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Friday, April 10, 1964
Chaitra 21, 1886 (Saka)

LOK SABHA DEBATES

Seventh Session
(Third Lok Sabha)



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Friday, April 10, 1964/Chaitra 21, 1886
(Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

TISCO

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- *989. { Shri S. M. Banerjee:
Shri Warior:
Shri Vasudevan Nair:
Shri Daji:
Shri D. C. Sharma:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to refer to the reply given to Starred Question No. 415 on the 6th December, 1963 regarding TISCO and state:

(a) whether any final decision regarding the repayment of the loans with interest has since been arrived at; and

(b) if so, the nature thereof?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) and (b). In view of the new situation created by the decontrol of certain categories of steel, the whole matter is under negotiation with the Tata Iron and Steel Company. No decision has yet been reached on the subject.

Shri S. M. Banerjee: The new situation has only arisen recently. I would like to know what steps were taken to realise this loan from TISCO and IISCO prior to that situation?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subrama-

niam): I have already answered this question on many occasions. According to the terms of the agreement, we had to provide the money for them to repay the loan. Certainly that is not a satisfactory state of affairs. Now that there has been decontrol of certain categories of steel, a new situation has been created and therefore, we are re-negotiating the terms of the repayment of the loan.

Shri S. M. Banerjee: May I know whether Government has come to a decision that this loan has to be realised and what is the total loan and interest due from these companies?

Shri C. Subramaniam: It is a loan, and a loan has got to be realised. Therefore, we will take all steps for realising this loan. Regarding the total amount, Rs. 10 crores is the principal amount and Rs. 2 crores or Rs. 3 crores is due by way of interest.

Shri Indrajit Gupta: In view of the very very long period for which the repayment of these loans has been pending, has the Government in its negotiations with the company mooted the possibility of conversion of these loans into equity capital under the new provisions of company law?

Shri C. Subramaniam: No, Sir; that situation has not yet arisen. As a matter of fact, that is the ultimate sanction. One does not use the sanction every time, unless it is absolutely necessary.

Shri A. P. Jain: May I know what are the features of the new situation which have delayed the realisation of the loan, altering the previous position?

Shri C. Subramaniam: The original agreement provided for the repayment of the loan on the basis of total decontrol of all the products

produced there or total decontrol. Now it is partial decontrol. Therefore, it is a new situation and the terms are being renegotiated.

Shri D. C. Sharma: May I know if the partial decontrol of certain items is favourable so far as the payment of loans is concerned or unfavourable?

Shri C. Subramaniam: I think this creates a more favourable situation for us to realise the loan.

Machinery for Power Projects

990. { ⁺ Shri S. C. Samanta:
Shri Maheswar Naik:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that Government are now considering the question of laying down some standards for machinery and equipment to be used in power projects;

(b) if so, the progress so far made towards manufacture of power plant machinery and other equipment in the country; and

(c) when it is expected to meet in full the entire requirements of the country in this sphere?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) The technical features of equipment for power projects are being standardised to the extent feasible.

(b) The requirements of the generating sets for power projects is mostly planned to be met by the public sector projects at Bhopal, Hardwar, Hyderabad and Trichi. The plant at Bhopal is already producing Transformers, switchgear, controlgear, capacitors, power transformers and traction motors. The manufacture of thermal and hydro turbo-sets will shortly commence at Bhopal and their manufacture at Hardwar and Hyderabad plants is likely to commence by

the end of Third or beginning of Fourth Plan by which time the manufacture of boilers at Trichi is also scheduled to commence. Transformers switchgear and motors in the lower ranges are also manufactured in the private sector. The manufacture of boilers for thermal units is also undertaken to some extent in the private sector.

(c) The country is expected to meet almost the entire requirements of power equipment by 1973-74.

Shri S. C. Samanta: May I know from which countries we are at present importing power plant machinery and other things and whether the parts of these machinery will also be manufactured in any of the factories mentioned?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): Just now we are importing from almost all countries wherever credit facilities are available. Naturally when we go into production for the various power projects, we will have to consider the production of spare parts also for the existing plants.

Shri S. C. Samanta: May I know at what stage the Heavy Electric Plant at Hardwar is at present and when it will commence production?

Shri C. Subramaniam: It is expected to commence production in 1966.

Shri B. K. Das: May I know to what extent it will be possible to supply machinery for Bokaro plant?

Shri C. Subramaniam: Some of the electrical equipment could be produced at the Bhopal factory for the steel plants also, and to the extent possible these electrical equipments will be produced for Bokaro.

Shri Shree Narayan Das: For the machinery that are being manufactured here, may I know whether designs have been prepared by our own men or they have been made by the foreign experts?

Shri C. Subramaniam: As far as Bhopal is concerned, our consultants are the Associated Electrical Industries of U.K., and they give the blue-prints and the design. As for Hardwar, it will be the Russians who would provide the design, and for Ramachandrapuram in Hyderabad the Czechs will provide the designs.

Shri P. Venkatasubbaiah: The hon. Deputy Minister just now said that by 1973-74 we will be self-sufficient so far as these equipments are concerned. Keeping that in view, may I know why the work at Ramachandrapuram is lagging behind schedule and, if that is so, what arrangements the Government propose to take to cover up the lag and see that it comes into production as early as possible?

Shri C. Subramaniam: It is not lagging behind schedule; as a matter of fact, it is keeping up to the schedule.

श्री यशपाल सिंह : इस वक्त हम ३६ करोड़ रुपये का सालाना बिजली का सामान मंगा रहे हैं। मैं जानना चाहता हूँ कि तीसरे प्लान के आखिर तक इसमें कितने की कमी आ जाएगी ?

श्री प्र० चं० सेठी : ३६ करोड़ का नहीं लेकिन अभी १९६३-६४ में तीस करोड़ का सामान मंगाया गया है। कमी को पूरा करने का जहाँ तक सवाल है वह चौथे प्लान के आखिर तक या पाँचवें प्लान के मध्य तक पूरी हो सकेगी।

Shri Sham Lal Saraf: May I know whether the present manufacture of generators, turbines and switch gears in particular is tagged on to the projects that are on in the country at the moment or such machineries are manufactured other than that also?

Shri C. Subramaniam: They are now tied down to various projects and to various State Electricity Boards.

Gypsum Deposits in Garo Hills

*991. { **Shri Jedhe:**
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Shri P. C. Borooah:
Shri R. Barua:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that an extensive deposit of gypsum has been located near Mahendraganj in the Garo Hills;

(b) the steps being taken to assess the quantum of the reserves; and

(c) whether setting up of gypsum based industries is envisaged in and around this area?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah): (a) and (b). The Directorate of Geology and Mining, Assam, is reported to have located a gypsum deposit at Gangrapara near Mahendraganj in Garo Hills. The State Directorate is conducting prospecting operations in the area.

(c) This can be considered only after the quantum and quality of the reserves have been assessed.

Shri Jedhe: What are the other sources of gypsum in the country?

Shri Thimmaiah: I would require a separate notice to answer that question.

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): In Rajasthan we have got a good supply of gypsum.

श्री श्रीकारसाल बैरवा : जिप्सम की खानों का कहां कहां पता लगाने की कोशिश की गई है ? क्या राजस्थान में भी की गई है, यदि हां तो कहां कहां और नहीं, तो क्यों नहीं।

अध्यक्ष महोदय : यह सवाल एक जगह के बारे में है, गारो हिल्स के बारे में। वहां के लिये कर लीजिये।

श्री श्रीकारलाल बैरवा : जिप्सम के बारे में दूसरे स्थानों के बारे में नहीं ?

प्रध्वज महोदय : जी नहीं ।

Shri Kapur Singh: What are the major gypsum-based industries that can be set up in that area?

Shri C. Subramaniam: Fertilisers.

Shri Jedhe: May I know the small-scale industries that require gypsum and the provision made in the Third Five Year Plan?

Mr. Speaker: This is not a general question on gypsum and where it can be utilised.

Indo-German Venture 'UTMAL'

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*992. { **Shri P. R. Chakraverti:**
 Shri Jedhe:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that the representatives of West German Firms had discussions with the Government of India on the scope of operations of the UTMAL, an Indo-German venture for machine manufacture near Rourkela; and

(b) the various items of manufacture proposed to be taken up by the UTMAL and the volume of investment to be made?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) and (b). Utkal Machinery Ltd., referred to as Utmal, is an existing industrial undertaking at Kansbahal near Rourkela in Orissa State. The firm which is an Indo-German venture was set up for the manufacture of various items of machinery. A statement is laid on the Table of the House showing the articles for which it is licensed. [Placed in Library, See No. LT-2692/64]. The representatives of the firm, have been having discussions with the Government, from time to time, about problems relating to the project, including its manufacturing programme.

The total investment in the company is Rs. 250 lakhs out of which the investment of the three West German firms is Rs. 166.665 lakhs.

Shri P. R. Chakraverti: May I know whether this Indo-German venture has indicated to the Government already what specific equipments and machineries they will undertake to manufacture by the end of the Third Plan?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): They are taking up almost all the machineries indicated in the schedule. The capacity indicated is 12,000. Just now they are producing 6,000 tonnes of machinery.

Shri P. R. Chakraverti: May I know whether a three-man delegation led by the General Manager of Rourkela went to Germany; if so, what contract has been entered into there?

Shri C. Subramaniam: That delegation is with reference to the Rourkela project; that has nothing to do with this project.

Shrimati Savitri Nigam: What was the scheduled time for production and has it been delayed because of some defects in the policies and the contracts?

Shri C. Subramaniam: Not as far as I am aware. This is one of the efficient units which are producing according to schedule.

Shri Ramachandra Ulaka: May I know whether these equipments will be manufactured indigenously or whether any percentage of imported components will be required?

Shri C. Subramaniam: It depends upon the equipment to be produced. Some of the equipments do require components from abroad.

Shri Jedhe: What is the strength of German technicians in this venture?

Shri C. Subramaniam: I do not have the exact number of Germans functioning here.

Shri Indrajit Gupta: Who are the Indian partners in this concern?

Shri C. Subramaniam: Messrs Larsen and Toubro.

Blast Furnaces for Pig Iron at Bhilai and Durgapur

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*993. { **Shri Subodh Hansda:**
 { **Shri S. C. Samanta:**
 { **Shri Yashpal Singh:**

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether additional blast furnaces are proposed to be put at the Bhilai and Durgapur Steel Plants to meet the shortage of pig iron during the Fourth Five Year Plan period;

(b) if so, what part of the demand of pig iron can be met from this; and

(c) whether the additional furnaces will be put up with the parent collaborators of the Steel Factories?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a), (b) and (c). Yes, Sir. It is proposed to set up two blast furnaces—one each at Bhilai and Durgapur Steel Plants, in anticipation of their Fourth Plan Development programme. Between them, these furnaces are expected to produce about a million tonnes of pig iron until the steel making facilities are established. The question of placing orders for plant and equipment to be imported is still under consideration.

Shri Subodh Hansda: What is the total foreign exchange requirement for these two plants and will the foreign exchange requirement be met from the World Bank credit or from the Hindustan Steel?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): That is still to be ascertained because as much as possible the indigenous fabrication will be utilised for these two blast furnaces. For Bhilai, we hope to utilise the facilities at the Heavy Engineering Corporation, Ranchi. With regard to the other things, for example, Utkal also could be utilised for the manufacture of a certain portion of the blast furnace. Therefore it is not possible to give immediately the foreign exchange content of these.

Shri Subodh Hansda: In the present blast furnace it has only reached the rated capacity and not the capacity for which it had been set up. I would like to know what the difficulty is and why it has not been able to reach its target.

Shri C. Subramaniam: These blast furnaces are yet to be erected because these are new blast furnaces which are proposed to be set up at Bhilai and Durgapur.

Shri Subodh Hansda: My question was . . .

Mr. Speaker: I have told him already that if he has to shout from the border, he should shout very loudly.

Shri Ranga: What about the hon. Minister?

Shri Subodh Hansda: My point was this. In the existing plants it has only reached its rated capacity of production. I would like to know why it has not been able to reach its target.

Shri C. Subramaniam: If it does the rated capacity, it should be quite satisfactory.

Shri Subodh Hansda: Rated capacity is something and the target is something else.

Shri S. C. Samanta: May I know whether in these agreements made with the collaborators of Durgapur and Bhilai plants there was any mention of the terms when these plants will be expanded?

Shri C. Subramaniam: No, Sir; these are in anticipation of the Fourth Plan expansion programme. Because we are short of pig iron we thought that we could set up these blast furnaces in advance so that for two or three years we may get the advantage of the production of pig iron from these blast furnaces.

श्री यशपाल सिंह : क्या सरकार बतला सकती है कि कितनी तादाद में यह भट्टियां होंगी और उन पर कितना खर्च होगा ?

श्री प्र० चं० सेठी : जहां तक खर्च का सवाल है वह अभी तय नहीं हुआ है और जहां तक भट्टियों का सवाल है, एक भिलाई में होगी और एक दुर्गापुर में होगी ।

Shri Morarka: May I know what would be the capacity of this blast furnace per day and also whether it has come to the notice of the Government that in America they now consider a blast furnace with a capacity of 3000 to 4000 tons per day as more economic one and that is the type of blast furnace that are put up in the new plants?

Shri C. Subramaniam: It depends upon the development of technology in each country. No doubt the sizes of the blast furnaces are increasing from year to year. We are also trying to keep pace with the development of technology as far as possible.

Shri P. R. Chakraverti: May I know whether the Government has worked out the total investment which will be made here and, if so, what will be the amount?

Shri C. Subramaniam: Each blast furnace may cost about Rs. 6 to 7 crores.

Shri S. M. Banerjee: According to the statement of the hon. Minister, it is quite clear that there is a shortage of pig iron for which additional blast furnaces are being set up. I would like to know whether this shortage is likely to be met by importing pig iron from foreign countries and, if so, which countries?

Shri C. Subramaniam: Yes, Sir. We are trying to import pig iron from Russia.

Shri Ravindra Varma: May I know what will be the daily output capacity of each of the blast furnaces?

Shri C. Subramaniam: They would be producing round about 300,000 tons per year.

Khetri Copper Project

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Shri Harish Chandra Mathur:
*994. **Shri R. S. Pandey:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that Khetri Copper Project is almost in a stalemate;

(b) the original schedule year by year and the progress made;

(c) the amounts spent so far and the provision made now; and

(d) the position regarding foreign exchange requirements?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah): (a) No, Sir. Construction work is in progress.

(b) The project was originally scheduled to be completed by the middle of 1965. A statement giving the progress made is laid on the Table of the House. [Placed in Library. See No. LT-2680/64].

(c) Expenditure incurred till the end of February, 1964 is Rs. 93.64 lakhs. Revised budget provision for 1963-64 is Rs. 70.00 lakhs. Budget provision for 1964-65 is for a sum of Rs. 90.00 lakhs.

(d) Efforts are being made to obtain a foreign credit for meeting the foreign exchange requirements.

Shri Harish Chandra Mathur: The hon. Finance Minister stated yesterday that this project has run into some technical trouble and, therefore, there is delay. While there is no such mention in the statement, I find the hon. Minister says that they have not been able to locate funds and, therefore, there is the delay. Will he kindly explain this position and disparity between the two statements? How is it you have not been able to find funds for Rajasthan when you find Rs. 500 crores for various other States?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): It is not on the basis of States that the priorities are laid down. It is with reference to projects. I do agree that this is also a priority project. (Interruption). I very well understand the indignation exhibited by the hon. Member today as well as yesterday because he feels Rajasthan is neglected. It is the same attitude which every Member from every State takes. As far as this project is concerned, I would say that there is a technical problem also involved because as to what process should be used for the purpose of smelting the copper is in dispute. That is being tackled now and I hope to take a decision soon with regard to the process to be adopted. But apart from that, we have to find the foreign exchange for this purpose. They have located the sources from which foreign exchange can be obtained.

Shri Harish Chandra Mathur: They say, the main difficulty is that they have not been able to locate funds. This is the first question that I wanted

him to answer. It is not that every Member asks about his own State. I have never been asking about my particular State. (Interruption).

Mr. Speaker: Order, order. The question is to be put to the Speaker, not to the Minister.

Shri Harish Chandra Mathur: I am putting this question for the Minister to answer. How is it that, when they could find Rs. 500 crores for projects in various States and when this project is a priority project, they have not been able to locate funds for this particular project? That was the question I asked. I want the answer to that.

Shri C. Subramaniam: May I suggest to the hon. Member that this question may be put to the Finance Minister and the Planning Commission who allocate resources for these various projects?

Shri Harish Chandra Mathur: May I know whether the hon. Minister is in touch with the Planning Commission and the Finance Minister and does he know that the Finance Minister stated on the floor of the House yesterday that there is no difficulty about the finances? May I know what was the reaction of the Finance Minister and the Planning Commission when he approached them?

Shri C. Subramaniam: They have promised to do their best to locate the credit sources for this purpose.

श्री काशी राम गुप्त: क्या यह सच है कि इसमें देरी का एक कारण यह भी है कि जितनी मात्रा में वहां खनिज का अनुमान था उतना नहीं मिल रहा है? यदि ऐसा नहीं है तो क्या मन्त्री महोदय देरी का कारण बता सकेंगे और इसको कब तक पूरा कर लेंगे?

इत्यात, खान और भारी इंजीनियरिंग मन्त्रालय में उपमन्त्री (श्री प्र० चं० सेठी) : यह कहना ठीक नहीं है। वहां जितना खनिज होने का अनुमान था उतना है।

श्री काशी राम गुप्त : कब तक पूरा कर सकेंगे ।

अध्यक्ष महोदय : वह कहते हैं कि देरी नहीं है ।

Shri C. Subramaniam: The copper content is one per cent, which is considerably low. But, still, we are advised that this also could be exploited.

Shri Kashi Ram Gupta: The question is by what time Government will now be able to complete it, beyond 1965.

Shri Thimmaiah: The provisional date for completion is by the middle of 1966.

श्री श्रीकार लाल बेरवा : श्रीमन्, हमने इस खान के विकास के लिए अमरीका से रुपया मांगा था । मैं जानना चाहता हूँ कि कितना रुपया मांगा गया था और उसने क्या जवाब दिया है ?

Shri C. Subramaniam: We are trying to get the credit from Canada from where the equipment can be imported. If that is not feasible, we may be able to get it from America also; that is also being tried.

श्री श्रीकार लाल बेरवा : दस करोड़ तो अभी मांगा है . . .

अध्यक्ष महोदय : आर्डर, आर्डर ।

Shri Sham Lal Saraf: May I know the maximum turn-out of copper when this factory will go into production, and what part of our requirements will be met by the products from this factory?

Shri C. Subramaniam: This will produce round about 20,000 tons.

Shri Morarka: May I know whether it is not a fact that the work on this project started almost three years ago, and still the required foreign exchange for this project has not been arranged, and if so, may I also know

how Government expect to complete this project within the scheduled time?

Mr. Speaker: The hon. Member is entering into an argument.

Shri C. Subramaniam: I do not think that it will be completed by the scheduled time, which is the middle of 1965. It will take another year more.

Shri Indrajit Gupta: May I know whether it is a fact that the original consultants for this project have been changed and how much has to be spent on consultancy fees?

Shri C. Subramaniam: They have not yet been changed, but I would not be surprised if we have to change them.

Shri Indrajit Gupta: How much has been set aside for consultancy fees in regard to this project?

Shri C. Subramaniam: I am sorry I do not have the exact figure with regard to the consultancy fees.

श्री तन सिंह : माननीय मन्त्री महोदय ने बताया कि यह प्राजैकट जुलाई, सन् १९६६ तक पूरा हो जाएगा । लेकिन उनके वक्तव्य में ७६२ मीटर जमीन की गहराई तक पहुंचने का प्रावधान है, जबकि अभी केवल २३ मीटर तक पहुंचे हैं । मेरा ख्याल है कि यह काम डिपार्टमेंटल ढंग से चल रहा है । क्या इस एजेंसी में परिवर्तन किए बिना ही यह काम जुलाई सन् १९६६ तक पूरा कर लेंगे ?

Shri C. Subramaniam: I do agree that the progress made is only 23.7 metres as against 762 metres to be completed. We are trying to find out whether it will be possible to utilise the indigenous concerns for the purpose of putting up this shaft about which I mentioned yesterday in the course of my reply to the debate on the Demands for Grants relating to my Ministry. My own impression is that the Kolar Gold Fields organisation will be able to take up this programme.

Manganese and Iron ore Mines in Orissa and Bihar

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*995. { Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Steel, and Heavy Engineering be pleased to state:

(a) whether it is a fact that the production in manganese and iron ore mines in Orissa and Bihar has gone down during 1963-64;

(b) if so, the reasons therefor; and

(c) the steps taken by Government in this regard?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah):

(a) The production of iron ore in Bihar and Orissa has been increasing during 1963-64. There was a small fall in the production of manganese ore in the first ten months of 1963-64 compared with the production for corresponding period in 1962-63.

(b) The fall in the output of manganese ore was due to the lack of demand from abroad for manganese ore. The discontinuance of mining operations in some of the mines, the leases for which were not renewed by the State Governments of Bihar and Orissa, also affected the output.

(c) To provide relief to the manganese mining industry, the Government have given freight concessions on manganese ore intended for export. As a measure of export promotion, exporters of manganese ore are permitted to import mining equipment and machinery for the improvement of their mines to the extent of 10 per cent of the foreign exchange earned by them through the export of manganese ore. A Committee has also been set up to study the problems relating to the manganese ore industry.

Shri Ramachandra Ulaka: May I know whether the committee has submitted any report to Government

relating to the problems of the manganese and iron ore mining industries in Orissa and Bihar, and if so, the recommendations made and the reaction of Government thereto?

Shri Thimmaiah: The report has not yet been submitted.

Shri Ramachandra Ulaka: Are any difficulties being experienced by the mine-owners of Orissa and Bihar in regard to importing machinery and equipment for improvement of mines? If so, what is Government's reaction thereto?

Shri Thimmaiah: No difficulty has been brought to our notice. We have allowed them to import machinery to the extent of 10 per cent of the earnings of foreign exchange out of their exports.

Shri Dhuleshwar Meena: It is a fact that iron ore has been accumulating in several mining areas in Orissa and Bihar because of non-purchase by STC? If so, what are the reasons for the non-purchase?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): I do not think that there are any stocks built up because STC has not purchased them.

Shri L. N. Bhanja Deo: Steel barter was permitted to a certain extent against the export of ore. Is that being stopped or is it being still continued?

Shri C. Subramaniam: Generally, I am against this barter arrangement, allowing import of steel or other articles and selling them at very high rates to make up for the losses. If there are losses, they should be straightway subsidised. We are putting down this practice of allowing import on the basis of barter and then selling it at black-market rates here.

Shri Shashi Ranjan: Is the short-fall in production due to non-availability of adequate transport facilities to the mine-owners there?

Shri Thimmaiah: No, it is due to the closure of certain mines for non-renewal of licence by the State Government.

Shri P. Venkatasubbaiah: Are Government aware of the fact that because of the lack of proper facilities to exploit high-grade iron ore in these two areas we are not able to compete in the foreign market so far as the price of iron ore is concerned? If so, what arrangements do Government propose to make to facilitate exploration of this type of ore as quickly as possible?

Shri C. Subramaniam: To the extent necessary for the purpose of export, we are already producing sufficient quantities. Therefore, when the export needs increase, to that extent it would be possible for us to increase the production also.

Shri P. R. Chakraverti: How far has the industry responded to the directives issued by Government for introducing innovations in equipment and machinery in respect of iron ore?

Shri C. Subramaniam: As far as possible, we are doing it in the public sector; we are trying to introduce modern methods of mining. In the private sector, when there are small mine-owners, it is not possible for them to bring mechanisation or introduction of innovations there.

Shri D. J. Naik: Is it a fact that several manganese mines have closed down? If so, what are the reasons therefor?

Shri Thimmaiah: One of the important mines in Bihar has been closed down because the State Government did not renew their licence.

Shri Ranga: Why?

Shri Thimmaiah: Another mine was closed because it did not have the facility of siding.

Single Ballot Box System in Kashmir

***996. Shri Yashpal Singh:** Will the Minister of Law be pleased to state:

(a) whether the Government of Jammu and Kashmir have approached the Election Commission for introduction of single ballot box (marking) system for conducting the elections in the State; and

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

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra):

(a) No, Sir.

