, and that is why this milk supply scheme has been so unpopular with the people.

Shri A. M. Thomas: We had a stock of about 50 tons of white butter which we utilised for making recombined milk, and that has also been exhausted. That is why we were forced to effect this cut. With regard to the supply of cow's milk, I may submit that we are getting only some quantity from Bikaner, and that comes to about 4,000 litres, and that we are supplying in Delhi. With regard to toned milk, the only difference is that it contains only three per cent fat, and as I said, from the

point of view of health, there is nothing wrong in using it, and we are prepared to supply that for the short supply in buffalo milk.

परपत्र स्कूल में उसका बना कर तो नहीं दिया जा रहा है और अगर नहीं तो किस का बना कर दिया जा रहा है ?

श्री किशन पटनायक (सम्बलपुर) : क्या यह सही है कि दिल्ली मिल्क स्कीम को दूध सप्लाय करने वाले ठेकेदारों को लेकर दिल्ली मिल्क स्कीम के एक आफिसर ने अलग से एक प्राइवेट डेयरी का निर्माण किया है और उसी वजह से इधर सप्लाय कम हो गई है ? क्या मन्त्री महोदय इस की जांच करेंगे ?

Shri A. M. Thomas: The fact that there has been a drop in the production of milk cannot be denied. That is why even the prices charged by the private suppliers in the capital had gone up. The pressure on the Delhi Milk Supply Scheme indicates that there is a shortage of supplies even outside the Delhi Milk Scheme. We have reports that buffaloes have died in the Meerut area which is a very important source of supply.

Shri A. M. Thomas: I do not have any such information, but there is keen competition from private dairies. That is why we were forced to increase the price also.

Mr. Speaker: He wants to know whether the toned milk is ground-nut oil or something like that.

Mr. Speaker: Will this also be investigated, whether really some officer of this Milk Supply Scheme has started his own private dairy as well?

Shri A. M. Thomas: No, Sir; it is not like that.

Shri A. M. Thomas: That I will find out.

Shri Bade (Khargone): In the statement it is said that the DMS has all along sold milk at a very much lower price than private milkmen. Is the hon. Minister aware of the fact that other milk supply schemes in Delhi have not raised their prices; so much and the private milkmen have not increased their prices. On what basis has he said that private milkmen have raised their prices?

श्री श्रींकार लाल बेरवा : (कोटा) : श्रीमन् मैं यह जानना चाहता हूँ कि सवेरे कृषि मन्त्री ने यह वक्तव्य दिया कि उत्तर प्रदेश में भैंसें मर गईं और चारा खत्म हो गया आदि जबकि हम उत्तर प्रदेश में दौरा करके आए हैं और हमें मालूम हुआ है कि वहाँ पर कोई जानवर नहीं मरे हैं तो इनसे में कौन-सी बात सच समझी जाये ।

Shri A. M. Thomas: We have got reports. Besides, at this time last year we were paying Rs. 54 per quintal; now we are paying Rs. 59—four rupees more. That is why we are forced to raise the price. Hon. Member's information is not correct. In fact the private parties sell in the city at a higher price than the price charged by the DMS.

अध्यक्ष महोदय : माननीय सदस्य जीने मरने की बात छोड़ दें और दूध की बात पूछें ।

17 hrs.

श्री श्रींकार लाल बेरवा : दूध की कमी का सवाल है ।

मैं पूछना चाहता हूँ कि टॉड मिल्क जो दिया जाता है पह कहीं मूंगफली का तेल निकालने के बाद जो चूरा जाता है । मल्टी-

Mr. Speaker: Any other signatory?—None. We shall take up the half-an-hour discussion

17.03 hrs.

RE: CALLING ATTENTION NOTICE
(Query)

Shri Nambiar (Tiruchirapalli): With regard to that strike in the Free Press Journal, we have given calling attention notice because it is a very serious matter; for more than a month the strike is on, and all the 500 employees are without jobs and notices are being issued to these employees for retrenchment. Even lay-off compensation is denied. A serious situation has arisen.

Shri S. M. Banerjee (Kanpur): Unfortunately the hon. Member here had to go to attend a particular meeting. Some of us had sent a letter to the Labour Minister requesting his kind intervention.

Mr. Speaker: I will also ask the Labour Minister that he should try his best. What else can we do on this question?

Shri S. M. Banerjee: That is exactly what we want.