(b) Does not arise.

श्री यशपाल सिंह : क्या भारत सरकार का ध्यान शेख अब्दुल्ला के उस स्टेटमेंट की तरफ गया है जिसमें कल उन्होंने कहा है कि काश्मीर में फेक इलेक्शन हुए हैं। इम्पैशियल और फेयर इलेक्शन नहीं हुए हैं? यदि हां, तो क्या यह भारत की संवैधानिकता को चुनौती देने का मामला नहीं है?

अध्यक्ष महोदय : आपका सवाल तो बैलट बाक्स के बारे में है, उसके बारे में सवाल कीजिए।

श्री यशपाल सिंह : उसका ताल्लुक इलेक्शन से है।

अध्यक्ष महोदय : ताल्लुक तो बढ़ते बढ़ते बहुत बढ़ जाएगा। जो आपका सवाल है उसके मुताल्लिक पूछना हो तो पूछिए।

श्री यशपाल सिंह : क्या माननीय मन्त्री बतला सकेंगे कि अब तक दो तरीके क्यों रहे? भारत में अलग तरीका रहा और काश्मीर में अलग तरीका रहा तो यह दो तरीके क्यों रहे?

श्री कछवाय : वहां का प्रधान भी अलग है और निशान भी अलग है।

Shri Bibudhendra Misra: It is a matter for the Kashmir Government to decide. They have to amend the Representation of the People Act which provides that voting should be by ballot. I may give this information to the House that the Kashmir Government has already asked the Election Commission to send the necessary information regarding the marking system, and it is now under their study.

श्री यशपाल सिंह: क्या मैं जान सकता हूँ कि कब तक यह डिस्पैरिटी और यह अलग-गैब दूर हो जायगा ?

Shri Bibudhendra Misra: It is for them to consider, and if they come to a conclusion that the marking system should be adopted either for the whole of the State or part thereof, they have to amend the election law.

Shri Kapur Singh: Is there any justification in the appreciation made by Sheikh Abdullah yesterday in his press conference that the elections so far held in Kashmir have been rigged elections?

Mr. Speaker: That is too general a question.

Shri Kapur Singh: We are discussing the system prevailing there.

Shri Swell: In view of the remark of Sheikh Abdullah yesterday that all the three General Elections in Kashmir were rigged, would not the Government consider that it would be in their own interests to introduce this single ballot box?

Mr. Speaker: This is a different question altogether. It is a general question being raised.

श्री कछवाय : अध्यक्ष महोदय, शेख अब्दुल्ला का जहाँ नाम आ जाता है तो वहाँ कोई सबाल ही नहीं पूछने दिया जाता . . .

अध्यक्ष महोदय : आर्डर, आर्डर । श्री नारायण दास ।

Shri Shree Narayan Das: May I know whether the authority of the Election Commission has been extended to Kashmir in all respects with regard to the election to the State Assembly as well as election to Parliament?

Shri Bibudhendra Misra: Under the provisions of the Constitution of Jammu and Kashmir, so far as the delimitation of constituencies is concerned, it is not with the Election Commission, but the conduct of the elections and the preparation of the electoral rolls is with the Election Commission.

श्री तुलशीदास जाधव : कश्मीर में अभी जिस रीति से एलेक्शन्स हुए, वह स्टेट गवर्नमेंट ने तय किया था या उसको सेंट्रल गवर्नमेंट ने तय किया था ?

अध्यक्ष महोदय : स्टेट गवर्नमेंट ने तय किया था ।

Shri Birendra Bahadur Singh: Just now the Minister has stated that the preparation of the electoral rolls is done by the State Government. Does that not amount to a difference between State and State that Kashmir should have a different law?

Mr. Speaker: They have their own Representation of the People Act.

श्री रामसेवक यादव : अध्यक्ष महोदय अभी मन्त्री महोदय ने बतलाया कि कश्मीर सरकार ने जो मौजूदा तरीका है चुनाव का उसके बारे में चुनाव आयोगसे जानकारी हासिल की तो मैं जानना चाहता हूँ कि इस सारे देश में चुनाव में एकरूपता हो क्या इसके लिए भारत सरकार ने भी वहाँ की सरकार को सलाह दी है कि वह यह तरीका अपनाये ?

Shri Bibudhendra Misra: As I have said, the Prime Minister of Jammu and Kashmir made a statement in the State Assembly itself that he would favour the marking system, and they are now studying it, and if they come to the conclusion that either in a part of the State or the

whole of the State the system is to be adopted, the electoral law has to be changed.

श्री कछवाय : कश्मीर प्रौर शेष भारत के चुनावों का तरीका अलग अलग रहा है तो क्या हम ऐसी आशा करें कि निकट भविष्य में जो भारत में चुनाव की पद्धति है वही कश्मीर में भी लागू हो जायगी ?

अध्यक्ष महोदय : उसका जवाब तो उन्होंने अभी दे दिया ।

Shri Hem Barua: As far as I remember, on a previous occasion the hon. Prime Minister said with a lot of gusto that the jurisdiction of the Election Commission had been extended to Jammu and Kashmir. Are we to understand that that extension as announced here is not complete, or it is only partial?

Mr. Speaker: There is a separate Representation of the People Act yet. The Prime Minister announced his intention. The Act shall have to be amended by them. He has answered all those questions.

Shri Hem Barua: In that case, the announcement should not have been made here, because it was a misleading announcement.

Export of Cloth

998. { ⁺ Shri M. L. Jadhav;
Shri Jedhe;
Shri Lonikar:

Will the Minister of International Trade be pleased to state:

(a) the special incentives given for the export of cloth to the mill sector, powerloom sector and handloom sector; and

(b) the export performance of each sector during the last three years and the foreign exchange earned from each of them?

The Minister of Industry (Shri Kanungo): (a) A statement is laid on

the Table of the House. [Placed in Library. See No. LT-2681/64]

(b) The information is being collected and will be laid on the Table of the House.

Shri M. L. Jadhav: May I know whether mill cloth is given more facilities for export as compared to powerloom cloth?

Shri Kanungo: No, it is almost equal, considering the method of trade.

Shri M. L. Jadhav: May I know whether it is a fact that powerloom cloth has a good export market as compared with the mill sector?

Shri Kanungo: Not necessarily. It depends upon the quality of the cloth and the channel of trade.

Shri Jedhe: What is the ratio of the export rate as compared with the Indian market rate?

Mr. Speaker: What percentage is being exported that is the question.

Shri Jedhe: No, Sir, comparison of the rate to the foreign exchange.

Shri Kanungo: I presume that the hon. Member wants to know the share of India in the total international trade of textiles. I have not got that information.

Shri Ranga: Is it a fact that the export of handloom goods had been coming down for the last one year and more in the South-East Asian countries and, if so, what efforts are being made to remedy the position?

Shri Kanungo: On the whole the handloom exports are increasing, but it is true that the export to South-East Asian markets is diminishing. It is because local Governments have put in restrictive laws about trade... (Interruptions).

Dr. Sarojini Mahishi: Is it a fact that the handloom association at Madras has suffered losses because they could not fulfil the orders due to shortage of raw materials?

Shri Kanungo: No, Sir.

Shrimati Renu Chakravartty: Is it a fact that our trade with Ceylon in cloth has gone down and one of the reasons is that they have such an adverse balance of payments position vis-a-vis India and as we do not even buy from them the amount of coconut that we want to buy and that is why their buying the cloth has gone down? What steps are being taken in this behalf?

Shri Kanungo: This does account for the reduction, but the main reason is that most of the textile trade in Ceylon was handled by Indian nationals, and by a recent law the Indian nationals have been forbidden to continue in textile trade.

Shri Tyagi: What was the total value of cloth imported during the year and what was the amount of import permitted as an incentive?

Shri Kanungo: I have replied that it is being collected and will be laid on the Table.

Shrimati Savitri Nigam: What are the reasons that we cannot capture more new markets? Is it that we do not have show-rooms in many of the newly developing countries?

Shri Kanungo: Show-room is not a very important factor in textile trade.

Shri Shankaraiya: Has it come to the notice of the Government that the incentive to the export of handloom goods has gone to the benefit of the exporter, and the weaver does not get any benefit, and so the weaver is not producing the quality fabrics, and, if so, what steps are being taken to see that quality goods are produced?

Shri Kanungo: Quality fabrics as we understand it in India are not necessarily exported. As for the question of incentives it has got to be channelled. For instance, dyes and chemicals that could not be used by the individual weaver have got to

be handled by the processing establishment.

Shri Tyagi: May I get a clarification? If the actual figures are not available, may I know the percentage or the ratio between the cost of imports and the cost of exports? On what basis is the incentive given?

Mr. Speaker: He may try some other time to get it....

Shri Kanungo: May I say....

Mr. Speaker: Order, order. When I do not allow a question to be answered, it need not be answered.

Shri Sivamurthi Swamy: Is it a fact that handloom and handloom products have been exported very much less this year than last year?

Shri Kanungo: No; the total quantity of export is higher.

कोयले का एक स्थान से दूसरे स्थान पर
साया से जाया जाना

*६६६. श्री राम सेवक यादव : क्या इस्पात, खान और भारी इंजीनियरिंग मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या उन्होंने हाल में ही लोकसभा में जो वक्तव्य रेल या ट्रकों से कोयले के निर्वाह लाने तथा ले जाने के बारे में दिया था उससे उनका यह आशय था कि कोयले पर अब कोई नियन्त्रण नहीं है और नया या पुराना कोई भी उपभोक्ता किसी भी मात्रा में कोयला खान से कोयला मांग सकता है ; और

(ख) यदि हाँ, तो क्या मामले के सम्बन्ध में सरकारी नीति बताई जा सकेगी और सरकारी अधिसूचना की एक प्रति समापटल पर रख दी जायेगी ?

इस्पात, खान तथा भारी इंजीनियरिंग मन्त्रालय में उपमन्त्री (श्री प्र० चं० सेठी) :

(क) और (ख) यह कहना उपयुक्त नहीं होगा कि सरकार ने कोयले पर से सारे नियन्त्रण हटा लिए हैं। परन्तु वर्तमान उत्पा-

दन को देखते हुए जो कि मांग से बढ़ गया है निम्नलिखित रियायतें दी गई हैं :—

(क) कोटे पर अब कोई रोक नहीं है और श्रेणी के अनुसार अधिकार (gratewise entitlement) को ध्यान में रखते हुए, उपभोक्ता कोटे का विचार किए बिना कोयले की अतिरिक्त मांग कर सकता है।

(ख) उपभोक्ता यह अतिरिक्त मांग सीधे कोयला नियन्त्रक, कलकत्ता से कर सकता है, उसे अपने राजकीय कोयला नियन्त्रक व प्रायोजक अधिकारी के द्वारा यह मांग करने की आवश्यकता नहीं है। परन्तु ईंट जलाने वाला कोयला व माफ्ट कोक के उपभोक्ताओं को अभी भी राजकीय कोयला नियन्त्रक के द्वारा ही मांग करनी पड़ती है, क्योंकि यह सप्लाई ब्लाक रिक में नियोजित गति के द्वारा होती है।

(ग) सब औद्योगिक उपभोक्ताओं के मामले में कोयला खानों के चुनाव की स्वतन्त्रता है। परन्तु चुनाव की यह स्वतन्त्रता ईंट जलाने वाले कोयले व साफ्ट कोक के मामले में ब्लाक रिक में नियोजित गति के कारण नहीं है।

इस बारे में निकाली गई दो विज्ञप्तियों की प्रतिलिपि सदन-पटल पर रख दी गई हैं।
[पुस्तकालय में रखी गई, बेखिये संख्या एल टी—२६८२/६४]

श्री राम सेवक यादव : बयान में कहा गया है कि उपभोक्ता लोग जिस मात्रा में भी चाहें, उतना कोयला उनको दिया जायेगा। मैं यह जानना चाहता हूँ कि नये लोगों को, चाहे वे कोई भट्टा चलाना चाहते हों या

किसी और उद्योग के लिए चाहते हों, कोयला देने की क्या व्यवस्था है।

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): Yes, Sir. New users also will be able to get their coal, and there would not be any difficulty.

श्री रामसेवक यादव : क्या यह सही है कि कोयला अधिक होने का कारण यह है कि उसकी क्वालिटी अच्छी नहीं है, इसलिए उद्योग में उसका इस्तेमाल कम होता है; अगर ऐसा है, तो उसको सुधारने के लिए क्या कोशिश हो रही है ?

Shri C. Subramaniam: The increase in production has been generally in the low-grade coal for which we do not have sufficient use now. The problem is the utilisation of this low-grade coal and the programme of the Government for the utilisation of this was explained yesterday in my reply to the debate.

Shri Indrajit Gupta: In view of this admitted abundance of coal supply at the present moment which has made possible this liberalisation of supplies, has the Government any proposal under consideration to reduce the price at least of the coal for domestic consumers by the clearance of the pit-head stocks?

Shri C. Subramaniam: As far as the low-grade coal is concerned, we have got only a ceiling price, and, as a matter of fact, now, the coal is selling at Rs. 2 or Rs. 3 per ton below the ceiling price.

Shri P. R. Chakraverti: May I know whether the Government has taken effective measures to see that Grade I coal should not be used for the brick kilns?

Shri C. Subramaniam: Only low-grade coal is permitted for the brick kilns; the higher grades are not permitted to be used.

Shri Ranga: In view of the fact that last year considerable difficulty

was experienced by the tobacco growers in Andhra as well as in Mysore for the supply of coal, would the Government try to take some steps to encourage them to place their orders now in view of the large stocks that have accumulated, and obtain the coal in advance of the next season?

Shri C. Subramaniam: We are giving every inducement to the users to book in advance and take a little more than their requirements, so that they may have sufficient stocks. The entire requirements of the Andhra tobacco growers could be met.

श्री काशीराम गुप्त : मन्त्री महोदय ने बताया कि अब बाजार में कोयला मीनिंग प्राइस से दो तीन रुपये फी टन कम के हिस्से से बिक रहा है। मैं यह जानना चाहता हूँ कि क्या यह दाम और भी गिरने की आशा है ; यदि हाँ, तो उसका उत्पादन पर क्या असर पड़ेगा।

Shri C. Subramaniam: That will depend upon the demand and supply.

श्री काशीराम गुप्त : क्या दाम और गिरने की आशा है ?

Mr. Speaker: Next question.

Regarding Starred Question Nos. 1000 and 1001

Mr. Speaker: Shri Ram Harkh Yadav.

Shri Indrajit Gupta: Sir, Question No. 1001 may also be taken up along with this.

Mr. Speaker: Since both the questions are connected, I think both can be taken up together. Can they be taken?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah): Yes, Sir.

Polish Coal-mining Machinery

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*1000. } **Shri Ram Harkh Yadav:**
 } **Shri Vishwa Nath Pandey:**

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that Poland has agreed to aid India in the development of coal mining industry;

(b) if so, whether the agreement extends to the scientific, technological and cultural co-operation between the two countries; and

(c) if so, the details of the agreement and its actual working?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah): (a) and (b). Yes, Sir.

(c) The Government of Poland have agreed to assist us in the development of nine deep coal mines, establishment of a washery and the setting up of a plant for the manufacture of coal mining machinery. Agreements have already been entered into between the National Coal Development Corporation and the Polish Organisation, and work is in progress, for the development of two deep coal mines at Sudamdih and Monidih in Central Jharia and the erection of a washery at Gidi. The Polish Government have also agreed to extend assistance in the sphere of scientific and technical co-operation between the two countries, grant of scholarships for higher studies, creation of a Chair in mining in the Indian School of Mines, Dhanbad, exchange of professors to deliver lectures on scientific research in selected fields, and also training of Indian instructors in mining techniques in Poland. The Cultural Agreement further provides, *inter alia*, for exchange of Art Exhibitions, radio broadcasts and motion pictures, as also information on medical problems.

Coal Industry

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Shri D. D. Mantri:

*1001. } Shri Basumatari:
 } Shri M. Rampure:
 } Shri P. Venkatasubbaiah:

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that a high-powered delegation of the National Coal Development Corporation will visit Poland to study the overall planning in the coal industry;

(b) if so, the composition of the delegation; and

(c) when the delegation is likely to visit Poland?

The Parliamentary Secretary to the Minister of Steel, Mines and Heavy Engineering (Shri Thimmaiah): (a) Yes, Sir. The visit is in connection with the development of deep shaft mines in India with Polish Collaboration.

(b) The delegation will comprise the Director of Planning, the Chief Engineer (Civil) and the Chief Engineer (Elect. & Mech.) of the National Coal Development Corporation.

(c) The delegation is expected to leave for Poland either this month or early in May, 1964.

श्री विश्वनाथ पाण्डेय : क्या इस एग्रीमेंट के अन्तर्गत इस देश से भी लोग पोलैण्ड में शिक्षा प्राप्त करने के लिए जायेंगे ?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): Yes, Sir; they get specialised training.

Shri P. Venkatasubbaiah: Regarding the agreement with the Polish for deep mining in coal and other things that have been stated by the Minister, may I know whether the private industry which is not coming up to the level as expected by the Government in production of coal will also be

associated with these dealings with the Polish Government?

Shri Thimmaiah: For the development of the private sector and to give incentive to it, there is already a programme of giving World Bank loan and ways and means to utilise the loan by the private sector.

Shri P. R. Chakraverti: May I know what will be the total volume of investment by Poland in terms of the agreement?

Shri Thimmaiah: The first agreement is for Rs. 14.3 crores. They have to develop two deep mines and a washery. We cannot give the amount of coal in relation to investment.

Steel Priority Committee

*1003. **Shri Shashi Ranjan:** Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that Steel Priority Committee has been formed;

(b) if so, the circumstances that led to the formation of this Committee; and

(c) the functions and personnel of the Committee?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) Yes, Sir.

(b) and (c). A statement is placed on the Table of the House.

STATEMENT

The Steel Priority Committee has been formed in pursuance of a recommendation in the Report of Raj Committee on Planning and Distribution of Iron and Steel which was accepted by Government.

The functions of the Committee are:—

(i) to assign priorities;

- (ii) to decide on six monthly allocation of priority, and
- (iii) to allocate foreign exchange to priority consumers.

The personnel of the Committee are:—

- (i) Secretary, Department of Iron and Steel—Chairman.
- (ii) Secretary, Department of Technical Development.
- (iii) Secretary, Planning Commission.
- (iv) Secretary, Ministry of Finance (Department of Economic Affairs).
- (v) Iron and Steel Controller—Member Secretary.

Shri Shashi Ranjan: May I know what are the factors that lead to the determination of the priority? For determining priority may I know whether the actual availability of steel and the employment potential are also taken into consideration?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): The first priority is given to the defence demands and then priority is given to railways, transport, communications, basic industries, agriculture, etc. Certainly when they fix priorities, they will take into consideration the availability of steel also.

Shri Shashi Ranjan: Outside priority projects, there are also projects which employ 25 lakhs of people. Will Government consider allotting some priority for these projects which are outside these priority projects?

Shri C. Subramaniam: Outside priority projects can get their steel from the market. Priority means we want to allocate to projects which should get priority. If everything has got priority, priority has got no meaning.

Remuneration in Public Undertakings

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*1004. { **Shrimati Renu Chakravartty:**
Shri Maheswar Naik:
Dr. M. S. Aney:
Shri P. C. Borooah:

Will the Minister of Industry be pleased to state:

(a) whether a report prepared by the Indian Institute of Public Administration and submitted to the Union Government has recommended that the public sector undertakings must provide remuneration comparable to what is paid to the private sector to prevent the migration of personnel from assuming alarming proportions;

(b) the nature of other recommendations made in the said report; and

(c) the decision taken by Government thereon?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement containing the more important recommendations made in the Report is laid on the Table of the House. [*Placed in Library. See No. LT-2663/64.*] These recommendations are under the consideration of the Government.

Shrimati Renu Chakravartty: May I know why it is not possible to lay down a ceiling in the private sector where fantastic salaries and emoluments are drawn?

Shri Kanungo: This point has been touched upon in the report and it is being considered.

Shrimati Renu Chakravartty: May I know what is the opinion of the Government in view of the fact that already there is top-heavy administration in most of the public sector projects and there has been much criticism as to the expenditure and lack of ability to show returns . . .

Shri Ranga: The Estimates Committee have said it.

Shrimati Renu Chakravartty: Yes. May I know whether Government is

thinking along the lines of increasing it to the level of the private sector or is it thinking only of increasing certain categories and insisting on a ceiling being put on the private sector projects?

Shri Kanungo: As the matter is under consideration, I do not know the results of it at the moment. The Estimates Committee is also having a study of this part of the problem, and I suppose the Home Minister in due course will come to a conclusion which will be applicable to all industries.

Shri S. M. Banerjee: It is quite clear from the hon. Minister's reply that the entire matter is being considered. I want to know whether his attention has been drawn to the fact that many of the good government servants—class I and class II officers—who are working in public sector projects are leaving the public sector projects and joining the private sector in utter disgust; if so, may I know what steps are being taken to see that their emoluments are increased and made comparable to the private sector?

Shri Kanungo: All these factors have been studied by this committee. They have given an analysis of it and their suggestions are being considered.

Shri Harish Chandra Mathur: May I know whether some of the Cabinet Ministers who are in charge of public sector undertakings communicated to the hon. Minister that they are feeling seriously handicapped because of the present structure of remuneration; if so, may I know what are the views that they have communicated?

Shri Kanungo: I have not received any such communication.

Shri Morarka: Is it not a fact that about a year ago some sort of a ceiling was put at Rs. 5000 per month for people employed in the private corporate sector and, that having been found impracticable, in this budget that ceiling has been removed?

Shri Kanungo: There was no obligation about remuneration for techni-

cal and management personnel in private industries. The law does not permit it.

Shri Shree Narayan Das: May I know whether it is a fact that in public sector undertakings situated at the same place there is difference in salaries and other terms and conditions of service; if so, what steps are being taken to remove it?

Shri Kanungo: All these factors and analysis will be found in the report which is available in the library of Parliament.

Manufacture of Ball-bearings

*1006. **Shri Yashpal Singh:** Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that licences for the manufacture of ball-bearings are in a few hands;

(b) if so, the action being taken to safeguard the interests of consumers?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) No, Sir.

(b) Does not arise.

श्री यशपाल सिंह: क्या यह बताया जा सकता है कि कब तक हम आशा करें कि हम दुसरो के ऊपर आश्रित नहीं रहेंगे ?

श्री प्र० च० सेठी: तहाँ तक बाल बेरिंग का सवाल है हमारी मांग तीसरे प्लान पीरियड के आखिर तक लगभग डेढ़ सौ लाख यूनिट्स की होगी और आशा की जाती है कि चौथे प्लान में वह और बढ़ेगी। लेकिन चौथे प्लान पीरियड में हम आत्म-निर्भर हो सकेंगे।

श्री यशपाल सिंह: इस वक्त कितना रुपया हम इनको बाहर से मंगाने पर खर्च करते हैं ?

Mr. Speaker: What is the percentage that is being spent in getting these imports?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): I think we are now importing to the extent of Rs. 4.5 crores now.

Shrimati Savitri Nigam: May I know what is the annual capacity of production of ball-bearings, whether any new capacity has been licensed and, if licences have been given, what would be the target of production and the date when that production will start?

Shri P. C. Sethi: The annual capacity of production today is about 60,38,500 units. With regard to further licences, 12 to 13 more licences have been issued out of which foreign exchange and collaboration have been cleared in respect of seven, the capacity of which is about 1,00,62,000 units.

श्री सिद्धेश्वर प्रसाद : बाल बेरिंग के प्रमुख निर्माता कौन कौन हैं और वे हमारी मांग के कितने प्रतिशत का उत्पादन कर रहे हैं ?