Shri Nambiar: This point was raised in the morning and you were kind enough

Mr. Speaker: It was a state matter. It cannot be taken up like this. I have told you already. I am also passing that on to the Minister.

Shri S. M. Banerjee: They are working journalists, Sir. I am only requesting you if you could kindly convey our sentiments to the Labour Minister.

Mr. Speaker: I will do that. The observations made and this part of the discussion may be sent to the Labour Minister so that he may know what has happened. Half-an-hour discussion.

17.06 hrs.

***NATIONAL PRODUCTIVITY COUNCIL**

Dr. L. M. Singhvi (Jodhpur): Sir, I beg to raise this discussion on points arising out of the replies given on the 13th March to starred question No. 571 regarding National Productivity Council. As a matter of fact my discussion pertains to the answers given to certain other questions on this Council which had been raised on the 5th April, 1963 and on 24th April, 1964. I am myself deeply interested in the promotion of higher levels of productivity in all sectors of our national economy, and in the programme of the productivity movement in our country. Being so interested in the cause, I shall desist and refrain from introducing any element of vehemence in what observations I have to offer in this discussion.

At the same time, I think it is my duty to draw the attention of the House to certain unsavoury and unsatisfactory aspects of the working of the National Productivity Council. I do so also on a question of principle. At one time, during the answers to the questions, the hon. Minister of Industry insisted that since this was an autonomous, statutory society registered under the Indian Societies Registration Act, it was not possible for him to go into the details of the working of this Council. I think that this is an answer which is wholly unsatisfactory and I am sure that the Minister, on mature and proper consideration, would grant or concede to this House that this House has the authority and the power to go into the working of the National Productivity Council for which the Government of India has been voting or granting very large amounts of money year in and year out and it is through these grants that this Council has been functioning, substantially speaking.

It is true that the National Productivity Council is a registered body under the Indian Societies Registration Act of 1960. In the constitution of the National Productivity Council, it is provided that the number of representatives of the employers, workers and the Government would be equal. The foundation and the groundwork of this Council was laid when the Indian Productivity Delegation went to Japan in October-November, 1956, and this was followed up by a seminar in 1957. A Productivity Seminar was organised in 1957 in which certain principles of productivity were enunciated.

I would crave your indulgence to draw the attention of the House to these principles briefly. It has been stated in this booklet on the constitution and programme of the NPC, as follows:

- (i) In the productivity drive, the objective should be to increase production and improve quality by improved techniques which aim at efficient and proper utilisation of the available resources of men, machines, materials, power and capital, raise the standard of living of the people, and improve the working conditions and welfare of the labour, taking into account the social implication of these changes.....
- (ii) Increased productivity in a growing economy will ultimately help in increasing employment by stimulating development of industry.....
- (iii) Benefits of productivity increase should be equitably distributed among capital, labour and consumers, and these should lead to the renewal and expansion of plant, machinery and equipment.
- (iv) Productivity drive may eventually be launched in all the spheres of nation's economy....
- (v) Increase of productivity cannot be achieved without the fullest

co-operation between management and labour.

It is certainly a large, tall and ambitious order which the Council has set before itself. It appears, however, that in the few years it has been in existence, there has been a steady and a compelling realisation of the failure of its activities. It appears to me that the National Productivity Council has, in the first instance, failed to enter into the largest sector of our national economy, the sector of agriculture. It is well known that in our country agriculture occupies a pre-eminent place. It has 80 per cent of the national economy, and yet the National Productivity Council have not thought it fit to enter this field which is indeed the most important field. But it has been pointed out by economists and in this august House that the crux of our economic problems is the failure on the agricultural front. I do not see how the National Productivity Council could possibly advocate or could strengthen its advocacy by not entering the field of agriculture at all and not injecting any of the dynamism which the productivity movement could bring into the field of agriculture.

I would also like to say that the National Productivity Council is functioning not as a medium, or forum, or not as an instrument of a great movement which is what we expected of this Council. It appears that it has been bureaucratized in the few years of its existence, and perhaps Delhi being the capital of the bureaucracy in this country has taken a very heavy toll on the functioning of this organisation also. I will show the administrative and organisational aspect of this body in a moment. I would like to draw the attention of the House to the fact that the grants of the Government of India alone to the NPC in 1959-60 were of the order of Rs. 13.68 lakhs and in the year 1962-63 of the order of Rs. 22.50 lakhs. In addition to this, local productivity councils received a total of Rs. 14.24 lakhs

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from various sources. If the objective is to promote higher levels of productivity in the sectors of national economy, how would the NPC justify its having completely kept out of the sector of agriculture, in which sector Japan has made a conspicuous measure of progress? It is from Japan that we draw inspiration. It would be meet and proper if the Minister is able to give an assurance to the House that the NPC will apply itself to the task of increasing the level of productivity in the field of agriculture.