श्री प्र० चं० सेठी : इस समय तीन कम्पनियाँ उत्पादन कर रही हैं। नेशनल इंजीनियरिंग इण्डस्ट्री, जयपुर, भारत बाल बेरिंग कम्पनी लिमिटेड, रांची और एण्टी-फ्रिक्शन बेरिंग कम्पनी लिमिटेड, लोनावाला। जयपुर वाली ३२ लाख ३६ हजार का उत्पादन कर रही है, रांची वाली २५ लाख का उत्पादन कर रही है और लोनावाला की ३ लाख २ हजार ५०० का उत्पादन कर रही है।

Prices of Cloth and Yarn

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*1007. {
 Shri M. L. Jadhav:
 Shri Jedhe:
 Shri Lonikar:
 Shri Ramachandra Ulaka:
 Shri Dhuleshwar Meena:

Will the Minister of **Industry** be pleased to state:

(a) the period for which the system of voluntary price control allowed to the textile mill sector on prices of cloth and yarn is in vogue;

(b) whether the system has failed as cloth and yarn are being sold in black-market above the voluntary price control; and

(c) if so, the steps taken to stop such malpractices and how the price indices compare with the prices of yarn and cloth during the last five years, showing the annual break-up?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) Since September, 1960.

(b) and (c). No, Sir. The overall supply and price position of various counts of yarn and different categories of fabrics since the introduction of the voluntary price control scheme has been fairly satisfactory. By and large, cloth is generally available to the consumers at the marked prices and the prices for yarn are also fairly in keeping with the schedule of ex-mill prices prescribed under the scheme. With a view to holding the price-line for cotton textiles in the emergency, direct supplies of cloth at ex-mill prices to consumer cooperatives and fair price shops have been arranged and a number of State Governments have already availed themselves of this assistance. The working of the Voluntary Price Control Scheme is being reviewed at present by a Committee set up with Textile Commissioner as Chairman and including representatives of industry, trade, labour and consumers and economists. Its report is expected shortly. The present figures of wholesale price indices for cloth and yarn as given below show only a marginal increase as compared to the price

indices at the time of introduction of the voluntary price control scheme.

Average for the year	Yarn	Mill Cloth
	(Base 1952-53 —100)	
1960	126.0	131.8
1961	127.9	130.8
1962	132.2	131.7
1963	135.7	131.9
1964 (January to March 21st only)	139.4	132.7

Shri M. L. Jadhav: What steps have been taken to enforce the voluntary price control?

Shri Kanungo: It is a contradiction in terms. It is a voluntary price control.

Mr. Speaker: How could steps be taken to enforce it?

Shri Jedhe: May I know whether the voluntary price control has affected the exportation of this cloth?

Shri Kanungo: No, Sir.

Shri Ramachandra Ulaka: May I know whether it is a fact that the minimum price for yarn is available only to the members of some co-operative societies and that members other than co-operative societies are not getting this advantage?

Shri Kanungo: Yes, some of the co-operative societies which are running very well indent and get their yarn supplies at a price which is certainly cheaper than that in the market.

Shrimati Renu Chakravartty: This statement says that the prices for yarn are also fairly in keeping with the schedule of ex-mill prices. Is it known to Government that yarn is sold in very large quantities in the black market and that the ordinary weaver does not get it at the fair price?

Even in the indices which have been given over here, it is in the case of yarn that there is a big leap; from 126 in 1960 it has gone up to 139.4 this year. What steps do Government propose to take to see that this is stopped?

Shri Kanungo: Basically there is a shortage of yarn of above 80 counts and that is one of the reasons why these indices have been so. Essentially there is preference for some quality of yarn of some of the favoured manufacturers. It cannot be helped because it is a question of consumer preference. Even 40 or 60 counts yarn manufactured by a group of particular manufacturers is favoured by the consumers whereas the same yarn exactly of the same quality is not demanded. The shortage has been felt in the sphere of 80 to 100 counts and it is due to the lack of supply of long-staple cotton. We are trying to correct it as best as we can.

Shrimati Renu Chakravartty: May I point out to the hon. Minister that even in the case of yarn of much coarser variety, that is even yarn which is used for making bandage cloth and mosquito nets, the weavers find it very difficult to get it at the controlled rate which itself is higher than what it was five years ago?

Shri Kanungo: I just now said that the particular manufacturer's yarn may not be available but other yarns will be available. It might happen in a particular State somewhere, where the co-operative movement is weak.

Shri P. R. Patel: The price of cotton is compulsorily controlled and all other things are controlled. Then, may I know the reason why compulsory price control is not put on yarn and cloth?

Shri Kanungo: As I said, yarn above 80 counts requires long-staple cotton which has to be imported. It has not been imported in sufficient quantities and therefore there is the shortage.

Shri Harish Chandra Mathur: Is it not a fact that the hon. Minister had a conference with all the people in the trade and industry for cloth? It is accepted not only in the open but by the industry also that this voluntary control has completely failed and cloth is nowhere available at the stamped price. If so, what are the suggestions which were made and how has the hon. Minister reached to them?

Shri Kanungo: I did not have any conference but the Federation of the Millowners' Association have represented that it is difficult for them to maintain voluntary price control.

Shri Harish Chandra Mathur: What are the suggestions made and what is his reaction?

Shri Kanungo: We are trying to find out ways and means as to how to keep the price under control.

Shri Ranga: In view of the fact that in every State there is a central weaver's co-operative society, whether you call it wholesale or otherwise, why is it that Government has not tried to make yarn available to weavers through that society? Even if it does not have any co-operative branches in the consuming centres, that is, weaving centres, there must be some effort made in order to make it available to them.

Shri Kanungo: That is what is happening. Where the central societies are efficient, it is all right; but in many places it is not so.

WRITTEN ANSWERS TO QUESTION

Constitution of Cardamom Board

*997. **Shri M. Malachami:** Will the Minister of International Trade be pleased to state:

(a) whether there is a proposal to constitute a Cardamom Board; and

(b) if so, when it is likely to be constituted?

The Minister of Industry (Shri Kanungo): (a) and (b). The matter is under Government's active consideration.

Newsprint

*1002. **Shri D. C. Sharma:** Will the Minister of Industry be pleased to state:

(a) whether the shortage of newsprint continues to persist for the past 20 months on account of foreign exchange difficulties; and

(b) if so, the steps taken by Government to increase the indigenous production of newsprint to meet the demand?

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

(b) The following steps have been taken to meet the situation:—

- (i) Two private parties have been licensed to manufacture 90,000 tonnes of newsprint per annum.
- (ii) The existing newsprint mill has been licensed to expand from their present capacity of 30,000 tonnes to 75,000 tonnes per annum.
- (iii) A 'Letter of Intent' has been issued to one other private party to establish a Paper-cum-Newsprint plant.
- (iv) 5,000 tonnes of Writing and Printing Paper have been permitted to be utilised for newspapers.

Setting up of Ancillary Industries

*1005. { **Shri P. C. Borooah:**
Shri Maheswar Naik:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether Government have decided to offer facilities to the private sector to set up ancillary industries to cater to the component require-

ments of the power equipment projects in the public sector;

(b) the broad outlines of the scheme, if any, drawn out for the purpose; and

(c) the action taken in this regard?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): (a) to (c). Heavy Electricals (India) Ltd., Bhopal have set up an Ancillary Industrial Estate close to the Main Heavy Electricals Plant, Bhopal; to begin with, six ancillary units have been started by private entrepreneurs for the manufacture of Anodised Aluminium Labels, Machine Screws, Tool Room Accessories, Cable Sockets, Nuts and Bolts and Packing Cases; Seven more units for the manufacture of Brass Extrusions, Hot Brass Pressings, Steel Forgings, Cotton Tapes, Glass Tapes, P.V.C. Tapes and Cooling Fans are proposed to be started in the second phase of development.

Facilities have also been given to private sector factories who have undertaken to manufacture items required by Heavy Electricals Bhopal.

The other project of Heavy Electricals (India) Ltd. are in the construction stage.

Imports through S.T.C.

*1008. { **Shri Maheswar Naik;**
Dr. L. M. Singhvi;

Will the Minister of **International Trade** be pleased to state:

(a) whether Government have decided to channelize imports of certain additional items through the State Trading Corporation;

(b) if so, the items proposed to be brought under this State Trading Scheme and the approximate value thereof; and

(c) the extent to which this decision is likely to affect the import

trade now handled by the established importers?

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

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

Allotment of Non-ferrous Metals to Orissa

2036. { **Shri Dhuleshwar Meena;**
Shri Ramachandra Ulaka;

Will the Minister of **Industry** be pleased to state:

(a) the quantity of non-ferrous metals allotted to Orissa during 1963-64;

(b) whether the Orissa Government have requested the Centre to increase their quota during 1964-65; and

(c) if so, the decision of Government thereon?

The Minister of Industry (Shri Kanungo): (a) Allotment of non-ferrous metals to Orissa during 1963-64 were as given below:

Item	Quantity allotted (in metric tons)
Copper .	538
Zinc .	322
Lead . .	6.4
Tin	33.9
Electrolytic aluminium wire rods :	
(i) Indigenous	46
(i) Imported	61

(b) and (c). In response to a reference made to the States by the Central Small Industries Organisation regarding assessment of requirements of non-ferrous metals for small scale units, the Government of

Orissa have indicated their requirements in excess of the allocations made to the State in the past. The State Governments have been requested to adopt uniform methods of assessment of capacities of small scale units and on the receipt of necessary data from all States, the whole question of assessment of requirements of non-ferrous metals for small scale units will be examined by the Central Small Industries Organisation on an all-India basis.

Grant of Industrial Licences in Orissa

2037. { Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of Industry be pleased to state:

(a) the number of applications for industrial licences received from Orissa during 1963; and

(b) the number out of them granted and the number of those rejected?

The Minister of Industry (Shri Kanungo): (a) and (b). The information is being collected and will be laid on the Table of the House.

Development of Sericulture in Orissa

2038. { Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of Industry be pleased to state:

(a) the amount of grants and loans actually given to Orissa for the development of sericulture during 1963-64; and

(b) the amount proposed to be given to that State for the purpose during 1964-65?

The Minister of Industry (Shri Kanungo): (a) Central assistance is given to the State Governments on the basis of expenditure incurred by them on approved plan schemes. As no expenditure was reported by the Government of Orissa for the development of sericulture industry during 1963-64, no financial assistance

has been granted to the State Government on this account. The following assistance has, however, been sanctioned to the State Government during 1963-64 on account of arrear payment for the expenditure incurred in 1962-63:—

Loan — Rs. 1.57 lakhs.

Grant — Rs. 0.94 lakh.

(b) The approved outlay for 1964-65 is Rs. 3.48 lakhs.

Foreign Exchange Ceiling for Import of Steel

2039. { Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:

Will the Minister of Industry be pleased to state the quantum of foreign exchange ceiling given to the State of Orissa for import of steel during 1963-64?

The Minister of Industry (Shri Kanungo): The foreign exchange ceiling allocated to the Government of Orissa for sponsoring import applications for steel for small scale industries for the year 1963-64 was Rs. 14.76 lakhs from free resources and Rs. 3.69 lakhs from Rupee resources.

Manufacture of Tractors

2040. { Shri Vishram Prasad:
Shri M. Rampure:
Shri Koya:

Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether Government have set up a Committee of Officials to review the progress made in the manufacture of indigenous tractors; and

(b) whether any time limit has been fixed for the Committee to submit its report to Government?

The Deputy Minister of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) No, Sir.

(b) Does not arise.

Handloom Finance Corporations

2041. { **Shri Warrior:**
 Shri Vasudevan Nair:

Will the Minister of **Industry** be pleased to state:

(a) whether Government have permitted the State Governments to establish Handloom Finance Corporations; and

(b) if so, which States have already started those bodies?

The Minister of Industry (Shri Kanungo): (a) and (b). Only the Government of Madras approached the Central Government for the information of a Handloom Finance Corporation for financing handlooms outside the Cooperative fold. The State Government have been advised to take up the matter with the Reserve Bank of India.

Export of Canned Fruits to U.S.S.R.

2042. { **Shri Subodh Hansda:**
 Shri S. C. Samanta:
 Shri Sudhansu Das:
 Shri M. L. Dwivedi:

Will the Minister of **International Trade** be pleased to state:

(a) whether any market study has been made of the demand for canned fruits in U.S.S.R.; and

(b) whether any attempt has been made to export such fruits and fruit juices to U.S.S.R.?

The Minister of Industry (Shri Kanungo): (a) Yes, Sir. During the Indian National Exhibition held in Moscow in July-August, 1963, the possibilities of exporting Indian canned fruits and fruit juices to the U.S. S.R. were explored. Samples of canned fruits and juices were displayed and distributed during the exhibition, to give wide publicity to our products.

(b) A few consignments of canned fruits and fruit juices have been exported to U.S.S.R.

Jute Godowns

2043. **Shri P. C. Borooah:** Will the Minister of **International Trade** be pleased to state:

(a) whether an inquiry has been made into the circumstances in which two jute godowns of the State Trading Corporation were gutted recently near Calcutta, as demanded at the meeting of the Indian Central Jute Committee held in January, 1964 at Calcutta; and

(b) if so, the result thereof?

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

(b) The final result of the enquiry in the case of the first fire is not yet available. In the other case, it has been reported that the fire was accidental.

Cement Factories

2044. { **Shri Hem Raj:**
 Shri Ram Harkh Yadav:
 Shri Daljit Singh:
 Shri Ramachandra Ulaka:

Will the Minister of **Industry** be pleased to refer to the reply given to Starred Question No. 106 on the 14th February, 1964 and state:

(a) the names and location of the cement factories which have been completed;

(b) the names of the parties whose licences for cement factories have been revoked and the States to which these licensees belonged; and

(c) the names of the schemes which are nearing completion and the places of their location?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House [Placed in Library, See No. LT-2693/64].

Drum Closures Factory in Bombay

2045. **Shri Bibhuti Mishra:** Will the Minister of Industry be pleased to state:

(a) whether it is a fact that a Drum Closures Factory, namely, Trisure India Private Ltd. has been set up in Bombay;

(b) whether it is also a fact that prior to its establishment, a condition was imposed by Government that its major production would be exported for exchange earning;

(c) whether the products of this factory are being consumed in the country; and

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

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

(b) and (c). At the time of submitting their scheme to the Government the firm undertook to export 50 per cent of their production and this was agreed to. They subsequently represented the difficulties they faced in the procurement of suitable raw materials and asked for some time to establish their production on a firm basis before they could undertake exports. It was agreed that the export of the products to the extent of 50 per cent will start from the third year of the commencement of production. They went into production in April, 1962 and their exports should accordingly commence from 1964 onwards.

(d) Does not arise.

Manufacture of Sewing Machine Components

2046. { **Shri Ramachandra Ulaka:**
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to refer to the reply given to Starred Question No. 1058 on the 26th April, 1963 and state:

(a) whether any final decision has since been taken regarding the application submitted by the South Indian firm for manufacturing sewing machine components with U.S. assistance; and

(b) if so, the details thereof?

The Minister of Industry (Shri Kanungo): (a) and (b). With reference to the application submitted by the South Indian firm, a licence under the Industries (Development and Regulation) Act, 1951, has been issued to that firm to enable them to manufacture certain critical sewing machine components, in collaboration with the Singer Manufacturing Company of New York, on the understanding that:—

(i) they will not manufacture complete domestic sewing machines,

(ii) the brand name 'Singer' will not be used on the internal sales of the components manufactured by the firm; and

(iii) the terms of foreign collaboration and the items of imported plant and machinery will be settled to the satisfaction of the Government.

Production of Motor Cars

2047. **Shri Maheswar Naik:** Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether it is a fact that Standard Motor Products of India at Madras has been planning a major expansion programme for itself to produce large number of cars with the aid of the firm's foreign collaborators;

(b) whether it is also a fact that Government's participation in the expansion programme is under contemplation; and

(c) if so, the size of the expanded capacity and also the nature of Government participation?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) to (c). Some time back, M/s. Standard Motor Products of India had submitted an application under the Ind. (D&R) Act, 1951, for effecting substantial expansion to their existing undertaking at Madras for the manufacture of cars. This application is still under consideration along with the expansion proposals received from the other car manufacturers.

Government are, at present, examining various possibilities of increasing the car manufacturing capacity in the country. One of the possibilities is to select one of the existing manufacturers for substantial expansion with Government participation. The question, however, is still under examination and no final decision has been taken.

Nahan Foundry

2048. Shri David Munzni: Will the Minister of Industry be pleased to state:

(a) whether Government propose to transfer the Nahan Foundry to Himachal Pradesh Government; and

(b) if so, the reasons therefor?

The Minister of Industry (Shri Kanungo): (a) and (b). The Chief Minister, Himachal Pradesh has made a proposal to this effect. This is under consideration.

Consumption of Coal

2049. Shri Hem Raj: Will the Minister of Steel, Mines and Heavy Engineering be pleased to refer to the reply given to Starred Question No 111 on the 14th February, 1964 and state:

(a) whether coal from any of the seams out of 66 declared ungradable was being consumed with satisfaction before they were so declared;

(b) if so, the number of such seams and the quantity of coal consumed and also the name of consuming industries; and

(c) whether Government are aware of the wastage of national asset caused by declaring working coal seams ungradable?

The Deputy Minister for Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) Out of the 66 seams declared ungradable, 19 were cases of initial grading and there were no previous despatches. In the case of the remaining 47 seams, since these had previously not been declared as ungradable, despatches would have taken place in the normal course.

(b) A statement showing the names of the 47 seams and the respective collieries is laid on the Table of the House. [*Placed in Library. Ser No. LT-2684/64.*] Detailed information regarding the quantity of coal consumed from each of these seams and names of consuming industries is not available. But since the coals generally conformed to Grades II & III, the bulk of the despatches, where such despatches did take place, would have been for brick-burning purposes or manufacture of soft coke.

(c) If certain coals are so inferior that they do not conform to even the lowest grades prescribed, it is in public interest not to let them pass for graded coals and get a price to which they are not entitled. The question of wastage does not arise in this context.

Powerloom Co-operatives

2050. { **Shri Jedhe:**
Shri M. L. Jadhav:
Shri Lonikar:

Will the Minister of Industry be pleased to state:

(a) the number of co-operatives of powerlooms in different States and Union Territories;

(b) whether it is a fact that they are not able to run the co-operatives

successfully due to shortage of funds, and

(c) whether these co-operatives societies are also to take the help of so-called master weavers?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

Name of the State	No. of Co-operative Societies
Andhra Pradesh	Nil
Assam, Manipur and Tripura	6
Bihar	24
Gujarat (Dadra & Nagar Haveli)	30
Kerala	89
Madhya Pradesh	48
Madras	1
Maharashtra	50
Mysore	118
Orissa	17
Rajasthan	26
Uttar Pradesh	24
West Bengal	65
Delhi and Punjab	2
Pondicherry	4
	504

Government have received no reports that these co-operatives are not able to run successfully due to shortage of funds or that they are also taking the help of master weavers.

Licences for Shinning Mills

2051. { Shri Jedhe:
Shri Lonikar:
Shri M. L. Jadhav:

Will the Minister of **Industry** be pleased to state:

(a) the number of licences given to different private parties and cooperative societies for the spinning mills during the last three years,

(b) the criteria for deciding where and to whom licence for spinning unit is to be given; and

(c) the number of applications pending for getting licences State-wise?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) For the 3 years ending 31st March 1964:—

Private Parties 170 licences

Co-operative Societies—42 licences.

(b) The recommendations of the State Government concerned

(c).

State	Number of applications pending as on 31-3-1964
1. Andhra Pradesh	4
2. Bihar	1
3. Gujarat	4
4. Madhya Pradesh	4
5. Madras	10
6. Maharashtra	13
7. Mysore	5
8. Punjab	2
9. Uttar Pradesh	7
10. West Bengal	10
11. Delhi	7
12. Himachal Pradesh	2
13. Pondicherry	2

Production of Cloth

2052. { Shri Jedhe:
Shri Lonikar:
Shri M. L. Jadhav:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of **Industry** be pleased to state:

(a) the special reservations for the production of cloth to the powerloom sector and the handloom sector;

(b) how the prices of the above compare with the varieties produced by the mill sector; and

(c) the efforts being made to avoid competition by the mill sector with the powerloom and handloom cloth?

The Minister of Industry (Shri Kanungo): (a) to (c). A statement is laid on the Table of the House. [Placed in Library, See No. LT-2685/64].

Production of Cloth

2053. { Shri Jedhe:
Shri Lonikar:
Shri M. L. Jadhav:
Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to state:

(a) the quantity of cloth produced by different sectors, i.e. textile mills, Powerlooms and handlooms during the last five years giving a break-up of each year;

(b) whether it is a fact that the performance of the textile mills is not upto the mark as anticipated in the Plan;

(c) the *per capita* availability of cloth; and

(d) the efforts made to increase the production?

The Minister of Industry (Shri Kanungo): (a) to (d). A statement is laid on the Table of the House. [Placed in Library, See No. LT-2686/64].

ब्रिटेन में निर्मित 'एफ' टाइप कार

२०५४. श्री अशोक लाल बरवा : क्या इस्पात, खान और भारी इंजीनियरिंग मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ब्रिटेन ने एक "एफ" टाइप की कार का निर्माण किया है, जिसे छोटा किया जा सकता है ; और

(ख) यदि हां, तो क्या सरकार की देश में ऐसी कारें बनाने की कोई योजना है ?

इस्पात, खान और भारी इंजीनियरिंग मन्त्रालय में उपमन्त्री (श्री प्र० च० सठी) :

(क) सरकार को जानकारी नहीं है ।

(ख) प्रश्न नहीं उठता ।

Hindu Marriage Act

2055. **Shri Yashpal Singh:** Will the Minister of Law be pleased to state:

(a) the number of cases registered under the Hindu Marriage Act during the last two years; and

(b) in which States the number is the highest and the lowest respectively?

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Misra): (a) and (b). The required information is not available with the Government of India. It is being collected from the State Governments, and will be laid on the Table of the House as soon as possible.

आयात किये गये माल/मशीनों का निर्यात

२०५६. श्रीमती चावड़ा : क्या अन्तर्राष्ट्रीय व्यापार मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार की जानकारी में ऐसे मामले आये हैं, जिनमें पूर्वी यूरोप के देशों से आयात किया हुआ कुछ माल या मशीनों का पुनः निर्यात कर दिया गया है ;

(ख) यदि हां, तो क्या व्यापार की शर्तों में इसकी व्यवस्था है ?

उद्योग मन्त्री (श्री कानूनगो) : (क) जी, नहीं ।

(ख) प्रश्न ही नहीं उठता ।

Trade with U.S.A.

2057. **Shri P. C. Borooah:** Will the Minister of International Trade be pleased to state:

(a) the total export of Indian goods to U.S.A. during 1963;

(b) the main items exported to that country during that year and the extent thereof; and

(c) the balance of trade with U.S.A. during the year under review and the preceding year?

The Minister of Industry (Shri Kanungo): (a) Rs. 127.6 crores.

(b) A statement giving exports of main items to U.S.A. during 1963 is as under:

STATEMENT

Commodities	(Value in lakhs of rupees)
	1963
Fish and fish preparations.	252
Cashew kernels	1203
Tea	581
Hides, skin and fur skins undressed	218
Mica uncut or unmanufactured in sheets or blocks etc.	178
Mangalose ore and concentrates	121
Natural gums, resin and balsam	198
Leather and leather manufactures	206
Cotton piecegoods	581
Jute manufactures	6914
TOTAL including other items	12757

(c) Balance of trade with U.S.A. has been adverse to the extent of Rs. 215.3 crores in 1963 and Rs. 219.9 crores in 1962.

Export of Engineering Goods

2058. Shri P. C. Borooah: Will the Minister of **International Trade** be pleased to state:

(a) whether Government have received the report of the Study Group set up to undertake a detailed study of export potentialities of various engineering industries; and

(b) if so, its main recommendations?

The Minister of Industry (Shri Kanungo): (a) and (b). Not yet, Sir. It is expected shortly.

कागज के कारखाने

२०५६. श्री सिद्धेश्वर प्रसाद :
श्री प्र० रं० चक्रवर्ती :

क्या उद्योग मन्त्री यह बताने की कृपा करेंगे कि :

(क) १९६१-६२ से १९६४-६५ में अभी तक कागज के कारखाने बनाने के लिए कितनी व्यक्तियों/फर्मों को लाइसेंस दिये गये हैं।

(ख) कारखानों की स्थापना में अब तक क्या प्रगति हुई है; और

(ग) यदि उनमें कोई प्रगति नहीं हुई है तो ऐसी स्थिति में सरकार का क्या करने का विचार है ?

उद्योग मन्त्री (श्री कानूनगो) : (क) और (ख). एक विवरण सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया, दखिये संख्या एल टी २६८७।६४]।

(ग) उन उद्योगों के लाइसेंस रद्द कर दिये गये हैं जिनमें लाइसेंस में धारित समय के भीतर कोई प्रगति नहीं हुई थी। इस प्रकार की कार्रवाई उन लाइसेंस-धारियों के विरुद्ध भी की जायेगी जो इसके लिये निर्धारित समय के भीतर लाइसेंस को कार्यान्वित करने के बिये कोई ठोस कदम नहीं उठा रहे हैं।

Exports to Russia

2060. { Shri Bishwanath Roy:
Shri Onkar Lal Berwa:

Will the Minister of **International Trade** be pleased to state whether any proposal is under consideration for increasing export of Indian goods to the Union of Soviet Socialist Republics under the current Five Year Plan?

The Minister of Industry (Shri Kanungo): There is no specific proposal under consideration of the Government at present. The current Indo-USSR long-term trade agreement-

does, however, envisage increased and diversified exports of Indian goods to the USSR from year to year over the period of the Agreement.

Mandi Salt Mines

2061. **Shri Hem Raj:** Will the Minister of **Industry** be pleased to state:

(a) the depth upto which deep drilling has been carried till the end of March, 1964 to find out the quantities of salt available in the Mandi salt mines;

(b) whether any seams have been found in those mines resembling the salt of Kheora mines in West Pakistan; and

(c) when the ultimate result will be known of the drilling being carried on?

The Minister of Industry (Shri Kanungo): (a) 982 meters.

(b) No, Sir; not yet.

(c) By the end of 1965.

Wool Spinning Mills in Punjab

2062. **Shri Hem Raj:** Will the Minister of **Industry** be pleased to state:

(a) whether the Central Government have received any proposal from the Punjab Government for the setting up of wool spinning and worsted wool spinning mills of eight hundred spindles each in the Kangra District of the Punjab; and

(b) if so, the decision taken thereon?

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

(b) The proposal is under examination.

Gold Deposits in Brahmaputra River-bed

2063. **Shri Hem Barua:** Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether it is a fact that there are evidence of gold deposits in the Brahmaputra river-bed, as reported by a news agency;

(b) if so, whether any geological survey has been made; and

(c) if so, the result thereof?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) and (c). Most of the rivers in Assam including the Brahmaputra have been known to carry minute quantities of gold particles (less than 2 gms per tonne of the gravel). The Geological Survey of India had carried out investigations in the early years of this country but no economically workable occurrences were recorded.

Heavy Industries in Orissa

2064. { **Shri Ramachandra Ulaka:**
Shri Dhuleswar Meena:

Will the Minister of **Steel, Mines and Heavy Engineering** be pleased to state:

(a) whether any heavy Industries are proposed to be established by the Central Government in Orissa during 1964-65 and 1965-66; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) and (b). At present there are no proposals for the establishment by the Central Government of any new unit of heavy engineering industry in Orissa during 1964-65 and 1965-66.

Training in Cottage and Small Scale Industries Abroad

2065. { **Shri Ramachandra Ulaka:**
Shri Dhuleswar Meena:

Will the Minister of **Industry** be pleased to state:

(a) the number of persons from Orissa sent abroad for training in cottage and small scale industries during October, 1963; and

(b) the names of countries to which they were sent?

The Minister of Industry (Shri Kanungo): (a) None.

(b) Does not arise.

Ambar Charkhas in Orissa

2066. { **Shri Ramachandra Ulaka:**
Shri Dhuleshwar Meena:

Will the Minister of Industry be pleased to state:

(a) the number of Ambar Charkhas actually distributed to Orissa during 1963-64;

(b) the number of Ambar Charkhas which were actually in operation during the same period; and

(c) the total quantity of yarn produced during the same period?

The Minister of Industry (Shri Kanungo): (a) to (c). The required information is being collected and will be placed on the Table of the House in due course.

Mild Steel Sheets from Rourkela Plant

2067. **Shri Shashi Ranjan:** Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) the method of distribution of mild steel sheets from Rourkela Plant;

(b) whether they are done strictly according to priority received;

(c) the method adopted by Government to ensure distribution to dealers and to fabricators; and

(d) the steps taken to stop black-marketing of sheets?

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): (a) to (c). Mild steel sheet is a controlled category and its distribution from Steel Plants, including Rourkela Steel Plant, is regulated through quota certificates. Orders are booked by the Rourkela Steel Plant only against indents planned by the Iron and Steel Controller, duly

supported by allocation and quota certificate. Periodical rolling programme of the Rourkela Steel Plant is determined by the Iron and Steel Controller taking into account the priority demands of Defence, Railways etc. There is overall shortage of sheets. The outstanding orders on the Producers are therefore in excess of their production. As such, efforts are made to make an equitable distribution of the available supplies to all types of consumers including dealers and fabricators.

(d) Re-sale of steel sheets released to consumers against quota certificates is a punishable offence under the Iron and Steel (Control) Order, 1956. Enforcement of the Control Order is primarily the responsibility of the State Governments. The sponsoring authorities as well as the enforcement authorities of the various State Governments are expected to keep a watch on the actual utilisation of these materials. Any report about misuse of steel sheets by quota-holders is duly investigated and action taken to book the offenders.

Lead Deposits in Andhra Pradesh

2068. **Shri D. C. Sharma:** Will the Minister of Steel, Mines and Heavy Engineering be pleased to state:

(a) whether lead deposits have been found in Khammam district in Andhra Pradesh; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Steel, Mines and Heavy Engineering (Shri P. C. Sethi): (a) No. Sir.

(b) Does not arise.

Pulp and Paper Industries

2069. **Shri Yashpal Singh:** Will the Minister of Industry be pleased to state:

(a) whether any request for the setting up of a plant for the manufacture of paper and pulp has been received from some parties in Canada; and

(b) if so, the action taken thereon?

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

(b) Does not arise.

Prototype Production and Training Centres

2070. Shri G. Mohanty: Will the Minister of Industry be pleased to state:

(a) the total number of trainees admitted during the current session into each of the Prototype Production and Training Centres at New Delhi, Calcutta and Bombay;

(b) the number of applicants from different States for admission into the New Delhi centre; and

(c) the method of selection of candidates?

The Minister of Industry (Shri Kanungo): (a) Admissions for the current 1964-65 session at New Delhi Centre are in progress. So far 72 trainees have been admitted. Admissions for the current session at the Centres at Howrah and Rajkot have not yet started. There is no Centre at Bombay.

(b) A statement is laid on the Table of the House. [*Placed in Library, See No. LT-2688/64.*]

(c) Pre-requisites such as Age, Educational Qualifications and experience are prescribed for each type of training. Certain courses are reserved for candidates from Small Scale Industrial Units. Candidates for these courses are selected on the basis of merit out of those recommended by the Small Industries Service Institutes through whom the applications are to be routed. Selection of candidates for courses open to the public are made on the basis of merit which is determined by interviewing those considered fit. Applications for these are called for by advertisement in the News papers.

12.00 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Suspension of migrants' trains from East Pakistan to India

Mr. Speaker: Shri Kapur Singh.

Shrimati Renu Chakravartty (Barackpore): May I ask one thing? We had tabled this Calling Attention Notice the very moment this news came on the P.T.I. board. But we find that our names are quite down below in the list. It was conveyed to us also that this had been disallowed.

Mr. Speaker: I was satisfied that the notice must have been an earlier one. Otherwise, there is no other consideration, I will request her to come over and see the papers whether there has been any mistake in that respect.

Shri S. M. Banerjee (Kanpur): Some Members must have anticipated it.

Mr. Speaker: I do not know. What can I say? I do not put the names. Before the Home Ministers' Conference began, I had received notices as to what is the result of the Conference that has been held.

Shri S. M. Banerjee: This is not like that.

Shri Ranga (Chittoor): There is nothing wrong, anyhow.

Shri Indrajit Gupta (Calcutta South West): The notice that we gave was disallowed.

Mr. Speaker: I will look into it.

Shri Kapur Singh (Ludhiana): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:—

The suspension of migrants' trains from East Pakistan to India.

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): The Down Khulna-Sealdah-Barisal Express arrives at Patrapole at 15.27 hours and at Sealdah at 21.15 hours each day. On April 5, 1964, neither this train nor the daily two goods trains arrived at the border point. The Eastern Railway Administration contacted the East-Pakistan Railway Authorities the same day to ascertain the reason as to why the trains had not come and they were informed that the East-Pakistan Railway Staff had complained of harassment by the Indian Authorities. On further enquiries it was learnt that the East Pakistan Railway Guard, Shri Mohamad Nur Ali, had been detained by the Indian Police on April 2, 1964, on charges of smuggling and illegal carriage of persons between India and East Pakistan. He was released by the Court on 6-4-64 but on his return to East Pakistan he complained about his having been illtreated while in custody in India. This matter was investigated by the West Bengal Government who reported that there was no truth in the allegations made by the East Pakistan Railway Guard.

In spite of the assurances given by the East Pakistan Railways that the train service would be resumed on April 7, the train did not arrive at the border point. The service was however resumed on April 8, 1964.

Shri Kapur Singh: Do the Government understand that suspension of these migrants' trains is the last nail in the coffin of the Nehru-Liaquat Pact on minorities and, if so, how do the Government redefine their moral responsibility towards the Hindus of East Pakistan?

Mr. Speaker: The trains have been resumed. Why should that be the last nail in the coffin?

Shri Kapur Singh: Do they appreciate that way? That is how we understand. Let us have the answer to that.

Mr. Speaker: The reasons have been given. Now the trains have been resumed.

Shri Kapur Singh: The reasons given are fake.

Mr. Speaker: He might put another question that he wants.

Shri Kapur Singh: No more questions.

Shri Indrajit Gupta: During these five or six days when the trains were suspended, assuming that upto Patrapole trains were coming from the other side—not beyond Patrapole—has the Government found out what was the total number of migrants who were stranded at that point and what steps have been taken subsequently to see that they have all been able to come across safely?

Shrimati Lakshmi Menon: With the resumption of the train service, they all have been able to come back. As regards the first part of the question, I want notice, as to how many people were being stranded, I would like to have notice.

Shri Indrajit Gupta: Have Government taken the trouble to ascertain the number?

Mr. Speaker: The hon. Minister has said that they have all come back.

Shrimati Renu Chakravartty: May I know whether the attention of Government has been drawn to the reasons given in our vernacular papers in Bengal for the arrest of Mr. Nur Ali, namely that he was charged with criminal assault on a Hindu girl, and if the reasons were wrong, as has been proved by the statement of the hon. Minister, why no action has been taken about such startling disclosures made in the press?

Shrimati Lakshmi Menon: Government cannot take any action. The vernacular papers in Bengal usually give a lot of exaggerated news about these things. Government cannot take any action on them.

Shri S. M. Banerjee: To avoid future recurrence of such indecent incidents by Pakistanis, may I know whether in the interests of the future safety of those who are coming over to India, our Home Minister will discuss this question also with the Home Minister of Pakistan?

The Minister Without Portfolio (Shri Lal Bahadur Shastri): This specific case could not be discussed in the Home Ministers' meeting, but the general problems.....

Shri S. M. Banerjee: With a view to avoiding future recurrence of such incidents.

Shri Lal Bahadur Shastri: I follow what the hon. Member is saying. The general question is that the mobility should continue and that the railways should come over to our side to Sealdah, and should go from here to the Pakistan border; these things have to be facilitated.

The incident in question is a particular or specific case, where the train had stopped for two or three days. Hon. Members are aware that there is a special type of communal situation at present, and flare-ups have taken place, and, therefore, in provocation, the train was stopped. But the service has been resumed now. I think that now the matter should be considered as closed.

श्री श्रीकार लाल बेरवा (कोटा): पहले तो जो यह स्टेटमेंट हुआ है वह गलत है कि वह अवैध माल का व्यापार करते थे। पेरों में लिखा हुआ है कि नूर अली ने दो लड़कियों के साथ बलात्कार किया और इस अपराध में उसे अरेस्ट किया गया। मैं कहना चाहूंगा कि ऐसे गलत स्टेटमेंट तो नहीं होने चाहियें।

अध्यक्ष महोदय : यह कैसे .

एक माननीय सदस्य : मैं पूछना चाहता

है .

श्री श्रीकार लाल बेरवा : पेरों में छपा है।

अध्यक्ष महोदय : जो कुछ यहां पेरों में छपा है गवर्नमेंट की इत्ला उस के मुताबिक नहीं है। (Interruptions) आर्डर, आर्डर।

श्री कछवाय (देवास) : यहां पर गलत इत्ला सदन के सामने रक्खी जाती है।

अध्यक्ष महोदय : आर्डर, आर्डर।

श्री बड़े : सभी पेरों में है।

Shrimati Renu Chakravartty: It is a very wrong statement which has appeared in the press. Why have Government not contradicted it?

अध्यक्ष महोदय : अब आप बैठ जाइये। मुनिये।

Shrimati Renu Chakravartty: When such inflammatory things are written, why should Government not contradict them?

Shri Ranga: We do not know whether they are true or not.

Shri Indrajit Gupta: Why do Government not contradict these things?

Mr. Speaker: That is a different thing altogether. इस बात पर यह कह देना कि मिनिस्टर साहब गलत स्टेटमेंट दे रहे हैं यह कैसे साबित हो गया? यह कह देना इस तरह पर ठीक नहीं है।

एक माननीय सदस्य : पेरस में आया है।

अध्यक्ष महोदय : पेरस में लिखा हुआ है।

एक माननीय सदस्य : अध्यक्ष महोदय .

अध्यक्ष महोदय : दो सदस्य एक साथ बोलेंगे तो कैसे काम चलेगा ?

श्री श्रीकार लाल बेरवा : मैं कहना चाहता हूँ कि जितना कार्य सरकारी या गैर-सरकारी चलता है या आजकल जो हमारी राजनीति चल रही है वह सब पेपरों के आधार पर चलती है और हम उस पर विश्वास करते हैं। लेकिन इस तरह के गलत स्टेटमेंट हाउस में दे कर हम लोगों को मुगालते में रक्खा जाता है।

Mr. Speaker: Order, order. The hon. Member will have to withdraw from the House, if he persists like this. सिर्फ पेपर में छपने पर इस तरह कहना

कि चूंकि पेपर में छपा है इसलिये जो स्टेटमेंट मिनिस्टर ने दिया है वह गलत है यह बात दुरुस्त नहीं है। सिवा पेपर की खबर के आप ने और कोई तहकीकात की है क्या ?

श्री बड़े : गवर्नमेंट की रिस्पॉसिबिलिटी है उस को कांटाडिक्ट करने की।

अध्यक्ष महोदय : बड़े साहब बैठ जायें। मैं श्री श्रीकार लाल बेरवा से बात कर रहा हूँ। वे क्यों बार बार उठते हैं ?

श्री बड़े : उस का कांटाडिक्शन नहीं किया गया है।

अध्यक्ष महोदय : यह जरूरी नहीं है। माननीय सदस्य पूछ सकते हैं कि उन को तो अखबार से यह खबर मिली है लेकिन सरकार की क्या इत्तला है। अगर वह उन की इत्तला के बाखिलाफ हो और वह आपस में न मिलती हों तो मेम्बर साहब इस की ओर आगे तहकीकात करें। अगर उन को कोई सबूत मिल जाये तो वे बाद में यहां कह सकते हैं कि मिनिस्टर ने जो जवाब दिया वह गलत था। इस वक्त यह कहना कि जो अखबार में निकला उस को हम दुरुस्त मानें और जो मिनिस्टर ने कहा उस को गलत मानें, इस तरह से क्या कभी कार्रवाई हो सकती है? क्या इस तरह से हमारा काम चल सकेगा ?

श्री श्रीकार लाल बेरवा : यहां पर जो कुछ चलता है सब पेपरों के आधार पर ही चलता है और मिनिस्टर महोदय उस पर एन्क्वायरी करते हैं

अध्यक्ष महोदय : नहीं, नहीं।

श्री श्रीकार लाल बेरवा : क्या वे इस को झूठ नहीं कह सकते

अध्यक्ष महोदय : अब आप बैठ जाइये।

श्री कछवाय : मैं यह जानना चाहता हूँ कि क्या यह बात सच है कि पाकिस्तान से आने वाले हिन्दुओं को पाकिस्तान में रोक दिया गया है, उन को यहां नहीं आने दिया जाता। ट्रेन चलने लगी है लेकिन उस में हिन्दू नहीं आ सकते। क्या उन को लाने के लिए भारत सरकार मिलिटरी भेजने वाली है? और क्या जो यह स्टेटमेंट सदन में दिया गया है यह बंगाल सरकार के इशारे पर दिया गया है ?

अध्यक्ष महोदय : सवाल इतना है कि क्या यह दुरुस्त है कि ट्रेन आनी तो शुरू हो गयी है, लेकिन उसमें ईस्ट पाकिस्तान से हिन्दुओं को नहीं आने दिया जाना ?

श्री लाल बहादुर शास्त्री : जी, नहीं, यह दुरुस्त नहीं है। मगर यह हमारी खबर है कि ईस्ट पाकिस्तान में इस बात की कोशिश की जा रही है कि अब और आगे माइग्रेशन न हों।

श्री कछवाय : मैं ने पूछा था कि यहां जो स्टेटमेंट दिया है वह बंगाल सरकार के इशारे पर दिया है ?

अध्यक्ष महोदय : आपके सवाल के जितने हिस्से का जवाब मैं चाहता था वह मैं ने कह दिया।

Shri Hem Barua (Gauhati): Pakistan demanded the release of Nur Ali arrested on charges of smuggling, and

[Shri Hem Barua]

our Government, like a pack of good boys, have obliged Pakistan, although we know full well that our requests for the release of Col. Bhattacharya, taken away from our territory, were spurned by Pakistan. In the context of that, may I know whether this week-kneed, subservient attitude on the part of our Government is the direct result of a fear psychosis unwilling to do anything that might anger Field Marshal Ayub Khan, a fear psychosis from which our Prime Minister, unfortunately, suffers?

Mr. Speaker: No answer is required. The question itself is the answer for the Member himself.

Shri Hem Barua: No, no. You have forgotten the first part of my question.

Mr. Speaker: He ought to be satisfied with the question itself.

Shri Hem Barua: May I submit that this is doing injustice to us? I say in all humility that my question was very specific. We wanted the release of Col. Bhattacharya taken away from our territory. He was not released. But here we have obliged Pakistan very readily, though our police arrested Nur Ali on charges of smuggling. Therefore, I wanted to know whether this weakness on the part of our Government is the product of the basic weakness from which our Prime Minister suffers.

Mr. Speaker: Now he might sit down.

श्री प्रकाशवीर शास्त्री (बिजनौर) : क्या सरकार की जानकारी में यह समाचार भी आया है कि पूर्वी पाकिस्तान की गवर्नमेंट ने बानपुर के बारडर को सील कर दिया है ? यदि हां, तो उस दिशा में क्या प्रयत्न किए जा रहे हैं ?

श्री लाल बहादुर शास्त्री : अभी कोई खास प्रयत्न तो नहीं किए जा रहे हैं। पूरे हालात मालूम होने पर अगर कोई खास

दिकरत मालूम हुई तो हम उसको यहां पर जो पाकिस्तान के होम मिनिस्टर आए हुए हैं उन के सामने रख सकते हैं।

श्री प्रकाशवीर शास्त्री : क्या यह बात सही नहीं है कि उस बारडर को सील कर दिया गया है ?

श्री लाल बहादुर शास्त्री : हमें सरकारी इत्तला नहीं है, अखबारों में हम ने भी देखा है।

श्री कछवाय : अखबारों को तो आप मानते नहीं हैं। अब कैसे मान लिया ?

अध्यक्ष महोदय : उन्होंने यह तो नहीं कहा कि यह सच है। उन्होंने तो यही कहा है कि उन्होंने भी अखबारों में देखा है।

Shri Shinkre (Marmagoa): The hon. Minister of State staed just now that it is not possible for Government to take any action against such newspapers which publish completely false and inflammatory reports of these events. In this connection, may I know whether Government could not take resort to the DIR or any other rules to prevent the spreading of such news which might eventually lead to very undesirable consequences, specially when the situation in the region is highly inflammatory?

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): There are ways of taking action. I do not say that we cannot take action.

Mr. Speaker: Their anxiety is that this creates an impression upon the people who feel much resentment and bitterness, if it is not contradicted or some action is not taken.

Shri N. C. Chatterjee (Burdwan): Why was no contradiction issued? That is the real point. That is why the Members are feeling exercised.

Either some action might be taken by Government, or a contradiction might be issued, so that the people might know the real facts. That is what they desire.

Shri Jawaharlal Nehru: That is perfectly true.

Shri C. K. Bhattacharyya (Raiganj): Is it not possible that both the statements might be correct? What the newspapers publish and what the Minister says need not cancel each other.

Mr. Speaker: Order, order. I am not allowing him.

श्री श्रीकार लाल बेरवा : श्रीमन्. आप ने फरमाया था कि मुझे एक सप्लीमेंटरी करने का अवसर देंगे ।

अध्यक्ष महोदय : आप ने सप्लीमेंटरी कर तो लिया ।

श्री श्रीकार लाल बेरवा : कहां किया है ?

अध्यक्ष महोदय : तो ऊपर ही है ।

श्री श्रीकार लाल बेरवा : मैं पूछना चाहता हू कि जब हमारी सरकार कलकत्ते से मीलचियों को लाने के लिए हवाई जहाज का इन्तिजाम कर सकती है, तो पाकिस्तान से आने वाले शरणार्थियों के लिए क्या वह इन्तिजाम नहीं किया जा सकता था ?

अध्यक्ष महोदय : यह क्या सवाल हुआ ?

श्री श्रीकार लाल बेरवा : सवाल कैसे नहीं है

अध्यक्ष महोदय : आप तो चेयर से भी लड़ने लग जाते हैं और मिनिस्टर से भी लड़ने लग जाते हैं । पार्लियामेंट में सवाल करने का यह तरीका नहीं है ।

श्री श्रीकार लाल बेरवा : जब गाड़ी नहीं चली

अध्यक्ष महोदय : गाड़ी नहीं चली तो हवाई जहाज लाया जाता ? आप बैठ जाइए ।

Shri Hem Barua: May I put a question? You have allowed him a question.

Mr. Speaker: No. I have allowed him because earlier he could not put a question.

Shri Hem Barua: Earlier, I also could not put a question.

Mr. Speaker: No, he has put.

12.15 hrs.

PAPERS LAID ON THE TABLE

MINERALS CONSERVATION AND DEVELOPMENT (FIRST AMENDMENT) RULES, 1964

The Minister of Steel, Mines and Heavy Engineering (Shri C. Subramaniam): I beg to lay on the Table a copy of the Minerals Conservation and Development (First Amendment) Rules, 1964 published in Notification No. G.S.R. 444 dated the 14th March, 1964, under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957. [Placed in Library. See LT-2677/64].

NOTIFICATIONS UNDER THE ESSENTIAL COMMODITIES ACT, 1955 ETC.

The Minister of Industry (Shri Kanungo): I beg to lay on the Table—

(1) a copy each of two Notifications under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

(i) The Textiles (Production by Knitting Embroidery Lace Making and Printing Machines Control Order) 1963, published in Notification No. S.O. 3396 dated the 3rd December, 1963.

[Shri Kanungo]

- (ii) The Woollen Textiles (Production and Distribution Control) (Amendment) Order, 1964 published in Notification No. S.O. 811 dated the 7th March, 1964. [Placed in Library. See No. LT-2678/64].
- (2) a copy each of the following papers:—
- (i) Annual Report of the Nahan Foundry Limited, Nahan, for the year 1962-63 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Company. [Placed in Library. See No. LT-2679/64].

ESTIMATES COMMITTEE

FIFTY-THIRD REPORT

Shri A. C. Guha (Barasat): I beg to present the Fifty-third Report of the Estimates Committee on the Ministry of Finance—Department of Revenue and Company Law (Company Law Division).

12.17 hrs.