I would then like to draw the attention of the House to a matter to which my hon. friend, Shri Harish Chandra Mathur, powerfully drew the attention of the House the other day during the Question Hour, namely, that the NPC has not condended to give any attention to increasing the levels of productivity in the small-scale sector of our industry. I am limited in terms of time at my disposal, but I should like to show that the number of trainees sent by the Council and the allocations, made by the Council for increasing the levels of productivity in the small-scale sector are really too meagre to merit mention. It must be conceded that in the field of seminars and conferences, the NPC has certainly been prolific, which is the bane of the bureaucracy of our times.

But in the field of in-country teams, it has not been able to make any impact on the industry as a whole. It has not been able to persuade the industry in sending in-country teams of productivity, which is the kingpin of the whole movement. The same is the case with productivity studies and surveys, which are highly limited and constricted.

I would like to say a word about coordination of the activities of the local productivity councils, where I think the NPC is really the culprit. It appears from the various statements laid on the Table of the House by the Minister that there has been a very small measure of coordination, not-

withstanding a very rosy picture, sought to be painted by the Minister. It seems they are going their own way, without any real coordination among themselves. In the statement contained in the report of the Reorganisation Study Team, which was appointed to go into this question, it is said:

"Even in important matters like planning of training courses or giving directions in respect of important programmes, effective control on the satisfactory working of the local productivity councils etc., the headquarters were not taking as much interest as they should normally be expected to take, particularly in the initial stages of development."

I hope the Minister is able to give us an idea of what has been done to achieve greater coordination in the functioning of the local productivity councils.

In the case of technical enquiry surveys also, I would like to know whether it has ceased to exist or ceased to perform any useful function. I should like to know the real position.

The same is the case in respect of information. It was supposed to be an important part of the programme of NPC to impress upon the industry and the country as a whole and various sectors of economy as a whole that productivity techniques ought to be adopted. It appears that the NPC contents itself by placing undue and excessive reliance on foreign films, which perhaps it is easy to obtain. But it has done precious little to impress upon the various sectors of our economy the productivity techniques which could be adopted with facility in the indigenous context.

Sir, I should like the Minister to tell us whether it is not a fact that this important committee which was appointed in 1959—30th September, 1959—actually came to the conclusion

that the staff expenditure of the National Productive Council was exceedingly high. If this is the state of affairs in respect of this National Productivity Council itself, it would set a very bad example indeed for various industrial units which it seeks to guide.

I should also like to refer, in this context, that there is a definite finding of this committee that there was under-utilisation of personnel in the National Productivity Council itself. There was over-staffing and under-utilisation. I should like to know how the Minister explains such a state of affairs in the National Productivity Council itself which was supposed to blaze a new trail for all sectors of our economy.

I would now come to another very important programme of the National Productivity Council, and I would conclude by drawing your attention to that aspect. The training abroad is considered a very important part of the programme of National Productivity Council. I have figures here which show that there has been a total of 317 trainees abroad under various programmes and during 1962-63 the National Productivity Council sponsored as many as 62 persons for training abroad. As the point was made the other day by some distinguished scientists speaking to Members of Parliament, there seems to be a very distinct pressure on the foreign exchange resources of the country by people who wish to be in seats of power wherever foreign exchange is available. It seems this is one of the pockets where foreign exchange can be made available to those whom this Council wishes to favour. I have a large number of specific complaints into which I do not wish to go. But it appears there are no objective criteria which are followed in the selection of candidates. I would stop at this, because I am sure the Minister has not been able to go into all the various cases of selection, whether they are objectively justified or not. But I would like the Minister to give

an assurance that in the matter of choosing personnel the National Productivity Council would not be permitted to squander our own country's precious foreign exchange resources or such loans and assistance that it receives from other countries in an unbridled manner.

I would also like the Minister to tell us whether the National Productivity Council has formulated a comprehensive programme for the utilisation of trained personnel because it is in this field that the National Productivity Council has failed to fulfil the promise and objectives laid down in its constitution.