DEMANDS FOR GRANTS—*contd.*

MINISTRY OF EXTERNAL AFFAIRS—*contd.*

Mr. Speaker: The House will now take up further discussion on the Demands for Grants under the control of the Ministry of External Affairs. **Shri D. C. Sharma** may continue his speech.

Shri D. C. Sharma (Gurdaspur): I was submitting respectfully yesterday that the proposal which is before the Disarmament Conference at Geneva

has two aspects. The first is concerned with nuclear delivery vehicles and missiles. It also has something to do with a cut in the conventional arms. I do not care for the percentages—the percentages are to be very high—nor do I want that this question should be stalled on the rock of physical verification. But these questions should be negotiated properly so that the Partial Test Ban Treaty which was arranged between the late President Kennedy and Mr. Khrushchev does not become an end in itself, but leads to further attempts at progressive realisation of the goal of general disarmament. If nothing else, I support the proposal for the non-proliferation of nuclear weapons which received very favourable reaction in the talks there and it should be given a very good climate to work.

Now I come to the Security Council debate on Kashmir. I do not want to go into what happened at the last meeting, but I do want that when the debate is resumed in the Security Council, our country should stick to the stand already taken without any fear or favour, without whittling down a jot or tittle of this demand. I feel it was very unfriendly on the part of the British delegate, Sir Patric Dean, to suggest that the legality or the constitutionality of accession was not sufficient. If the legal and constitutional aspects are going to be questioned, I feel democracy will be a mockery. If it comes from the delegate who represents a country which is known as the mother of democracies, I do not know what conception of democracy that delegate or that Government is pursuing.

The USA delegate advocated mediation, but are they having recourse to plebiscite in all those countries in the world where the British people have trouble with others? Is the USA resorting to mediation in countries in the world where it is having some kind of trouble? No. I think it is good to

preach to others what you cannot practise yourself. I feel that these things should not be taken very seriously nor do I think that statements made by Sheikh Abdulla after his release should deter us from pursuing our course of action. It is a pity that he should have referred so slightly to the Constituent Assembly; it is also a pity that he should have thought that the general elections which have been held in Kashmir on three successive occasions were not fair and impartial. I feel that the people of Kashmir have given their verdict already in the Constituent Assembly in three general elections and that there should be no reversal of what has been done already. We must not be led by considerations which pertain to constitutionality or legality or demogogy. We must try to be above them. At the same time I suggest that we should not try to determine the people's views again. The people of Kashmir should not be put on trial again and again over a thing which they have decided once for all already nor should I say that the process of integration should come to a halt. It should go on taking its normal course and we should not try to be deterred by what is being said.

I was speaking about the stand of U.K. I know that the Governments of Denmark, Netherlands, Sweden have offered military units to UN. Our country was of the opinion that this question should be mixed up with the question of general disarmament. A time has come when the U.N. should augment its international police force or peace keeping forces. There are border troubles between one country and another. There are troubles in so many parts of the world. I feel that this is a necessity which is demanded by the disturbed situation in the world at this time and the U. N. should go ahead with this.

I want to say a few words about the Indians or people of Indian origin resident in some of the countries of Africa. I refer to Mozambique, Kenya, Tanganyika, Zanzibar. It is a fictitious

distinction to say that some persons are Indian nationals and other persons are persons of Indian origin. There may be that legal distinction but I feel that my country must have the overall responsibility for the safety and dignity of those persons who may be Indian nationals or persons of Indian origin, who are living in other countries. It may be Burma, Ceylon or any other country but our country must pursue a very dynamic policy so far as the lives of these persons are concerned.

One point more and I have done, Sir. We should try to strengthen our diplomatic missions in Africa. We do not have any missions in some of the newly emerging countries of Africa, such as the Central African Republic, the Congo, Gabon, Nigen. Mauritania, etc. African countries received impetus for their liberation movement from our country, especially from Mahatma Gandhi and our Prime Minister Pandit Jawaharlal Nehru they are grateful to them both. I feel that our resources should be augmented so that we can establish missions in every independent country of Africa.

Lastly, I want to say something about India and Pakistan. It is essential that the Nehru-Liaquat Ali pact must be given a new lease of life; it must be made operative: it should not remain a dead-letter. It should be given a semblance, not semblance but real life. I know attempts are being made to abrogate this pact, but I feel that this gave some sense of security of life to the minorities and also some psychological impact. Therefore, I think everything should be done to keep this pact going and make it workable and operative. At the same time, I submit that India's stand on the subject of the infiltrators into Assam and Manipur should not be given up in the light of what is happening in other parts of India and in the world. I would say that India should try to inform the world about the minorities that are here.

[Shri D. C. Sharma]

One last word and I shall finish. While we are discussing India and Pakistan here at the level of the Home Ministers, I read in the papers today that Mr. Ao has said that hostile Nagas are being armed in Pakistan and they are infiltrating into our country. I also read an item of news which has been contradicted by our Government that a wedding party of 36 had been killed in a village in Jammu and Kashmir and that village does not exist anywhere. What I say is, Pakistan is creating trouble for us all along the line. Pakistan press is not only giving distorted news about India but it is manufacturing news about India also. But in spite of that, India should not give up its stand so far as the infiltrators are concerned. So far as the minorities are concerned, it should not try to abrogate the Nehru-Liaquat Pact even though there may be very strong reasons given by them. I hope that our case about the minorities should be made known to the world as early as possible.

Shri H. N. Mukerjee (Calcutta Central): Mr. Speaker, Sir, as we debate here in this House, the Home Ministers of India and Pakistan continue their deliberations. It would be perverse and churlish not to wish them well, but Pakistan's repeated record being what it is, optimism is indeed a feeling very difficult to muster. Pakistan's delegation is welcome to Delhi, but there can be no forgetting that nearly 200,000 people—Hindus, Christians and Buddhists—have come from East Bengal for shelter in India, that an unending procession of unfortunates still seems to be in prospect, and the cry of anguish continues to be heard from across the borders.

In their present mood and with their western patrons backing their intransigence, Pakistan may not listen either to the voice of reason or of neighbourliness, but let us hope, even against hope, that the conference will at least ensure Pakistan's compliance

with the main provisions of the Nehru-Liaquat Ali Pact to which reference was made by my hon. friend Shri Sharma just now.

In West Bengal, I understand the Minorities Commissions has already been restored and it is time that Pakistan at least begins to do its duty by the minorities who have suffered so very grievously. If Pakistan cannot stop the exodus, it would be a very difficult prospect indeed. The papers report, in spite of what Shri Shastri said a little while ago, that in West Bengal official sources have intimated to the press that the East Pakistan Government has sealed the border. Without being able to stop the exodus, just to seal the border is no good at all. But they seem to have done it, and if the exodus continues, sealing of the border or no sealing of the border, the argument that there should be an exchange of population which we have heard sometimes from certain quarters, would become powerful and insistent. Such a thing is horrible to contemplate. The entire basis of our life would be subverted; insensible and unlimited hatred would make a permanent settlement on our minds and hearts and degrade both our countries. India, I am sure, is determined that whatever the provocation from our neighbour and whatever the price we many have to pay, we should prevent communal conflicts completely in this country and we look after the refugees as well as we can.

But we cannot have Pakistan glibly and crudely mount this hate campaign against India by imposing the refugee problem and creating an economic and emotional strain for this country which is truly terrific. A genuine effort towards understanding is the only remedy and meanwhile the pedestrian course of something like the revival of the Nehru-Liaquat Ali pact would be helpful.

Pakistan poses sanctimoniously that India is guilty and her patrons like

the UK and USA persistently encourage that lie. Yet, Sir, while we have sometimes failed—we have admitted every time we have failed—I have not hesitated in this House to attack our Government for what I consider to be its failure in regard to the protection of the minorities in this country. We have failed from time to time, but we have consistently sought to behave fairly. Let us not have always and everywhere a “Holier Than Thou” attitude; but let us not also pocket malicious slanders. Conceived in guile and executed in filth. Partition has brought shame and sorrow enough. When shall we have an end to this chapter? From the time when on the eve of his martyrdom Gandhiji made India pay Rs. 50 crores to Pakistan which might have been withheld, to our assumption of obligations under the Indus Water Treaty and during the long course of India’s forbearance over the issue of Kashmir and the borders and the treatment of minorities in Pakistan, this country has been subjected to continuous provocation and to pin-pricks mounting to insufferable dimensions. I say again that India has sometimes failed, but for Pakistan and her patrons to throw stones at us is the utterest infamy.

Sir, I do not wish to believe that the rulers of Pakistan want the present madness to go on, but good sense must dawn, and in the movement of the Pakistani people themselves especially in East Bengal against the negation of democracy which is Ayubshahi, one should see the writing on the wall. We in this country—and I wish this House to remind itself—have the world’s third largest population of Muslims. We cherish our secular democratic ideal. We are proud of our total Indian heritage, our composite culture with Hindu, Muslim and other strands commingling, a phenomenon which certain obscurantists wish wrongly and mischievously to deny.

We are faced with this gigantic exodus problem created by our neighbour’s perversity, and yet, ironically,

we are sought to be put in the dock all the time. Perhaps, in pursuit of a civilised policy in Kashmir and elsewhere, we have turned the other cheek a little too often to our neighbours bullying. Let us show up Pakistani wrong-doing for what it is; and I add, show up the patrons of Pakistan so that at least countries better fitted to understand in Africa and Asia can know the truth.

Sir, the other day I read an article written untruthfully, and he knows it, by President Ayub in *Foreign Affairs*, where he says that India has ambitions of hegemony from the Hindukush to the Mekong river. Why he stops at Mekong, I do not know. His Foreign Minister, Mr. Bhutto says in London that U.K. and France are in his pocket and over Kashmir India is “on the run.” Perhaps the Christian persecution in Pakistan has slightly touched the Christian hearts of the West. But their motives are plain. The *London Times* which had the affrontery to refuse to publish a letter sent on the question of immigration by our High Commissioner in London, this paper which parades its piety before all the world, wrote recently an insolent article where it suggested—in spite of what Mr. Chagla had said in New York and our Government has repeated—that there should be Commonwealth mediation over Kashmir and the other questions, and that the United States should give us a reprimand because the Plan projects have been disturbed by certain communal happenings in this country. This paper has the gumption to write this kind of thing and talk about America giving us “a sharp warning.” Of course our foreign publicity, in answer to this kind of thing whatever the Prime Minister, standing by his minions might say in its favour—fails as usual.

In a Calcutta daily which Mrs. Lakshmi Menon might pooh-pooh as a vernacular paper—I was amazed to see how she could use that expression in the presence of the Prime Minister who had objected to the word in relation to our Indian language papers....

The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon): The Member who asked the question used the same word. I was repeating what the Member had said.

Shri H. N. Mukerjee: The Minister of State had said in answer to a supplementary that Government is not going to take notice about vernacular papers or something like that.

Mr. Speaker: She says that she only repeated the words that had been used by the Member who put this supplementary.

Shri H. N. Mukerjee: Do I take it that if I use an unparliamentary word the Minister would fling it back at me? Do I take it that the Minister uses language which is coloured by whatever is said by other Members? Do I take it that the Minister can use words which were considered to be objectionable by the Prime Minister himself years ago? I am not going to waste by time over these footling little things. But here, in the *Jugantar*, in their editorial on 7th April they write that one of their Chief Editors went to Washington and met the editorial staff of the *Washington Post* and the *Washington Post* told them that there was not one hand-out from our Indian embassy in Washington about the happenings in the last three months between India and Pakistan.

Some Hon. Members: Shame.

Shri H. N. Mukerjee: I know the Security Council is meeting in two weeks' time. Some of our chaps might go abroad in the middle of May after the whole thing is over. Meanwhile, the Secretary-General, Mr. Desai or somebody else is making a jaunt over thirteen countries. God bless them for the tours abroad which they are having in the summer of India which is a little too tiring. But this is not anything like enough. This is the kind of thing which we are doing. Meanwhile, the United Kingdom hugs Pakistan over Kashmir. Mr. Nixon calls Pakistan the United States' "staunch

ally." Mr. Adlai Stevenson, aching, to hit India below the belt, bellows before a university audience that India did "an outright invasion" when Goa was liberated. Our university students have to read a book—I will give one example—a book entitled *The Relations of Nations* by one Mr. Frederick Hartman of the Florida University, U.S.A., where India is called a Hindu State, where the redemption of Goa is condemned and Pakistan is supported over Kashmir.

It is time for the world to take note of what is at stake in our sub-continent. Sometimes we fail, but India tries to prove that various religious groups can co-exist in the same State on equal terms of citizenship; but Pakistan wants to prove that it is impossible. Communal killings come to India as a terrible embarrassment and we seek to prevent it, while they are to Pakistan as instrument of policy, a hopeful way of feathering its own nest in the international sphere. We are a secular democracy, keen on progress and bent on solving our social and economic problems. Pakistan is anti-democratic and anti-secular, unduly interested in maintaining a repressive and nearmediaeval structure of life and society. These are matters which the world must know. It is no good merely talking in terms of the handouts which the High Commissions produce from time to time. These are things which the world must know, especially the Afro-Asian countries must understand and they should know how Pakistan, born as something like a potential British base of operations against India, has played a necessarily reactionary role for the last sixteen years or so, crushing its own people in East Bengal, particularly. And as the only Asian member both of CEATO and CENTO, it does the dirty work of its western patrons. These are the things which should be made known to other countries.

Regarding Kashmir, Government's attitudes and actions are often a little unclear, and even though we wish god-speed to what Government is trying to

do' things appear in a very peculiar light. But the recent formation of the Sadiq Government has been a very welcome event. It has cleared the air to a large extent, and restored decency and the possibility of democratic life to the clouded politics of Jammu and Kashmir.

The release of Sheikh Abdullah also is welcome in so far as he has been very long in detention, and astronomically enormous amounts have been spent in prosecuting a case against him; and so it is a good thing that that blot on India's escutcheon is removed, that he is now free. He has given some statements which I hope would be studied with more care and we should not also hustle him and expect him to make statements which can be criticised one way or the other just at the present moment. He is perhaps a little equivocal when he refers to certain matters in his statement. That is, may be, because he has just been out after eleven years of jail life. But I should think that there is no reason for panic. I should think that both India and the democratic forces, the progressive forces in Jammu and Kashmir, would come together. I should think that we are not going to bedevil the future by building up a new quarrel between the past and the present in Kashmir.

Sheikh Abdullah has made a very welcome reference to his relationship with the Prime Minister. I am very glad because of this reference, because it reminds us of something of a treasure which we possess. No one we know or shall ever know has the Prime Minister's power of evoking affection from very disparate sorts of people. This great human quality which is natural in a country which has known the compassion of Buddha or the gentle spark of Gandhiji's personality should be brought to bear on the happy solution of the Kashmir tangle. I cannot say more than that; perhaps to say more than that might unnecessarily jeopardise the position

which, we all wish, is being smoothly tackled and successfully concluded.

This reminds me how our stand over Kashmir before the United Nations requires to be modified. Why do we keep this miserable case dangling before the United Nations? Why has our Minister of Education to run again in mid summer to New York in order to present our case, to answer objections which are going to be made against our conduct? And, have we not discovered, particularly in regard to the United Kingdom with which we have a certain kind of relationship, that, perhaps, that relationship has to be re-examined? May be, something has got to be done about the commonwealth link.

What exactly is the charm in the Commonwealth? At one time we anathematised it. At Lahore, when we took the independence pledge, we said that being part of his empire is not only politically and economically but also spiritually degrading. We said it. Then we thought, after we were free, that it was not perhaps too bad to be in a very big conglomeration if that did not hurt. But this thing does hurt. This Commonwealth today is hurting our people. I would like this House to remember—I will give a few instances—the pinpricks which amount to something worse. Late last year, in November 1963, the British Parliament passed and quietly renewed the Commonwealth Immigration Act, and the British Labour Party this time protested in a very much milder tone than last time, something which bedevils the racial atmosphere of Britain which goes against Asia and the West Indians, and that is put again on the British statute-book. The other day, on 6th April, in answer to Starred Question No. 908, we were told by the Minister that Indians holding British passports in Zanzibar were refused help otherwise extended to other non-British Europeans by the United Kingdom High Commission and, of course, we could do nothing about it. We are still "natives," we are still "the lesser breed without the

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law," that is how they look upon us even now. That is why I say, why not examine the question of our remaining in the Commonwealth.

I remember, this question came up earlier in this session. Shri Chagla was asked about it and he said, we behave in a civilised fashion, we do not act in a huff, we do not act because of our anger. But the anger is there, he admitted. He admitted anger having been produced in our mind. I am not asking the Prime Minister to act in a huff, but I am asking him to examine the position again and to bring it before the Commonwealth authorities and their leaders in the United Kingdom and elsewhere that this kind of thing is not going to be stomached by India which has known how to fight for freedom and how to try to consolidate that freedom.

I turn now to what is called the China question, this trouble which has gone on for so long, this jolt to our soul, our body, our self-respect and all that which was implied by the aggression from our neighbour. Do we have to live with the Chinese aggression on our borders as we have been living with the Pakistan aggression over half of Kashmir? Has our policy become just pertified into a pathetic waiting on events elsewhere? I wish the Prime Minister and his advisers please take a new look at non-alignment and make it a more vibrant thing, the kind of vibrant thing which it was at one time and which it ought to be again.

Over Kashmir and over this China question, unequivocal support has come to us from the Union of Soviet Socialist Republics. The House will remember how in his New Year Message the Prime Minister of the Soviet Union asked the heads of States to agree to an understanding in regard to the settlement of all boundary questions of whatever sort by negotiation, and I am glad to notice that

our Prime Minister welcomed it very heartily. Recently there has been a report presented by Mr. Suslov at the Soviet Communist Party where he has said over and over again how the Soviet Union condemns the Chinese invasion of India and refers to the blind arrogance with which China has behaved towards us. I may quote a few words from this report, because I consider it to be extremely significant. He said:

"The Soviet Government has repeatedly advocated a settlement by negotiation of this frontier dispute."

He added:

"The pernicious consequences of this conflict have now manifested themselves fully. It has rendered a great service to imperialism and inflicted grave harm to the national liberation movement, the progressive forces of India and the entire front of anti-imperialist struggle. Utilising the Sino-India conflict for their own purposes, the imperialists and their supporters are seeking to undermine the trust of the people, of young national States in socialist countries, draw India into military blocs and strengthen the positions of extreme reaction in the country."

Then he adds sarcastically about China's alliance with Pakistan and says:

"Can anyone believe that a rapprochement with Pakistan has been dictated by interests of development of the revolutionary struggle of the peoples of Asia against imperialism that the Chinese leaders talk so much about?"

These are things which are heartening to hear. But I hope that the "re-thinking" to which Shri Shastri made

some esoteric reference the other day is really sought to be conducted.

I say this because of certain things which I wish to submit to this House in all humility. India has said "no" to the Ceylon Prime Minister's query if India would agree to negotiations if China were to vacate the seven posts in Ladakh. This is a departure from the Chinese previous stand and to that extent somewhat significant. I agree that India may have very good reasons for the refusal. But what I wish to say is, let us not just stick in the mud of an *impasse* which we cannot solve on our own. Let us not merely wait upon events. Let us not merely wait for whatever friends might turn up from wherever it might be to help us out. Let us try to think a little more constructively. Can't we take some initiative with the Colombo powers and our other friends? At present we wait for them to make a move. Certain things have happened which we cannot expect our friends will not misunderstand.

I am trying to remind this House of those things which have happened. We had joint Indo-US air exercises. They might have been unavoidable, but they enabled the US air force to familiarise itself with operational conditions on the India-China border. Many countries in Africa and Asia just did not like it. We have had the Voice of America agreement signed by the Government of India without batting an eyelid. Then the Government repudiated it under public pressure. It leaves a very bad taste in the mouth. The US Seventh Fleet extends its operations in the Indian Ocean. They operate and there is no rebuff. The Prime Minister said it was not to our detriment. He said also that a few ships might be going here and there and so they are not important. But the few ships of the Prime Minister's reckoning are a task force with modern aircraft carrier carrying nuclear arsenal sufficient to blow up and wipe out this part of the globe many times over. Was it the expectation that the presence of

the Seventh Fleet would somehow persuade China to settle the border question to our satisfaction? It is too native, I believe, to be taken seriously and should now at last be discarded after the U.S. pronouncements on Kashmir and on Goa.

Re-thinking therefore should be done. Make a re-thinking, make a re-assessment rationally of Chinese objectives in the present setup. China is getting rebuffs in so many places. China has done her worst. That is why Pakistan is being sent out to pester us. It is not just an accident, it is a part of the game, a part of the conspiracy against India. Certain powers can never stomach the idea of India being really free. If India is really free, there will be a change in the climate of the world in favour of the kind of ideal which India has got in the South-east Asian region. Some people do not like India to be free. But China is getting rebuffs. Here is a report by Mr. Suslov and we have seen reports of what happened at the Afro-Asian Solidarity Conference in Budapest or some other place. On this basis, we can define our attitudes and policies regarding this problem. Otherwise, willynilly we shall be drawn into the vortex of United States policies and purposes that may suit some people—I need not specify who they are; they might also be in this House—but not this country. This is a matter to which I hope the Government gives all its attention.

I turn now to the question of Nagaland, where peace efforts are continuing and we wish them well. Always we support peace efforts. It is in the right direction. We have full trust in Mr. Ao, who is running the administration there, but I would only sound a note of warning—beware of certain folk. The friend and protector of Mr. Phizo, the Reverend Michael Scott, who descends on the Indian scene from time to time—this time I do not know why he bypassed Delhi; possibly he thought that after his last year's performance he would not

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get the hospitality of the Prime Minister, otherwise Delhi is not worth a visit—has gone to that part of the world. This sort of a do-gooder, maybe whatever he is, is no friend of India. They might be wolves in sheep's clothing. In the clothing of a reverend gentleman, they might be perpetrating, God knows, what kind of conspiracy against us in that part of the world. The slanders on the Government of India which last year were concocted in the ugliest terms, we cannot forget. Anyway, beware of certain folks which Government seem to be hobnobbing with from time to time. Go ahead with trust in your people on the spot, men like Mr. Ao and carry on peace negotiations wherever that is possible.

I turn now to the question of our High Commission in London, which I find has been referred to by the latest Public Accounts Committee's report at page 4 being still comparatively overstuffed. This PAC Report also refers to financial irregularities committed even by some Ambassadors. But it is not for that that I refer to the Indian High Commission in London. I had tried to draw the attention of this House to the shabby treatment which has been meted out by the Indian High Commission to our eminent Indian artistes who went to the Edinburgh festival, Artistes like Balasaraswathi, Subbulakshmi, Ali Akbar Khan and Ravi Shankar went there and Ali Akbar Khan gave a Press Conference in Calcutta where he said—it was supported by other reports in the Press—that this Delegation which created a most magnificent impression in the Edinburgh Festival with their performances, music and dancing, was ignored by the High Commission. It was only after the Press in London and elsewhere wrote wonderful appreciations about them that they tried to take some notice and on that occasion with the high and mighty manner of the englicised Indians they asked Ali Akbar Khan, for instance, "Oh you know you can come along to the High

Commission; there will be a sort of a party, you will perform, you will be expected, you know, to perform, but don't take more than 10 to 15 minutes" This is the kind of highfalutin nonsense which is said to our artistes by people who when a Minister of sorts emerges on the scene grovel like anything. If Mr. Subramaniam goes to London, possibly they would be saluting him in a way which would embarrass Mr. Subramaniam. But when Ali Akbar Khan, Balasaraswathi or Subbulakshmi goes there, then they say, "You fend for yourself". They had to put up in digs in Edinburgh where the Press people could not even manage to go and they could not even call the Press people to come and see them. This is the sort of thing which happens. I know I asked a question and it was answered in some way. The Prime Minister possibly got a report that everything that was necessary was done for the sake of these people. But Ali Akbar Khan held a Press Conference in Calcutta which was reported in the Calcutta papers where he made these allegations. But, any day, I will believe an artiste like Ali Akbar Khan than the minions which the High Commissioner's office has got in London. This is the sort of thing which goes on and it must stop.

We find reports also—the *Statesman* wrote the other day, on the 3rd April—that the External Affairs Ministry was unable to find an Ambassador to Burma, a post turned down by a senior career diplomat whose appointment to the Rangoon Embassy was announced several months ago; but for many months nobody was there. I have just heard from a friend of mine who has returned from Europe that for many months there was nobody in Vienna—no Ambassador, no *charge d'affaires*, no First Secretary, no Second Secretary—and the Austrian Government did not know what to do about it. Ultimately, someone was sent there from somewhere in Africa to go and take up the job in Vienna.

Then, the *Statesman* wrote in a special article on 3rd April, 1964—I am quoting:

"Many of those present at Palam to welcome President Aref had to hang their heads in shame because, thanks to the negligence of the high functionaries of the Foreign Office, the Iraqi President had to travel to India in President Ayub Khan's plane!"

President Aref has given with the Prime Minister a wonderful statement. President Aref has also seen a thing or two. When President Aref is brought here not in an Indian plane but in President Ayub Khan's plane and when President Aref is received in Pakistan by thousands of people millions together to give him at least outwardly a tumultuous welcome, in Palam he arrives to see only a few people scattered here and there. Why is it, if this report is true, that our Foreign Office failed to arrange some kind of a transport for President Aref to come to this country and to arrange at Palam and elsewhere such welcome as would compete with Pakistan's? I say these little things may not matter, but even so they do matter to a certain extent, when we do wish to win the friendship of the world, when these are the countries whose good opinion we value. We treat them in the manner which some of the high-ups in the External Affairs Ministry might think to be the right kind of conduct. Their training in the British school is something which goes against the grain if Indian decency and Indian hospitality and the Ministry has got to do something about it.

Now, I turn hurriedly to the question of Pondicherry. I am sorry if I am treading on Mrs Menon's toes. I am very sorry to have to do it, but I have to refer to Pondicherry. It seems the Chief Minister there who is a Congress man, Monsieur Goubert, is also the Mayor of Pondicherry. There was a Municipal auction irregularly conducted which was cancelled by

the order of the Madras High Court. After that, as a sort of a reprisal, in the Pondicherry Assembly the ruling party is trying to bring up legislation in order to remove the jurisdiction of the Madras High Court from Pondicherry and to have a sort of a Commission on the old quasi-French lines which would be always amenable to influence by the executive there. In Pondicherry also I find reports which would be perhaps amplified by other people regarding political hooliganism being practised against political opponents. This is the sort of things to which I wish to draw Mrs Menon's particular attention. I am sure if she knows the facts, she would do something about it. But this kind of an attempt at removing the rights of the High Court of Madras, this sort of an attempt should never possibly be countenanced.

There is a new conference going to take place of the non-aligned nations. Many more have joined this camp of non-aligned nations. I am sure it is going to do some good work. In any case, apart from whatever power it can exercise politically and economically, as a moral force, if properly directed, it has a tremendous force for good and I do hope that our participation in the second non-aligned conference would be very effective and all Government preparations for that would be successful.

The question of a second Bandung is there and I wish well to Shri Swaran Singh who has already gone for preparatory work in connection with it. I would like to say that in this House and elsewhere there should be no irrelevant talk about refusing to sit alongside China. We are having Conferences galore with Pakistan. With China we have not broken diplomatic relations. We are hoping for some kind of a settlement at some time or other, the sooner the better. So there is no kind of a sense of contamination if we sit on the same table

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with China. If it is a conference of Afro-Asian nations, of course, China is there and we are there; both are there because of our own right to be there. There is no question therefore of refusing to sit alongside China all that should not come into the picture. Therefore, I want to say that before the Afro-Asian Group we can, and we have got to put our cast iron case in regard to China and in regard to Pakistan. This is exactly what we have got to do. We have to utilise every possible opportunity, specially the opportunity of meeting our likely friends and telling them about the real position. That is the only way in which we can rehabilitate the image of India which has unfortunately, whether we like to deny it or not, been tarnished in the eyes of many other people.

That is why I say it is necessary for the Prime Minister and his advisers to think not only of some of these little items but also of the economic implications of international relationship and he should turn his mind from time to time to the presently held Conference, the United Nations Conference on Trade and Development in Geneva. There we are finding out who is our friend and who is not. Mr. George Ball, speaking on behalf of the United States has warned other countries like us that development may be retarded by anti-private sector and anti-foreign investment policies. He said it very openly. Mr. Edward Heath from England has tried to mollify the situation somewhat but it is becoming very clear and India represented by Mr. Manubhai Shah has said it that we want GATT, General Agreement on Trade and Tariffs, to be amplified so that socialist countries of Eastern Europe may be Members of GATT and we have supported the idea of a new international alignment so that trade can really be conducted not only on lines of national equality but also on such

lines that the developing nations can catch up with the developed nations in the minimum possible time.

13.00 hrs.

These are matters which have got to be given thought to not only by the economic experts who sometimes do not have the foggiest notions about international repercussions of their work and who sit and do all kinds of things in their miserable little offices, it is necessary to have a kind of orientation which the Prime Minister can bring into the scene and I do hope that he tries to do so and he gets his friends, those of his friends, whose job it is to help him properly at this particular juncture to understand the situation.

I conclude by saying that we have friends in the world if we know where to look for them, and if our stand is according to our best judgement, always just, there is no reason for the pathetic inanition into which our foreign policy seems, at the present moment, to have subsided. Let us make our non-alignment more vibrant, more dynamic, more understanding of the present-day realities and then surely we shall be able to make of it that gem which it is and which has been right from its first formulation.

Shri Khadilkar (Khed): Mr. Speaker, Sir, the hon. Member who has spoken before me has looked at certain problems without putting our international relations in a proper setting. Our relations need to be viewed in the background of the process of change, perhaps more profound and sweeping that is taking place all over the world. As we know, a new turn in the world events, world relations, has taken place since the Cuban crisis. World was brought to a brink of war. But in the final analysis, the outcome was good for the mankind

because it was brought back to sanity and a certain understanding was reached between Soviet Union and America. And a test ban treaty which is going to affect further our relations, world relations, has come into being. At the same time, the two super powers, America and the Soviet Union, who were supreme in their own spheres of influence since the last World War, have been challenged by two powers, one in the West and the other in the East. France has challenged the test-ban treaty and would like to assert her independence in international relations. In the East, China has challenged this atomic monopoly perhaps suspecting a certain capitulation on the part of Soviet Union to imperialism. This challenge of China has come out now openly. It has not remained simply just an ideological conflict but it is perhaps the impending political conflict that we will see very soon.

13.03 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

But at the same time when the international relations are transforming, undergoing a rapid change because neither the two super powers nor the subordinate system of powers who came up after the last World War and achieved new freedom are now in an assertive position, France and China coming closer, Chinese diplomatic isolation coming to an end, the Western countries, like Britain, France and West Germany advancing credit at the most favourable rate to China to keep the gap widest enough, if possible, between Soviet Union and China, in this whole context we have got to view our relations with China, our relations with Pakistan and our other problems connected with international relations as a whole. What is the position now? In this changing context, where are we? Unfortunately, since 1962, since the Chinese military adventure on our border where we suffered a little sort of an initial reverse, our border problem has be-

come frozen and we, as if nothing we could do, are sitting tight looking to Colombo powers to take some initiative or China taking a step or two back. I would like to plead before this House: Has not the time come that this House should take some initiative in the sense that the Government must make some rethinking and have a new look at the China policy? Why I say this? This is more important. What is this problem? I would like to say it in a few words as to how this contest has been described by one of our eminent diplomats Shri K. P. S. Menon who was holding the charge of external affairs most competently for a long time. He has put the situation in a nutshell, in his political diary known as "The Flying Troika". This is what he has said. I will omit what he has said about Khrushchev and Chou-En-lai coming over here. But I will read one sentence about that. It is:

"Khrushchev did not admit it, but realist that he is he must have approved of the proposal Chou-En-lai hinted at when he came to India, under which in exchange for the eastern portion of Ladakh, China would recognise the McMahon line, which no previous Chinese Government has ever recognised."

That is what he says. What is further said is more important bearing on the present situation. He says:

"The north-eastern frontier is of vital importance to us, whereas the Aksai Chin area is of little use, being hardly defensible but Aksai China is of vital importance to China because it connects the two outlying and historically troublesome regions Tibet and Sinkiang. Unfortunately, public opinion in India was so excited over the prestige value of this area that the Government was left with no room for manoeuvre. Moreover, the bureaucratic fervour of both Foreign offices and their passion

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for exchanging notes embittered the relations between the two countries. The incident demonstrated how, in the East as well as in the West, men and nations can be propelled towards an abyss which all are anxious to avoid."

This is an assessment of the position given by our ex-Secretary General, an eminent diplomat, in his recent book. I am referring to this problem from this angle. Now, nearly two years have passed, or a year and more have passed, and our border is frozen. Perhaps, China has consolidated her position. Is this continued deadlock on the Indo-China border going to benefit India? There are many lawyers here and they know what happens when they haggle about procedure. Those who happen to practice realise that if parties go on haggling about on procedural matters, perhaps in the end they will lose the case. That is the experience of all practising lawyers. In this case I would like to ask the Government a very straight question as to whether prestige has stood in the way of the self-interest of this country. This is my contention.

When Pakistan had committed aggression in Kashmir we were ready to have talks; we had a series of talks by-passing the natural leadership of Kashmir. We had talks about Kashmir with Pakistan and with several other gentlemen. The talks failed.

What stands in the way when we come to China? What is the present position? We are talking about the Colombo proposals. Let us assess the present position. When Colombo proposals were before us, we accepted them unreservedly. China had two reservations; one was in the western sector. There China said: "Nothing doing, no parity regarding civilian posts." In the eastern sector China insisted that we should not go and occupy that territory. But let us

remember that the Prime Minister had said that in some places China had even withdrawn beyond the 8th September line. In the western sector China is not advocating equal number of posts, but parity of zero, that is, no posts, that is, all the area should be demilitarised. In the eastern sector, if I understand correctly, China is prepared to allow us to go there with our troops, excluding Longju and Thag La. This is the present position. What is the difference? Now, when the reservations have progressively been withdrawn, no contact is established at diplomatic level.

There are people sitting in the Opposition and they shout. I am really surprised that a few members in the Opposition shout without looking at the reality of the problem. They shout. "Oh we have given you the mandate. You must recover every inch of the territory". But do they realise that when we accepted the Colombo proposals, we did accept in effect that there was a certain portion of the boundary which was in dispute? There are lawyers like Shri Nath Pal and others sitting on the other side. They know it. So, the dispute has been admitted. The question is how to solve it. Once we admit a dispute and the procedural matters are more or less straightened and all the reservations in effect have been withdrawn, should we keep the present posture and continue the deadlock? There is every danger that the *de facto* position might become *de jure* tomorrow. That danger cannot be by-passed. There is also a greater danger.

What are the alternatives before us? Let us analyse them. We do not believe in what Kautilya said more than two thousand years ago. While defining the enemy he said: "A State on your border is your first enemy". In the modern world, India of all the nations, does not subscribe to this doctrine. We believe that in the modern civilised community, every nation will have to co-exist with

other nations as good neighbours. That is our aim, that is the objective of our policy. Therefore, with this objective in view, we have to judge whether this policy regarding China has paid dividends. Have we increased our prestige in the Afro-Asian world? People will say: "What of that? If we have got a little more soft corner in America, our problems are solved". Some hon'ble Members opposite said: "Oh, you are following non-alignment. It is a vacuum. And what is your protection? Your protection is the tattered and torn umbrella of Panchsheel."

Do they understand the implication of non-alignment in the case of these newly free countries? We must remember that their nationalism, their non-alignment, their secularism, their socialism and their democracy have all emerged from the past struggle which they had waged with the foreigners. Their struggles may be different in their character because every colonial country did not rule the country under its control in a similar fashion. Therefore, the character of the struggle was different. But the general approach is the same. We should realise this general approach of anti-colonial past and anti-imperialist past from which all these policies emanated. If we do anything which is contradictory and which creates wrong impressions in the minds of people of Africa, people of Asia, the new emerging Asia, or the Arab world, I think we will get isolated and this isolation is of our own creation.

I am not worried about what the West says because in this wide world, the western world today, according to me, is on the defensive. People may not admit it. Some people might feel that way. When western statesmen like Mr. McNamara or Mr. Rusk say that India is one of the front-liners fighting to check or turn the tide of communism, I am surprised they do not feel that our dignity is hurt. Are we to be lumped together among the front-liners like South Vietnam, the

Philippines and Formosa? Is it in any way an honour to us? Have we come closer because American statesmen declared all these things, with whatever motive, perhaps with the best of motives? They have given us help in the emergency. I recognise that. It is good and we are grateful to them for that. But with all this, are we, as one of the biggest countries in the East aspiring to be a big nation and recognised by all these new countries at one time as their leader or spokesman in the international community, going to succumb to this pressure? This is the problem. And for what should we succumb? Therefore, the prestige will cost us so dearly.

We talk of propaganda. What is propaganda? Propaganda means selling. Have you got any policy to sell to the African world, to the Arab world and the Asian world? You have become anaemic, inactive; you do not have any dynamism left in you. You cannot guide them or show them the way, just to sit and manoeuvre, so that out of the world manoeuvres that you depend upon something will ultimately emerge.

Therefore, I would humbly plead one thing with the Prime Minister. During this period, we were perhaps militarily weak. Certainly we are building our defence. We must have defence-preparedness. We must keep our powder dry. But, is there a question of war with China or surrender? To pose that question is wrong and illogical. If we do not act, perhaps events are likely to overtake us. Therefore, I would like to caution the Government that now is the time to take initiative so far as the India-China border issue is concerned. I know that you are taking initiative, but not openly. The other day the Minister without Portfolio said something in the Rajya Sabha that we were not going to be right immediately a howl was raised by the Opposition and the next day some

[Shri Khadilkar]

sort of shilly-shally statement was made which was contradictory of what Shri Lal Bahadur Shastri had said. I do not admit this position. Government will have to be firm and firm now. I am not a man who has been fond of personality cult. But let me admit, and every thinking person in this country will admit, that our defence was more safe and secure because of the conduct of international relations and the moral authority of the Prime Minister came to our help, sustained democracy, sustained leadership in the international field and we were looked upon as leaders in our own right so far as the guiding force in these new emerging nations was concerned. Today fortunately he is still with us. He can take courage without loss of prestige and he can negotiate and take any diplomatic action in such manner as he thinks fit.

I have my own experience and many Members of Parliament have also got similar experience, as Shri K. P. S. Menon pointed out that because of the bureaucratic handling our international relations occasionally have become bedevilled. For instance, take the case of our nearest neighbour Ceylon. The other day a representative came here and I had a long talk with him. He said: "Our trade relations were good and most favourable. But today, because of the bad handling, there is no non-official contact, no give-and-take of any type on a popular level." The result is that Ceylon is drifting to China and so also the Philippines and the Middle East for their daily necessities at a higher cost. Is it our policy to antagonise our neighbours? Some people shout at certain things happening in Burma. The Burmese case is different. Why should we be hostile to Burma when the Burmese Government are taking certain action, according to their understanding, to implement socialism? We should not get enraged about it. If there is injustice

we can represent. These things are very important and we should bear them in mind.

One question remains: are we thinking in terms of negotiations from a position of strength? But there is another aspect. I would humbly like to refer at this point to American experience. American history is most tragic regarding this matter. One Australian professor has reviewed the course of the American policy of negotiation from a position of strength. I will just read one sentence only as my time is up. This is what Prof. Coral Bell has said:

"There are two possible reasons for not negotiating: because one is weak and cannot afford to, or because one is strong and does not need to. Unfortunately, the psychological balance of policy makers appears to be so delicate"—

this must be underlined—

"that it swings between these two extremes without ever resting at the point between them. This is perhaps inevitable so long as the attention of each is concentrated on strength vis-a-vis the other".

I hope the Prime Minister, so long as he is directing external relations is not making prestige or a position of strength come in the way. I hope all these things will be taken into consideration. Our representative who has gone to the Solidarity Conference will build up contacts. In the comity of Asian and African nations, whatever we had, we have lost. Our image has been tarnished. The personality of Nehru counted outside this country to such an extent that it was a prestige symbol for India. But China has succeeded in doing some damage to that. We can restore it within no time provided we take

bold steps on this issue without standing on prestige.

Reference has been made to Kashmir. I welcome the release of Sheikh Abdullah. In 1958, when he was rearrested, I had tabled an adjournment motion here. Then I had said that no problems were solved by putting leaders in jail. What is the situation today? The Government has acted very wisely taking even some risk, if there is that risk, with boldness. That is commendable. What is happening and what is going to happen? Let us understand it. After the Hazratbal incident, a new sanction came forward and the Minister without Portfolio, recognising this new sanction, has come up and with the goodwill of Sheikh Abdullah brought a new Government in Kashmir. A new process has been set in motion where due recognition has been given to the wishes of the people. People say that Sheikh Abdullah is contemplating to build a Sheikhdome in Kashmir Valley. I know the Sheikh from a distance, not very closely. But to accuse him of thinking in terms of building up a small principality is doing him injustice. He can play a big role in Kashmir. Kashmir is a symbol of secularism in this country. If he wants some freedom within the broad framework of our Constitution, we can carve out whatever he wants. But at this juncture I would make this appeal: let nobody show any distrust. He has said one thing which is very important. He is prepared to take counsel with Panditji. He has said that during Panditji's lifetime all these problems, Kashmir, Pakistan and other problems, must be solved. Because of his moral authority, he alone can put his weight and solve those problems.

So far as Pakistan is concerned, there also the question is how we look at the problem. Are we going to look at the problem because of this exodus, only in a communal way? Excuse me for saying this. Though

we are pledged to secularism, unfortunately, if we scratch our skin, there is a certain religious fanaticism somewhere hidden behind revealed. Of course, on that side there are many fanatics.

Shri Bade (Khargone): That is wrong.

Shri Khadilkar: With our secularism, should we succumb to Pakistan's manoeuvre? What is that manoeuvre? Why this exodus? Pakistan is more interested, so far as East Pakistan is concerned, to drive out the minorities because the minorities there provide a leaven of a fermenting force for the democratic forces coming up there. Once the Christian and Hindu minorities are driven out of East Pakistan, there is no opposition left and they can have a military, monolithic dictatorship there as well. I look with hope to East Pakistan. I do not think that all East Pakistan Muslims are motivated with the spirit of revenge and repression and all sorts of violence on the minorities. That will be tarnishing their name.

Regarding Pakistan, I would like to say one more word. Last year, the late Prof. Strachey had visited Pakistan. After returning, he said:

"Even if you come to some settlement which is acceptable to Pakistan regarding Kashmir, Pakistan will never change its attitude towards India".

A visiting professor in Dacca University repeated the same thing after four years of study and close contact with them. But he has also certain other things to say, which would be of benefit in order to make a fresh approach to Pakistan at this juncture. He has said that psychologically, Pakistan is a problem—it has become a problem to Pakistan, a problem to India and a problem to the western world as a whole. He has put it correctly.

[Shri Khadilkar]

Then there is the question of propaganda abroad. I have referred to it. But I would say one thing more at the end. I have said that non-official contacts should be built up. We must have a dynamic policy in this matter.

So far as the approach to China is concerned, I want to say this. In the context of their conflict with the Soviet Union, China is likely to be in a more reasonable frame of mind at this juncture. I want to say very plainly that our relations with the Soviet Union are most friendly. They will be more friendly. In the ideological conflict, our sympathy will be with them. But if at this juncture, we seize this opportunity, there is a possibility of bringing about a settlement and putting an end to this deadlock, a deadlock which has cost us economically. We are building up a defence shield. Our defences are not built up in a day. Without a proper economic base, a solid base, we cannot build up our own independent defence in this country.

Last but not least, lately there have been many voices raised in this country. Since Panditji's ill-health, all sorts of petty political talks are going on. I would like to tell this House without fear of contradiction that many of us who may be anywhere, here or there, will be thrown into the dustbin of history as rubbish, but the Prime Minister's 15 years' service would remain as a guide even to future generations.

Shri Bakar Ali Mirza (Warrangal): Mr. Deputy-Speaker, just now Shri H. N. Mukerjee and Shri Khadilkar put forward their viewpoints. They want some basic change in our foreign policy. This should not go unchallenged.

What is our foreign policy? Let us look at the world picture. After the last war, America tried to contain Russian and Chinese communism. She tried to build a *cordon sanitaire*, a sort of iron ring, consisting of alliances and bases. Similarly, Russia has another protective ring. This Maginot Line approach was bound to fail because it does not provide for the changes taking place in the allies themselves and also in armaments. This rigid alignment was cracking, and is cracking today.

Side by side, how is it that the non-aligned nations are more stable, their policies more dependable? What is the reason for this? The non-aligned nations are weak, the non-aligned nations have no strength of arms, and yet Yugoslavia was able to defy Russia and other non-aligned nations like Egypt were able to defy the big powers like England and France. I ask you where they get the strength, if they are weak both economically and militarily? The only strength they had and they still have is the moral strength. Otherwise it is very difficult to explain these facts. In this world when we are so much awed by the hydrogen bombs, supersonics and intercontinental ballistic missiles, we are apt to forget that the irresistible tidal forces of history are moral forces. This fact we have to recognise and we have to make a choice whether we would like to have the physical strength of Hercules or the spiritual strength of a Gandhi. The aligned nations chose the former. The non-aligned nations are trying to seek faith in the latter. Therefore, if we make a change in our basic foreign policy, we have to recognise what that foreign policy is; what the basis of its strength is. If, in the physical world, a mistake is made, it can be rectified, but in the moral world, one small tiny wrong turning might change the whole life. So, for the undeveloped nations of the world, this is the sheet-anchor. Once

you lose the grip on this, you will be neither physically strong like the developed nations nor morally strong as the non-aligned nations. Therefore, anybody who suggests a basic change is not doing service to the country.

There is talk about China. They say: What harm, you take a round pattern, they have agreed to most of the things, it is just a little matter, why should you stress upon the Colombo proposals, go and negotiate, settle the things and then we will deal with Pakistan. If that is the case, they forget past history. When we had reverses in NEFA, we did not take it as an ordinary military defeat as every nation does every battle, but the wisest and the biggest in the nations have said it was a humiliation. That has often been repeated in this House and that has gone into our bloodstream and no policy can succeed if it ignores that fact of life. Further, everywhere in the world, China has been coming forward and saying that she is invincible and that it is irresistible, that India was at her feet, that she could walk in and walk out, that if she gets any proposals, it is for her to accept or not and if she has to talk, she will talk on her own terms.

After all what are the Colombo Proposals? Quite a large portion of our land still remains outside our jurisdiction. It was an article of faith with us to make China and the world accept that there was some basis, some moral basis, for those terms. If you take that away, if you think that that moral basis is wrong, China wins at the very first round. The moment you go to negotiate on those terms, China wins.

Then, I ask my hon. friends: if you negotiate with China, what are you g-

ing to gain?—a few square miles. It is far better to ignore it and carry on. The Swatantra Party people say that non-alignment has failed because we have not got an army, we do not take help which can be provided. These people say: let us change and talk. What are we going to gain? Non-alignment has not failed but non-alignment has not been tried enough. We had air exercises with Great Britain and America, let us have a change and have joint air exercises with the Soviet Union if we want to try the effectiveness of non-alignment and see the forces that it generates. Why do you feel shy of it? Our stand is a moral stand and we are non-aligned the moment you change that, you are really harming the country. So, I am entirely against the approach of Shri Khadilkar and of Shri Hiren Mukerjee.

We do not want war, I know that we should not buy arms, but buy peace, buy time. That is the need of the hour, the need of the whole of Asia and Africa. But, still, in this particular hour when our basic stand is touched, I think it will be a fundamental mistake to go out of the way to try to negotiate with China.

Then I will say something about Kashmir. The stand Shri Chagla and before that Shri Krishna Menon so ably took in the Security Council has made our position quite clear to the whole world. I wish to say here that this House should confirm that they stand by that policy enunciated by these two great statesmen. The Soviet Union has been unambiguously and quite clearly supporting us and we appreciate very greatly the stand that the Soviet Union has taken. But the stand taken by America and Great Britain is open to question. Let us see what America herself did in a similar situation.