Shri K. N. Pandey (Hata): Is it a fact that in Japan too they have concentrated more on productivity in the industry instead on in agriculture?

The Minister of Industry (Shri Kanungo): Mr. Speaker, Sir, I am grateful to Dr. Singhvi because he has given the correct perspective of the objectives of the productivity movement. As the first brochure on the productivity idea published somewhere about 1959 has shown, the productivity technique is something separate from other techniques which are also useful in different aspects of industries.

The crux of the problem is that we should have enough men in this country who are trained and are capable of guiding in the techniques of productivity. When the Council started one of its objects was, and rightly so, to make the idea and concept of productivity familiar. I believe that it has succeeded in doing so, the example or test being the proliferation of local productivity councils and the activities of the local productivity councils. In the early stages, the national productivity council and the local productivity councils cannot earn much but ultimately they are supposed to raise quite a bit of their revenue. And they have successfully done that. That is one test which shows that the productivity idea has sunk in.

[Shri Kanungo]

Then Dr. Singhvi said that co-ordination between the activities of the local productivity councils has not been adequate. I should say that it could be much better than what it is. The limiting factor was that most of the local productivity councils could not find special staff i.e. trained industrial engineers to help in their activities, because training facilities for industrial engineers, which is the crux of the productivity technique, was available at one stage in our country. Normally such education and such training is provided in other countries by universities and other technical institutions. I suppose in course of time it will be available in our country. The National Productivity Council had to organise these courses of training specialists like industrial engineers. The number which it has trained is not adequate. Therefore, there will be a certain amount of looseness in the activities of the local productive councils till trained personnel are available to them. I would say that the progress of the idea has been adequate but the servicing of the idea has not been adequate, and that is, as I have mentioned, because of the lack of technical personnel.

Dr. Singhvi referred to the under-utilisation of the special staff of the NPC at a certain stage. Naturally, in the early stages, the demands were not enough. But I believe today it is grossly inadequate considering the requests which the local productivity councils are receiving from industrial establishments. After all, the working of the techniques of productivity has got to be plant-wise; irrespective of whether the plants are big or small, it has to be plant-wise. It must consider the requirements of the plant. It must be receptive and it must be voluntary. That means, interest should be created and the party should feel that it could get some advantage. And when interest is aroused, the NPC or the LPC should be in a position to provide the necessary personnel which it has not been able

to do lately because the demand has been growing immensely.

I think I have to close my speech by 5.30 p.m.

Mr. Speaker: Yes.

Shri Hari Vishnu Kamath: More or less. Rather less than more.

Shri U. M. Trivedi (Mandsaur): You can close it earlier, if you like.

Shri Kanungo: Naturally, the educative part of it is difficult. Because, we started, in the first instance, only in 1959.

The training of the personnel including management, labour and other ancillaries is the most important part of it. I believe, considering the short time, the training programme as such has been fairly successful and in one year the training programme plans have been 914 which involved 17,000 persons. For a vast country like ours certainly it is not too much, but considering the period during which this idea had been mooted, I think, it has not been inadequate.

Again, to run these training programmes it is necessary that enough trainers should be available. Trainers are to be drawn from existing units, that means, establishments where their employers permit their men to participate in these programmes. The very fact that at least a large number of these employers have co-operated in providing their personnel for these training programmes is a hopeful sign.

Unfortunately, in the training programme we had to depend, in the earlier stages, largely upon persons being sent out abroad by the generosity of our friendly countries. While selecting persons for being trained one criterion should be that one should

have the capacity to absorb the techniques and should have the willingness and the capacity to transmit them. I would submit to the hon. Members to go through the bulletin—at least, the advertisements in which the fellowships are advertised where specific qualifications are mentioned. One thing is seven or five years' experience in a responsible position in management. There are not many people who satisfy that, not merely the number of years but the number of years plus the capacity and the academic background to absorb the techniques and to transmit them. I personally would be happy if 50 per cent of the persons trained do give their time and energy to propagating the idea. I believe, the percentage is a little more; but it should be much more.

Dr. L. M. Singhvi: It is only 40 per cent.