[Shri Bakar Ali Mirza]

Hundred years ago, the non-free or slave-owning States of the United States of America wanted to secede. Then, the Missouri Compromise was agreed to by which all those States above 30° 36' latitude were to remain free and all those below that were to be slave-owning States. But, America was expanding, new States were coming in. So this could not fit in. This Compromise was dropped and Mr. Douglas enunciated the Theory of Popular Democracy that every State should decide for itself, that means by a popular vote, that means by plebiscite. What happened? In the State of Kansas, both the free States and the slave-owning states started sending their men so as to influence the Electoral Colleges in their favour. Anger and passions were aroused, riots took place, men were killed and houses were burnt. This is known in history as "Bleeding Kansas." By the time Abraham Lincoln was inaugurated as President, a number of States had seceded and a Confederacy was formed and they claimed that they had the constitutional right to do so and no court had questioned that. Apart from that, the Supreme Court had decreed in the Dred Scott case that the function of the State was to protect property and the property was Mr. Dred Scott, the negro. It was further decreed that he had no right to sue in the Federal Court for liberty. There was also a movement to ban the Republican Party because it was against the Constitution, against the judgment of the Supreme Court.

In such a situation, what did that great man Abraham Lincoln, whose words have got the ring of the words of Bible, do? What did he do? He went to war so as to protect the Union, to stop the expansion of slavery. I ask this House: could we in a similar situation do anything less? That is the question before the House. As for the British stand, the

British had been experts in dividing people. Now, take the case of Cyprus, that unfortunate country, which, due to British diplomacy, will soon be partitioned like India. Of course the British are against it but they always take a stand that they are against a thing when they really want it. British had all the time been guiding Pakistan from the date on which Muslim League came into being. Even today I believe that this negotiation and this flirtation with China in spite of the understanding between Pakistan and the United States, are all motivated and directed by Great Britain. She said to Pakistan: you go on; try to bring pressure on India. To United States, they said: do not take it seriously: it is only a pressure move. This is the position of Great Britain. I agree with Mr. Hiren Mukerjee that there is reason to re-examine our relationship with Great Britain. What advantage are we getting? The new Western Europe that is coming up is going to be bigger force, both economically and politically and we should examine our dealings with greater care. Why should we always hang on to Great Britain as if it is the source of all energy, all intellect and the source of science. I personally think that this thing should be re-examined.

I would like to add that Pakistan has got vested interest in creating communal riots. Because, if there are communal riots, they can go to the Security Council and they can say that there is danger of peace breaking down; let us reopen the Kashmir question. If the verdict goes in her favour it requires still more riots to continue so as to influence the plebiscite in Kashmir. I say here and now that it is impossible to have a fair plebiscite, even if it is granted in Kashmir unless there is communal peace and harmony both in India and Pakistan for at least ten years. You create riots and people begin to feel insecure; rightly or wrongly rumours

begin to circulate, stories of atrocities flow in. In such a condition do you mean to say that any plebiscite or any voting will be anything but communal voting? If so, why not take census records and settle the matter? If you want to have really plebiscite or any kind of getting the views of the people, there must be communal peace and harmony both in India and Pakistan for at least ten years.

The future of Kashmir is linked with the future of India. There is suspicion in some people's minds at least that Muslims cannot be relied upon; that is only in some minds. If for any reason it happens that Kashmir is given to Pakistan, that suspicion which is now only in some minds will grow to be a conviction in many minds. And when such a situation happens no nation in the world can live with peace. If such an impression or conviction was to prevail that 50 million of a country's citizens are of doubtful political integrity, what will be the result? The results will be riots, killings and fifty million people moving this way and that way—the very weight of numbers will crush both India and Pakistan; because India will not have the capacity to hold them back and Pakistan has not the capacity to receive them. So, Sir, if you want real peace in the sub-continent, if you want peace in Kashmir, we should not change our policy by an iota. We should insist that Kashmir is ours and will continue to be ours and there will be no plebiscite. We should also insist that we will have no dealing or negotiations with China unless the Colombo proposals are accepted by them. Let them take 20 years or 50 years for that. The moral personality of this country and the moral stand that this country has taken is really the big picture and it is the picture of India. You talk of publicity. The moment you take a stand that tarnishes the face here, no amount of publicity, no amount of money that you spend will have any effect. I am one of those who believe in the moral government of the world;

I believe in the strength of the moral force. Therefore, if you have a split mind, you will begin to have split souls and if you have got split souls, there is no salvation. So, I assert again that there should be no change in our foreign policy.

Shri Nath Pai (Rajapur): Sir, I beg to speak on my cut motion No. 77 which reads that the demand under the head 'External Affairs' be reduced to Re. 1—failure of foreign policy. It is for the first time that we are moving a motion like this and it was after sufficient thought that we reached this conclusion that we must make amply clear our total disapproval of the foreign policy of the Government.

Before I come to an analysis of that policy or what remains of it, I should like to draw the attention of the House to the report which that Ministry has produced. Last year I had some comments to offer on this report and I must say that there has been some slight improvement. But their tenacity in producing inanities is so great that one sometimes wonders how had they had that same tenacity in pursuing India's legitimate interests how great this country would be.

I will be showing some specimen of the kind of report which the External Affairs Ministry which is supposed to be recruiting the cream of the Indian Civil Service, produces for the sovereign body of this country, the Parliament of India. Here is a specimen on page 10 :

“...two new petrol pumps were started (in NEFA)”

We are concerned about what happens there and how the problems there are to be solved. What they have to tell us is that two petrol pumps were opened in NEFA!

Next to NEFA is Nepal, our great neighbour. What have they go to say:

“Dr. Pushkar Nath, Director Central Potato Research Institute, visited Nepal to help Nepal in for-

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mulating plans for the development of potato industry."

What delicate secrets the House is taken into confidence! But that is not all. Chapter after chapter, page after page, you are told such profoundly important things for your perusal and for your reflection! To see whether they specialise in indulging in inanities, let us turn to page 19. They say:

"As a gesture of goodwill, the Government of India sent in July 1963, a gift worth Rs. 10,000...."

Is it really necessary to talk of gesture of goodwill? Does any country send these things as a gesture of ill-will? But they will never miss an opportunity of using platitudes, if they could. But there are some far more interesting things than this. 10,000 DM were given by the German President. Good enough. Normally, what should be the reaction? The Government of India accept it thankfully. But the wise men, the brilliant smart Aleks of the External Affairs Ministry must tell this to Parliament: "this sympathetic gesture was suitably acknowledged by the President of India". See the pomposity, the verbosity. Not a single opportunity is missed when they can use something pompous and bombastic!

Here is another example of this kind of indulgence and play with words. We are told how we were faring in Kabul. We sent a team headed by whom? By the Minister of Education, Bihar, and who went with him? "The Indian contingent to Kabul which was headed by Shri Satya Narayan Sinha, Education Minister of Bihar, included musicians, artistes and a hockey team." All lumped together! (*Laughter*). This is not only something to be laughed at. How far they can go! Must this House be told such profound things?

Then "the Government of Mysore accompanied by his staff, visited Brazil

for five days". By whom are you accompanied if not by your staff? If the Maharaja of Mysore was accompanied by somebody else, this House is not interested in knowing those secrets. But they will use again such an opportunity to tell us of such inanities. But something serious can happen with regard to our relations with other countries. This flippancy can go too far. Here is an example of it. "Permission has been granted to the Republic of Ireland during the period under review for the opening of an Irish Embassy in New Delhi." Permission has been granted! Mr. De Valera will be really shocked to read that permission has been granted to the Republic of Ireland to open an embassy in this country. No wonder that Government which thinks always in terms of permits and licences gives permission (*Interruption*) and when a country, which for generations inspired Indian freedom fighters, sends here for the first time her truly accredited envoy, we condescend to tell Mr. De Valera that "permission has" been granted.

Mr. Deputy-Speaker, I would like to know what exactly is meant by this. I do not want to waste my time and the House's time on this precious document. "Some delegations" from India also attended the Fourth Congress "for cultivating human spirit". What exactly is this country doing and where is it going? I never understand this kind of thing. This is the report of the Ministry of External Affairs to Parliament.

Then there is a special love for this hockey team. There are seven mentions of this hockey team and its prowess. "The visit of the Indian hockey team to Belgium received a good deal of publicity." Is this the report of the Ministry of External Affairs or of the National Sports Council of India? How many times must we be told about these superficialities? I shall leave this report at

this stage by telling hon. Members of this House that if you are going on a long journey and if you do not want to spend money on Perry Mason's novels, carry a copy of the report produced by the Ministry of External Affairs and you will have a delightful time.

As I said, there is something pompous about this Ministry, but there is also something about the greed of this Ministry, to which I would like the attention of this House to be drawn. 55 per cent. of the budget of this Ministry is taken up by activities with which foreign affairs has nothing whatever to do. What are these affairs with which this Ministry is concerned? NEFA, Nagaland, Goa, Pondicherry, and then, as if this empire is not enough, they have the army of their own. Few Members of this House realise that the Assam Rifles do not form part of the Indian defence forces. They are directly controlled by the Ministry of External Affairs. They want to have their writ run in every part of the country and they want to maintain an army of their own. The Prime Minister is burdened, and we are not going to do any service to the Prime Minister or to this country by sycophantic homages. But we are going to do our duty unto him and to this country by having the courage to speak the truth even if it may hurt. At a time when he is burdened must his activities be extended in this way?

Is it fair to this country that three years after the liberation of Goa, Goa continues to be the concern of the Ministry of External Affairs? First, they delayed and then bungled on the liberation of Goa, and now, they are playing mischief with the final integration of that territory.

Shri Shinkre (Marmagoa): Hear, hear.

Shri Nath Pal: Here is the authentic voice of the chosen representative of Goa. It may be a lonely voice in this House, but he represents the 600,000

people of Goa. And how are we behaving regarding Goa? **Shri H. N. Mukerjee** pointed out the background of the Judicial Commissioner in Pondicherry. Precisely the same mischief is done by the External Affairs Ministry with regard to Goa. A Bill was introduced in this House for Goa after liberation of Goa. It provided for the High Court of Bombay as the High Court of Goa. Now, suddenly, first, a Bill is introduced and then hastily, an ordinance is promulgated by the President, in spite of the provision in the Act which has been passed by Parliament, making the High Court of Bombay the High Court for Goa, creating the office of the Judicial Commissioner. Long-term politics is involved in this. I want to warn the Government that this is a very dangerous game the wise men in the Ministry of External Affairs are engaged in, creating an artificial dichotomy in the people of Goa; under the pretext of attending, caring for, taking into consideration, the wishes of the minorities, they are likely to commit the folly of perpetuating differences which do not exist and which they are themselves artificially fostering. I hope soon the authentic voice of Goa, of **Shri Alvares** and **Shri Shinkre**, will be heard in this House.

I will tell you to what extent this goes. Legitimately, the function of publicity, of liaison, is that of the Ministry of Information. But what happens in practice? There is a film produced about Goa. I will tell you to what extent these matters can go. Most of the Members of this House have seen this film, and I think all of them realise what has been happening. From what I heard from **Shri Mukerjee** and all others, the producer has been told by the wise men of the Ministry of External Affairs, "why do you have this reference to the Ranas of Goa?" That brings the cat out of the bag. The reference is there simply because the Ranas have fought, and not these gentlemen who do not like the name 'Ranas'. One's blood begins to boil when this kind of petty prejudices are

[Shri Nath Pai]

incorporated within the polity. The Ranas fought not once but three times for the liberation of Goa. When the historian tries to picture it, they are shocked at this and their sensitivity is hurt, because there is a reference to Alphonso Albuquerque and Vasco da Gama as pirates. Is it wrong? Were they not pirates when the ship was casting anchor at Calicut? Was he not looking through the porthole of the ship. He had ordered the ship of Muslims to be sunk and was enjoying the sadistic delight of seeing 400 Indian Muslims, men, women and children, drowning in the sea of Kerala. That is Vasco da Gama's and Albuquerque's career, but because he is referred to as pirate, the Ministry of External Affairs, which is presiding pontifically and gives pontifical judgments on everything, wants the film to be scrapped. They are supposed to be highly educated men, but I would ask them to read the book entitled *The Intellectual Tradition of the West* by Bronski, in which there is a chapter on Walter Raleigh, and that beautiful chapter ends like this: "This noble statesman, fighter, writer, gallant man, and pirate, died in the year" etc. Because that was the conception of the age, the age of greatness and gallantry. The word pirate is used in that context, but they will penalise the poor producer of the film because he has not produced a film according to their conception.

I shall now proceed to the next point, leaving the Goa affair here. I hope Shri Shastri will apply all his sagacity and wider considerations in tackling this delicate question of Goa. We do not want to see Goa, we do not want to see parts of India being ruled by the Ministry of External Affairs. It offends our patriotism. It must come within the purview of the Ministry of Home Affairs. We could understand that for some reasons they wanted it to be under the Prime Minister. But that is a different thing,

they are not under the Prime Minister; they are under the Ministry of External Affairs. That gives a feeling to many people that these people's assimilation with India is not final, and that creates a doubt whether these territories are finally integrated or not. We must remove this mischief, this impression, by seeing that these territories are not kept under the whiphand of the Ministry of External Affairs. We have had enough of this.

I have said that there is some degree of pomposity, about this Ministry which is a little unpleasant and unpalatable to good taste. Every Ministry in this country is very important and we refer to the highest executive officer of every Ministry as Secretary. But this is the only Ministry where he is not called Secretary. He must be referred to as Secretary General. This must be looked into.

14.00 hrs.

Having said this, let me point out some of the bunglings committed by this Ministry in spite of its vast powers and resources. We remember the feelings of profound shock and sadness with which this country and the whole world heard the news of President Kennedy's death who was an ardent champion of peace, a valiant fighter for peace and a dependable friend of India, as the Prime Minister himself described him. He died in the most tragic circumstances and with him passed something that was very rare in the political life of any country, something which the Prime Minister of India once symbolised when he was a young fighter for the freedom of the country. Such was the poignant tragedy felt by the whole world; a shudder of horror passed through the world. But how did we react? The sworn enemies of Washington, the

rulers of Russia, realised what had happened, forgot their enmity and sent their second greatest man to attend the funeral. Here we were pettyfogging with the excuse that no plane was available. It reflects a certain mental attitude.

I refrained from raising this subject but I told the Speaker that at a suitable time I want to raise it. Then I did not want to raise it, because it would have appeared vulgar to try to chastise this Government, since the tragedy was so poignant. But it remained rankling in every Indian heart, the way we had acted. A fear had crept into the mind of the Government—what would the world think if we send somebody to go to the funeral of President Kennedy? What will they think? But the Russians did not bother about it. They knew their path of duty and they sent their second greatest man. But here the palpably unconvincing excuse that no suitable transport was available was trotted out before Parliament and before the country. Sir, we have innumerable planes. We have Meghdoots and Pushkars. What is this kind of excuse? I am not saying that the Prime Minister or the President should have gone. I do not say this man or that man should have gone, but somebody representing this country ought to have gone. It is not this failure by itself but what it reflects that makes one anxious about the future. That was one aspect of the bungling.

I will give another example. Prof. Mukerjee referred to the way we received a friend coming to our country. President Aref's reception was extraordinary. He comes in the plane of President Ayub Khan to this country. He is to be the State Guest of this country. But something unparalleled, something unique, something which only the brilliant men of the External Affairs Ministry of India are capable of performing, happened. Nowhere else you will find a parallel for this kind of gross ineptitude. Mr. Deputy-Speaker, I do not want to la-

bou: this point, as it has been referred to. But there are some other alarming failures and examples of bungling on the part of this Ministry.

There is this question of our ambassador attending this dinner. Now people think, why do we mention such small things? But there is a bigger story about this. The Prime Minister told the House, when the matter was mentioned on the floor of the House, that the ambassador misunderstood the instructions, and therefore, he attended it. I want to know from the Minister or whosoever is going to reply whether it is not a fact that to this embassy, like to all the embassies in Western Asia and Africa, instructions were issued four times beginning in December, 1962, laying down what they should do whenever the Chinese will invite Indian ambassadors and Indian diplomatic personnel. It was clearly, amply, repeatedly stated that they must not attend or give hospitality to the Chinese diplomatic personnel. Of course, I know Shri Khadilkar will disagree with this, but since as yet he does not preside over the Ministry of External Affairs, the mandate of the Ministry of External Affairs has got to be carried out; the mandate was very clear and that was that the Ambassador will not attend. (*Interruptions*).

There were three times very clear instructions. Then we are told—I may be wrong and I am open to correction—that the ambassador, in spite of the third clear instruction that any hospitality given by the Chinese shall not be accepted, but we may attend hospitality given to the Chinese by the host countries, asked the Ministry of External Affairs whether he could not attend the return banquet given by the Chinese Prime Minister. Instructions are sent that "you must not" and still he attends. Then we are told that he misunderstood the instructions. If he misunderstands this kind of clear instruction, can we trust these men to interpret the policies of India? Can these men be depended upon, re-

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lied upon, trusted upon, to interpret far more subtler things like the projection of the policies of this country? The tragedy of this country is that our diplomacy never properly projected our policies and our policies never properly reflected the true interests of this country. I want to know from the Prime Minister whether he has succeeded in instilling something nobler, something higher and a better ambition in the hearts of these numerous legions of our envoys in the capitals of the world than the ambition to return home with a Mercedes-Benz car, General Electric refrigerator and a Grunding tape-recorder? We need to put in their hearts something nobler and better than this. If the ambassador had misunderstood, I do not know what steps had been taken and what guarantee is there for the future? How could he have misunderstood it?

The same kind of thing, the same kind of misunderstanding, happened when the question of Chinese suzerainty and sovereignty over Tibet came up. Then also we were told that we signed away free Tibet's independence and sovereignty because the ambassador misunderstood the instruction. At a very critical juncture, these brilliant men have developed the genius of misunderstanding the instructions. That is a very rare performance.

There is another example of bungling. How do we behave with people who are friendly to us? Of the many people who were trying to show sympathy with India consistently, there was the UAR. Very stoutly and steadily they had supported the cause of this country. They had wanted to condemn China. Truly, non-aligned Egypt wanted to condemn China after the invasion of India. If they refrained, it was on the advice of the Government of India. Here is our valiant friend Egypt and her gallant ambassador. After a very distinguished service in this country, he bids adieu, but what is the spectacle at the airport?

The only Indian to see him off was the Chief of Protocol. No other man thought it worthwhile to go and see him off. They are too busy, too tall, too occupied with other big things. They will never bother to go out of their way. Then we will be told that we are doing this and that and we want Arab friendship.

I can give another example of a shocking, incredible type of bungling. There was the free Government of Algeria. The Government was recognised by as many as 34 free countries in the world. We know what it is to be recognised. An Indian had set up a free Government abroad and 9 Asian Governments had recognised it, and the Government of Netaji Subhas Chandra Bose had become a source of inspiration to all India. We realise the agony of the Algerians. 34 countries in the world recognised their Government. They look to us for recognition. But we do not have the courage to do that, because we are afraid of offending France, offending the all-mighty Sphinx-like De Gaulle. Therefore, we did not do it. And what happened? Something worse is still happening. There comes the ambassador of Algeria to this country. The first ambassador of the Provisional Government of free Algeria was forced by the Foreign Ministry of India to our shame to come in not on the passport which his free country had given him, but on the passport of Morocco. Can there be anything more humiliating for any country? Still, we want to go on assuming that the Arabs are going to stand by us.

We will not recognise Israel for fear of offending the Arabs. We will not do justice by the Arabs for fear of offending the French. What is the reward we get? It is not at all surprising that everywhere Mr. Chou En-lai went he got a red carpet. I know there is Professor D. C. Sharma, Seth Govind Das and others who tell us that China has been isolated. "China

has been mauled" he said, "as a result of her invasion of India". And, of course, there is Shri Khadiilkar who was accusing all of us of shouting. I must very humbly submit to him that shouting is an activity so far as this humble House is concerned in which Shri Khadiilkar remains absolutely unbeatable. Having worked himself into a frenzy he was flying at tangents. In one breath—I quote him—he said: "We must firmly uphold the policy of non-alignment" and looked sarcastically and contemptuously at us. Two minutes later he said: "Is there a policy which we can support and ask the world to support?" I do not understand it.... (*Interruption*). The proceedings will show, Mr. Deputy-Speaker, that this is what he said. Then, of course, he gives this great advice: "Remain firm." The real meaning of it is this. Remain firm to do what? To surrender to China, to firmly surrender to China (*Interruption*).

Shri Khadiilkar: This is absolutely perverse.

Shri Nath Pai: "Go" he says; "meet and talk, what is wrong about it?" In his eagerness and desire to please and to flatter, he stooped too low—I do not know what he was trying to win and conquer, because stooping to conquer is an excusable activity on the part of a politician he has consigned all of us to the dustbin of history. Once only he suffered from the pangs of modesty, and in this onslaught of modesty he wanted the whole House and himself to be consigned to the dustbin of history.

Shri Khadiilkar: I said, many of us, not all.

Shri Nath Pai: He paid a tribute to the Prime Minister. Sir, tributes should be subtle, they should not embarrass the recipients or the giver. Here is what the Prime Minister says on this issue (*Interruption*). You are laughing at me, will you laugh at your

hero? Here is what the Prime Minister is saying about it. He says:

"On this question there is no question of negotiating, of talk. When it comes to the question of maintaining the honour and sovereignty of this country, come what may, we may have to go alone, but we shall not be coerced by fear or by the threat of isolation."

This is what the Prime Minister of India said speaking in Lok Sabha. I think Shri Khadiilkar should try to read the Prime Minister's speeches well and more seriously and then only try to come and poke fun at us.

Mr. Deputy-Speaker, where are we today standing? We are standing in a very strange world which is changing, and our position in that world has changed. But the Government of India and its misguided apologists and supporters continue to hug to their bosom illusions and postures which have become mythical in the face of new realities of today. Even President Lyndon Johnson had to say that from the posture of instantaneous retaliation and contention we have to come to reason, agreement and preserving honour without a world in ruins.

This is what is happening. There is a thaw in the world. The world is no longer divided into two monolithic blocs. No longer do large parts of the world suffer from the pangs and shackles of colonialism. During the past 15 years 50 new nations have become free. There are new fissures in the monolithic blocs. Only two things have not changed: the Chinese bellicosity, the Chinese hostility and the perennial drift of the Government of India. These two things are the only reliable factors in a changing world.

This is our position today in the world. We stand—and I say it in all sadness but in all seriousness—without a trustworthy friend, without a single reliable ally. I know we are

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told that China is isolated and we are surrounded by friendship and alliances. May Shri Khadilkar ponder to think over it. From the pinnacle of our prestige in 1947, from the summit of the esteem of our friends and the envy of our enemies, today we have sunk into the abyss of the pity of the world and the contempt of our foes. All the goodwill we enjoyed in the world, all the prestige which we held, all the influence which we exercised have been frittered away. There is a book called *How to win friends and influence people*—Dale Carnegie's book. I think somebody in the External Affairs Ministry should write a companion volume to this book "How to lose friends and make enemies."

How did we come to this kind of a sad plight in the world of today? I will give, briefly, some basic reasons for our present sad plight. Why did we come to this sad plight? It is because we suffer from the twin malady of self-imposed hypnosis of righteousness and the neurosis induced by fear. We are chronic patients from this fear neurosis. We are helpless prisoners of the self-imposed hypnosis of righteousness. The second reason why we came to this sad plight is that we tried and we sought to meet every crisis that developed by a barrage of platitudinous verbiage the example of which Shri Khadilkar gave us today. But the even more serious reason was that we adopted an attitude of cringing sycophancy towards the mighty nations of the world whom we regard, who we persuade ourselves, are our friends. We adopted an attitude of incredible pusillanimity towards the mighty nations of the world who were unfriendly towards us, who were our enemies and with the rest of the world, Mr. Deputy Speaker, we adopted a posture of unctious superiority.

There is another thing in the world and every one knows it, called the "ugly American". The Americans realised that there was such a thing like "ugly American". But they rea-

lised it and tried to correct it. There is such a thing like "ugly Indian". Who is he? He is the typical Indian diplomat. What is his description? He is petulant, pernicious, presumptuous, pompous, perennially performing on the rope of non-alignment and perpetually preaching peace and patience to the whole world on the slightest pretext or provocation. Mr. Deputy-Speaker, like the albatross sticking round the neck of the Ancient Mariner the shadow of this ugly Indian haunts and pursues us wherever we go in the world.