Shri Kanungo: The other point which Dr. Singhvi has made out is about the selection of these persons which he thinks has not been fair. Here I would only say that the Council, as constituted, has on its membership, as Dr. Singhvi has mentioned, equal number of persons from Government—Government does not mean that all are Government servants but others also are nominated by Government—labour and employers. It has got two Members of Parliament chosen by the Government to be on the Board and, fortunately, for the organisation they have got, I suppose, about six more Members of Parliament who are there by virtue of their connection with the labour movement or the employers' movement or specialist or technical qualifications. With this composition we cannot say that there has been unfairness or large-scale favouritism. But all the same I will transmit this view of Dr. Singhvi to the NPC and, I am sure, the Chairman and the Council will report about the validity or otherwise of this suspicion.

Again, I would say that, apart from the composition, the Government is responsible. I have never taken shelter under the guise that because it is an autonomous organisation the Government is not responsible for its action. The Government is responsible and the Government regulates the action to a considerable extent. It appoints the Executive Directors. The budget of the organisation is subject to scrutiny and there are various other regulations which are published in the journals. I am sorry I am running out of time. One important point which Dr. Singhvi made out is about not giving enough attention to agriculture.

Dr. L. M. Singhvi: No attention at all.

Shri Kanungo: The trouble is that the techniques of productivity applicable to industry have been developed to a large extent in America. It has not been so well developed in Europe even now.

Dr. L. M. Singhvi: We drew our inspiration from Japan.

Shri Kanungo: I am coming to that. Therefore, the techniques applicable to industry have been available to us. In the world, as far as I understand, the techniques for agriculture have been studied to a certain extent in Japan. That too is not over a long period of years. That the National Productivity Council is applying its mind to it will be apparent from the speeches of the Chairman which were made recently where he has drawn attention to this aspect.

Shri Hari Vishnu Kamath (Hoshangabad): Supply copies of those speeches to us.

Shri Kanungo: You have had enough of speeches.

Shri Hari Vishnu Kamath: We can read them at home during the recess.

Shri Kanungo: But the limited factor there is that a great deal of research has got to be gone through

[Shri Kanungo]

before the techniques to agriculture have got to be applied. I frankly feel and I am told that we cannot afford research programmes which will take a long time. Of course, the Chairman, I believe, and the Council are now applying their mind how to go about it. But it is a mere start and it would take some time before it could be adequately applied.

About its effect on small-scale industries or its service to small-scale industries, the fact is that the largest number of membership of local productivity councils is from small-scale industries and the training programme is largely appreciated by small-scale industries. Dr. Singhvi mentioned that the industrial service and the training service and all that are not available. They are not adequately available but they are being stretched as much as possible at the present moment. I believe, a stage will come soon when the demand for the service cannot be fully met. Therefore, I believe that the Council will be applying their mind to train up enough men to work for it and as regards the results of productivity—I have no time at my disposal—as Dr. Singhvi has gone through the bulletins, I would request the Members of the House to go through the bulletins which are published....

Shri Hari Vishnu Kamath: The number and date of the bulletin?

Shri Harish Chandra Mathur (Jalore): Why do you want everybody to be dissatisfied? Those who have gone through them are dissatisfied and disappointed.

Shri Kanungo: Dr. Singhvi has clearly stated that some of the case studies are really spectacular.

Shri Harish Chandra Mathur: He argues from failure to failure.

Shri Kanungo: I am prepared to accept Mr. Mathur's opinion on anything because I will have hardly time to counter it. I will just draw the

attention of the hon. Members to the issues of July, 1963, May, 1963 and April, 1963 where there have been cases of spectacular results from the productivity techniques which have been applied. As I said, the very fact that the services are being requisitioned more and more and the demands cannot be met is proof enough that it is being appreciated.

I am sorry I have exceeded the time given to me.

Dr. L. M. Singhvi: I shall raise it again some time.

Shri Hari Vishnu Kamath: We shall raise it in the next session.

17.34 hrs.

ADJOURNMENT OF HOUSE

Mr. Speaker: This concludes one of the longest—and perhaps the most strenuous—sessions of the year.

Shri Hari Vishnu Kamath (Hoshangabad): And interesting also.

Mr. Speaker: I have only to thank the Members for the co-operation they have given and the indulgence they have shown. It is my job to disappoint so many every day, but I am thankful to them that they forget it as soon as they get out of the House.

I give everyone of them my good wishes that they might have good rest during the interval that they have got.

Dr. L. M. Singhvi (Jodhpur): We reciprocate your kind feelings.

Shri Harish Chandra Mathur (Jalore): We are so very grateful to you. We reciprocate your kind feelings.

Mr. Speaker: The House will now stand adjourned *sine die*.

17.35 hrs.

The Lok Sabha then adjourned sine die.