We need to rectify that image. How are we going to do it? Do we have the realisation of where we stand? Do we have the courage to face the reality and try to adopt the necessary corrective measures or shall we go on indulging in the illusions which we have created and pretending that we have friends, we have allies and we stand to gain everything by pursuing the innate policies which we have been pursuing and shall we go on creating a misunderstanding by deliberately accusing those who will come here and say that something is wrong with the foreign policy, that they want to support this interest and that interest? It is not going, any longer to cut ice in this country. You are not going to deceive this country we have changed, the times have changed and we must adapt ourselves to the changing times.

How are we going to do it? May I ask the Government one thing? Do we have even today an integrated long-term policy towards China and towards Pakistan? What is the China policy of this Government? Is it to go on, parrot-like, repeating or chanting Colombo proposals? And, what is the policy towards Pakistan? Is it to go on threatening the United Kingdom and the United States of America that we shall leave the Commonwealth? Is the world going to take us seriously? If we want the world to take us seriously, we must see that we are taking ourselves seriously. We are not

making any move to show to the world that we are taking ourselves seriously.

What exactly can we do with regard to China? China knows what world politics is. She is not going to be deterred or to be brought to the path of reason and negotiation. She is not going to treat India as an equal ally, friend and neighbour by the kind of joking we do of which we saw some dangerous symptoms in the letter written by the Prime Minister, in the assurance given by the Prime Minister to Madam Bhandaranaike. I am afraid, in the kind of first ever speech made by the Minister without Portfolio in this House, the meaning of it was extremely difficult to find. Let us not strike Don Quixote-like posture of Heroes. I fully agree.

But when it comes to our basic rights, we must have the courage, if necessary, to tell the whole world, "We will suffer isolation, we shall go alone, we will suffer privation but we shall never compromise, we shall never temporize when it comes to the dignity and honour of this country."

Look at how a man like De Gaulle is treating us. De Gaulle has been invited by this country. He has already accepted the invitation of Pakistan. The invitation of India, I think, remains in the pigeonholes of the *Champs de L'Elysee* in Paris.

What is the policy towards China and Pakistan that we are going to evolve? Do not go on using this outdated threat that you will leave the Commonwealth. It is meaningless because there are enough Tories now who say that the Commonwealth is a gigantic farce. We cannot go on trying to shoot with a pistol with an empty shell and the whole world knows it. Are we serious in making a gesture towards Britain which will impress upon them that we are deeply hurt by Britain's and the United States' policy towards us *vis-a-vis* Kashmir or any other problem? Then, you do not have to go on indulging in this expression of this impotent anger. Something much more solid

could have been done to tell Britain that we feel deeply perturbed. You could have indicated to them that you were not going to attend this year's Commonwealth Naval Exercise. You are negotiating for the purchase of three frigates costing Rs. 32 crores from Britain; you could have indicated to them that for the time being we shall have to postpone these negotiations. You could have indicated to the Chinese also likewise.

But what is the response to the Chinese? Under the pretext of being reasonable and realistic, we are being asked to go down the slippery path of surrender. But this House is going to resist it and this country is going to resist it. What an extraordinary thing! We are going to attend the non-aligned nations' conference, we must go on cultivating our friends, few as they are. But that we are not doing. There we are failing miserably.

But what is this Bandung? The Ministry of External Affairs says in its Report that China has set up 26 new posts, six of them on the territory of India. Is she going to be deterred from this by your going to Bandung? Was it not your posture that so long as China—the note of 8th August 1962 says that there is no dispute so far as India's territorial integrity is concerned....

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Nath Pai: I do not want to imitate Shri Khadiikar in defying your bell five times.

Shri Khadiikar: You have defied him six times.

Shri Nath Pai: Only two minutes more..... (*Interruptions*).

But we must go and cultivate. The first thing is, break the chain of isolation, the ring of isolation that China has built around us. Burma, Nepal, Afghanistan, Ceylon—all traditional friends of India by nature, by history, by geography destined to be our friends and allies—in all of them we

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have created suspicion and disrespect for us. Nobody trusts us; nobody believes us; nobody accepts us as allies. Can we not break this? Does it require foreign exchange? But who will respect us and who will give us trust? See the vacillation and fear, Mr. Deputy-Speaker, before I sit down. In nothing which it thinks right will this Government make a gesture of courage and conviction. If you wanted the American transmitter, having gone into the deal, why did you not have the guts to say, "India needs it; we will have it"? But if you thought it wrong, why did you go into it? They were looking all the while one way with one eye towards Moscow, another towards Peking and hardly an eye towards Delhi. Therefore we come down tumbling. Once looking there; once looking here—this is not the way. Steadfastly we must fix our gaze on the ultimate interest of this country.

There was the question of the joint air exercises. Did you want them willingly or did you not? If you wanted them, why were you apologetic? If you did not want them, you should have firmly told them that we can look after our defences. But there was hesitation about the Seventh Fleet the same thing. One day, apology; another day, condemnation. What is this kind of policy? Our friends will not respect us and this kind of a policy will not deter any enemies.

We are engaged in three confrontations with China and Pakistan. There was the quick military confrontation, first with Pakistan in 1947. We lost it. Then, there was the quick military confrontation with China in NEFA and Ladakh. In one part we miserably and sadly lost. But there is the other confrontation at the diplomatic level, the cold war. Here again, we are losing to both of our main adversaries, Pakistan and China. Wherever Mr. Chou En-lai went the red carpet was opened to him. He was received warmly and enthusiastically throughout Asia and Africa.

The same thing in regard to Pakistan. The world is thinking that Pakistan is right even on the issue of treating the minorities. On the diplomatic front the initiative is with them. But there is a third confrontation of which the Government does not show any sign that it is aware or it is alive to it. There is the invisible confrontation between the men who rule in Peking and the men who rule in New Delhi. This is a confrontation which basically calls for character, integrity, dedication, determination and, finally, faith. The ultimate battle between Peking and New Delhi is invisible; but our first defeats follow from our unawareness of this invisible battle in which we are engaged and to the extent we can bring ourselves to fight and face this invisible battle shall we be able to maintain this nation.

Let us remember, we have to face the world with faith in ourselves and in our future. We shall not flinch or falter and it will not do either to flinch or to falter. If we show such faith in ourselves and in our destiny, today we may be isolated but the world will learn to respect us and if we want this respect by showing that we have sufficient self-respect, tomorrow our frontiers and borders will automatically come to be respected by the whole world.

Shri Tyagi (Dehra Dun): Devastating; most devastating.

Shri Inder J. Malhotra (Nominated—Jammu and Kashmir): Mr. Deputy-Speaker, Sir, practically all the speakers who have participated in this debate up till now have made a reference to the Kashmir question. Regarding our policy about Kashmir, I would like to say that right from the beginning the policy has been interpreted by different schools of thought according to their own convenience. I would make a reference to the position taken by the Swatantra Party regarding Kashmir, Shri Masani even today pleads that there should be fresh elections in Kashmir, while Shri P. K. Deo yesterday, while participat-

ing in this debate, demanded that there should be complete integration of the Jammu and Kashmir State with India, a national government should be formed in Kashmir and the Jana Sangh should also join in the Cabinet.

Since I come from that part of the country I would submit that the most unfortunate thing is that no sincere and serious efforts have ever been made to make a thorough study of the whole question. When Jammu and Kashmir acceded to India there was a raid by Pakistan. We went before the United Nations and complained about the raid by Pakistan. What happened after that? During the last 13 or 14 years a number of times we have gone before the United Nations and we have come down to the position of explaining every time at the call of Pakistan whenever Pakistan goes before the Security Council.

Recently in the last debate in the Security Council Shri Chagla took a very wise and clear stand and he made a statement in this House. I would like to quote a passage from what he said:—

"And may I say one word about integration? I made it clear that whatever steps we had taken were in the interest of the people of Kashmir or for the welfare of the people of Kashmir. I said we will go on with that integration. I hope—the Prime Minister is here; he used the expression 'gradual erosion of article 370'—I hope that erosion will be accelerated."

Then, continuing he said:—

"Let us not forget that article 370 is in a part which talks of transitional and temporary provisions. I think the transitional period has been too long."

I quoted this passage only with one thought before me, namely, that Shri Chagla is again going to the Security Council. I only wanted to remind Mr. Chagla and the Government of India, let us not forget the assurance given by the Government of India to the people of Jammu and Kashmir, let us not forget the stands which we took

during the last fifteen years before the world regarding Kashmir being an integral part of India.

Another word I want to say about our policy regarding Kashmir. It has been a sincere and clear policy. But I must say, it has not been a firm policy. I do not understand the reason why time and again, when we go before the Security Council and we make everything clear, after another three months, on the initiative of Pakistan we are called by the Security Council to explain things again. Why can we not once for all say "This time India's participation in the Security Council regarding Kashmir will be the last time"? We should tell the Security Council "After this, on the initiative of Pakistan regarding the Kashmir question, India will not be prepared to come and participate in the debate before the Security Council". I sincerely feel that unless and until the kind of firm attitude is taken regarding the Kashmir policy the people of Jammu and Kashmir will always feel uncertain, and by and large the people of India would have certain doubts in their minds that since the Government has not taken such a firm decision regarding the Kashmir policy there may be certain other considerations or certain other lines on which the Government is thinking. I want to be absolutely frank and honest, Mr. Deputy-Speaker.

With the release of Sheikh Abdullah and his colleagues from jail a new element has been introduced in the body politic of Jammu and Kashmir, not only there, I would say in the whole of India. I welcome his release. He was a great leader who led the national movement in Jammu and Kashmir State, and also he led the national movement in Jammu and India. In 1947 he was the man responsible to see that Jammu and Kashmir State acceded to India. In 1953 he developed certain other ideas and after that certain things took place—I do not want to go into that long story. But I want to say this, that his release is welcomed everywhere, in all

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parts of this country, with the hope that things would normalise. I sincerely hope that with his release new problems would not be created but the problems which already exist would be solved. Now there are apprehensions. Not only that; a whispering campaign has been started in the country. Some people say that the release of Sheikh Abdullah is the first step to give away Kashmir. Sir, this trend in the thinking, this trend in the minds of the people, is a very dangerous trend.

Shri Kapur Singh (Ludhiana): It is a very realistic trend.

Shri Inder J. Malhotra: Well, time will prove. Shri Kapur Singh says that it is a realistic trend. He has got every right to disagree with me....

Shri Raghunath Singh (Varanasi): Being a Member of the Opposition.

Shri Inder J. Malhotra:...on any path or any trend.....

Shri Raghunath Singh: On any label also.

Shri Inder J. Malhotra: Regarding this matter also. At this juncture I would not like the Prime Minister, if he does not like, to comment on these things, he may not; because, very shortly he will be meeting Sheikh Abdullah. But I must bring forward one thing, that if we ourselves start thinking that Kashmir is going away, then which is the power on this earth which can keep Kashmir with India? I only ask this question.

Shri Raghunath Singh: The will of the people.

Shri Inder J. Malhotra: Let us not live in panic, and let us not be so panicky that if Sheikh Saheb has said something the status of Kashmir is going to be changed.

During the last debate on the President's Address, Mr. Krishna Menon—I must say, and I must pay a tribute to him, that he is another gentleman

in this country who has done a great service to this country by putting forward our case in the United Nations regarding Kashmir—said about accession:

“Anyway, Accession proceeds from a tripartite agreement at the time of the transfer of power. There was an agreement between the British Government, on the one hand, and what is now the Government of India and those who became leaders of Pakistan, on the other. Therefore, all three are parties to it.”

And continuing his remarks regarding accession he brought forward a very significant and basic point. He said:

“Once accession is made—this is not just legal quibbling—there is no machinery in our Constitution for deaccession.”

Sir, I am no student of law, I have no legal background . . .

Shri Raghunath Singh: That is the law.

Shri Inder J. Malhotra: But this is the constitutional position of Kashmir being part of India. Then, with certain political changes in Jammu and Kashmir State we should not become so panicky and start thinking that Kashmir is going away from us.

Shri Sonavane (Pandharpur): Who has started being panicky?

Shri Inder J. Malhotra: I only want to caution you about it.

Shri Raghunath Singh: This side is very panicky. They wanted him to be released and now they are panicky . .

Shri Nath Pal: Who?

Shri Raghunath Singh: Fifty persons have signed.

Shri Inder J. Malhotra: Now I want to say one thing more regarding the

political situation in Jammu and Kashmir State. After long discussions, a new Ministry which belongs to the National Conference party has taken charge of the affairs in Jammu and Kashmir State, and at the initiative of that Ministry the release of Sheikh Abdullah came into being. The present Ministry in Jammu and Kashmir State is trying to lessen the political tensions which somehow existed during the last certain years. I would plead that the Government of India, the Central Government, should give all support to see that this Ministry could justify its being at the helm of affairs. I would not like to say more.

In the end I would only like to say this and plead before the Prime Minister that the people of Jammu and Kashmir always had full confidence in him and in the policy which he pursued regarding the Kashmir State. Today also we have the same kind of confidence in him; and I only plead one thing before him, that in future no shift would come in the policy so that our confidence is not lessened or it does not amount to a betrayal.

Shri N. C. Chatterjee (Burdwan): Mr. Deputy-Speaker, Sir, after some feats of brilliant oratory I would ask the House to come to *terra-firma*. Sir, I was one of those who was associated with one of the greatest sons of India and one of the greatest parliamentarians India has ever produced, who took some part in the struggle for closer integration of Kashmir with India. Sir, there is no question of panic. But let us be frank and let us indulge in plain speaking. After all the recent events which have happened in Kashmir there is a good deal of misgiving in this country: not thousands, but millions of people are deeply perturbed. What is the policy of our Government? Some statements have been made. I am not attacking or condemning the release of Sheikh Abdullah, although standing on the floor of this House I had to make a strong speech when I sponsored the motion for a commission of inquiry into the regrettable death of Dr. Syamprasad Mookerjee while in deten-

tion in Srinagar. Time has come when we should forget old wounds. But I want the Prime Minister to make one categorical statement and that will dispel a good deal of misgivings. He must make a statement that Kashmir is not a subject-matter of negotiation. I want this clear and categorical declaration from the Government of India that Kashmir is not a negotiable issue. Once that statement is made, you will realise, a good deal of doubt and difficulty will disappear. We must make it clear that there shall be no question of giving up our own territory or our own sovereignty and that Kashmir is an integral part of India. This must be made crystal clear in view of certain amount of confusion which is sought to be created by the enemies of India. We must have a definite assurance from the Prime Minister that the release of Sheikh Abdullah does not mean any change in the Kashmir policy which had been pursued. My hon. friend, Mr. Tyagi put that question the other day. Unfortunately, there was no clear response from the Prime Minister. But the position should be made absolutely clear that there is no question of our going back on our Kashmir policy and that Kashmir is an integral part of India and shall continue to be an integral part of India.

Now, the British and American advocates of independent Kashmir are simply out to placate Pakistan for their own purposes and they are resorting by this method to secure the loyalty of their stooges in Pakistan and, therefore, we must be very careful that no impetus should be given to any sort of idea of our accepting or tolerating independent Kashmir in any shape or form. We should not forget the supreme sacrifice of one of our great sons of India. That was a martyrdom which we should respect and that martyrdom should be fully implemented by a complete integration of Kashmir and by making the fusion organic and effective. We must also remember the sacrifice of thousands of our gallant jawans and also gallant officers who laid down their lives

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They fought for what? They fought for Kashmir as an indivisible part of India. Should all that sacrifice go in vain and should we allow Kashmir to be again put into the melting pot? Therefore, I demand that there should be a categorical, clear and definite assurance given that there shall be no going back on the declared Kashmir policy. During the last ten or eleven years, there have been forces operating in Kashmir which were steadfastly and progressively working for bringing India and Kashmir together. We must respect those men who fought against odds. Nothing should be done to make their position weak. Nothing should be done to make their position difficult. Therefore, I am hoping that the momentum of progressive integration should not be at all checked or jeopardised in any form or shape. Therefore, I demand that this announcement should be clear that the process of further integration of Kashmir with India will not be obstructed, will not be impeded, will not be hampered, in any manner whatsoever. That will be giving great solace to thousands of people. Look at it! The fate of Kashmir has been linked up with the fate of 9 million Hindus in East Pakistan and 1 million of Buddhists and Christians. Amazing it is! Because the Prophet's relic was stolen temporarily from the Hazratbal Mosque, therefore the carnage started in Jessore and Khulna deliberately fomented by the President of Pakistan State who declared that that must have been done by a non-Muslim and then the carnage was planned and organised. You know, Sir, 92 lakhs refugees are there. Only 2 lakhs have come out. 90 lakhs refugees are still there. Apart from that, 10 lakhs of Buddhists and Christians are there. Their life was intertwined with the fate of Kashmir. Only if the Government had the courage, had the intelligence, had the fairness to declare that President Ayub was telling some fantastic nonsense, this carnage could have been stopped and the repercussions which, unfortunately, took place in

West Bengal would never have happened. But they did nothing. I do not know why. Anxiety to placatise, anxiety to appease Pakistan, this whole policy of persistent appeasement, has been the misfortune of India. Even that persisted in that critical hour. Therefore, they waited for days and days and weeks until they ultimately came out with the truth and in the meantime the mischief had been done.

Sir, today, I am sorry to say that I am one of those who had all along said that we have committed three bungsles. The biggest bungle was to go to the United Nations; the second bungle was to accept the cease-fire line and the third bungle was to accept or to make an offer of plebiscite. We have been completely defeated in the United Nations. It is an amazing feat. We had a very good case. But we did not put the case properly before the United Nations. I am not singling out a particular spokesman of India. But I am sorry to say that in the international forum we did not do our duty. We put our case at the barest minimum legal level. Pakistan had a weak case. Morally and legally, they had no case. But still they manoeuvred and we are today standing at the dock of the accused although we went there as the complainant and they are now insinuating that India had been guilty of genocide and they are proposing the Security Council meetings and we are either fawning or frowning on them. It is an amazing thing. In the international legal battle, you can never win if you are continually on the defensive. You must put your case properly, boldly, courageously and, if necessary, in an aggressive manner, not, of course, distorting truth, not manufacturing any stories. But we did not do our duty and, therefore, we went down in the international forum. We could not put our case properly.

Sir, even today what is happening? This Conference of the two Home

Ministers is going on. According to a statement made by a senior Congress Member, 20,000 people have been killed. According to figures that I have got from a recent tour of the border in Bengal, over 6500 girls have been abducted and kidnapped. And this *tamasha* is going on, the Pakistan representative here solemnly telling us that we must stop the ejection of illegal infiltrants as if that is the main thing. We have not again put our case properly. We are again on the defensive. We do not tell the world that they have carefully planned the genocide. In the International Commission on Tibet, the international jurist condemned China of planning communal or religious genocide. This is exactly the thing that is happening here. But we have neither the courage nor the capacity to put the case before the world. You are still dilly-dallying or shilly-shallying with the problem. Actually, it is an amazing feat. When the Home Minister of India and the Home Minister of Pakistan are talking solemnly, they prevent the Down Barisal Express from coming to the Indian border station at Patrapole and the talks are going on. It seems farcical. They have sealed the border. The first item of the Nehru-Liaquat Pact is that there shall be safe transit of minorities to the border of each country. If any Muslim wants to go to Pakistan, the Indian Government shall secure safe transit upto the Pakistan border. And any Hindu who wants to come or any Christian who wants to come to India shall be secured safe transit from Pakistan up to the Indian border. Deliberately, they have flouted it. Not merely are they flouting it but they have been shooting down fleeing immigrants, the Christian immigrants on the Garo Hills side, and they are even today shooting down Hindu immigrants, and now when the talks are going on, they are making a parody of the whole thing by sealing the Jessore and Khulna border. I am sorry I do not think that Shri Lal Bahadur Shastri or Shri Nanda realises what is happening as a result of the sealing of the Jessore

and Khulna border. Sealing this border means that those poor thousands who are coming, trekking along on their feet, cannot come, and they are prevented. Now, this sort of thing should stop.

Now, I want our Government to declare this in the words of Sardar Patel. When ten lakhs of people were pushed out from Pakistan, Sardar Patel stood up and said 'I shall demand territory from Pakistan, if they cannot instil a sense of security in the minority communities in Pakistan'. You know, Sir, that I was one of those who appeared before the Radcliffe Commission on behalf of the Bengal Hindus. I know how the case was put, and I know exactly what happened. Deliberately, Pakistan was planned and given much bigger territory, because Mr. Jinnah made a public declaration that 'I shall make no discrimination against the Hindus or any other minority community'. He guaranteed complete protection to all the minorities in Pakistan. He declared solemnly that there shall be no discrimination against anybody on the ground of race, religion or creed. On that basis, Sir Cyril Radcliffe gave this territory to Pakistan so that at least 1,30,00,000 or 1,40,00,000 Hindus, Buddhists and Christians could be accommodated in that territory. Sardar Patel, a courageous man, a brave man, not a man like those who are now ruling India, stood up and said '10 lakhs have been pushed out. If more are pushed out, and if you cannot instil a sense of security. I shall demand territory from you, Pakistan, and the whole basis of the creation of Pakistan is gone.'. Why cannot the Home Minister or the Prime Minister today tell Pakistan that 'If you cannot instil a sense of security, if you cannot give them basic human rights, then we demand Jessore and Khulna and Rajshahi districts from you'? They have no moral right to keep those areas. 10 lakhs had been pushed out at the time when Sardar Patel had made that declaration. 75 lakhs have now been pushed out, and

[Shri N. C. Chatterjee]

they are still coming. But our Government are simply discussing whether there should be stoppage of infiltrators or not. That is not the thing now. Boldly they must declare now that they demand territory from Pakistan. I am glad that there is one Congressman of some position, who was in the Cabinet but who lost his job because of the Kamaraj Nadar Plan, who has said so. Speaking in Delhi last Sunday, he said:

"India must demand land from Pakistan to resettle the refugees."

I am very happy to find that there is at least one Congressman of some stature who has got the courage to say that.

Shri Surendranath Dwivedy (Kendrapara): Who is that person?

Shri N. C. Chatterjee: Shri Jagjivan Ram.

He said:

"The Government of India should demand now lands from Pakistan to resettle the refugees from East Pakistan. Pakistan is perpetrating inhuman atrocities on its minorities in East Pakistan. India must protect these helpless minorities. The only practical way is to ask Pakistan to surrender some land which could be utilised for resettling all these 90 lakhs of unfortunate people."

75 lakhs have come, and you know, Sir, that whatever may be the Nanda-Habibullah agreement or pact, there is absolutely no chance of getting any sense of security there; they have got no Constitution or constitutional safeguards for themselves there. My hon. friend Shri C. K. Bhattacharyya told the truth the other day. From the Congress Benches, he said that Pakistan had declared a total war on the minorities. We must treat that thing on that basis. We must accept that

declaration of total war, and we must formulate our policy and our plan of action on that footing. On that footing, I think that we should demand adequate territory for the purpose of resettling all these 9 millions of people; even the Christians and Buddhists who have also lost the sense of security are also coming out of Pakistan. So, I think that that is a legitimate and proper demand. What Sardar Patel said should be again reiterated, and we should not go to Pakistan with small demands of only safe transit and this and that. We cannot trust them. We have lost faith in them. The Nehru-Liaquat Pact has been sunk fathoms deep. During all these years, we have implemented it, but Pakistan did not implement it. Therefore, sterner and firmer action should be taken. That is what I am demanding.

Mr. Deputy-Speaker: Now, Shri K. C. Sharma.

श्री रामसेवक यादव (बाराबंकी) :
उपाध्यक्ष महोदय, आध घंटा समय बड़ा दिया जाय ताकि कुछ और लोगों को बोलने का मौका मिल सके। मैं समझता हूँ कि यह सदन की राय भी होगी।

उपाध्यक्ष महोदय : तीन बजे से तो नौन आफिशिएल बिजनेस शुरू हो जायेगा।

श्री रामसेवक यादव : उसको साढ़े तीन बजे से शुरू किया जाय और हाउस आज बजाय साढ़े पाँच बजे तक बैठने के ६ बजे तक बैठे।

Mr. Deputy-Speaker: Last time, there was no quorum. So, we cannot do that.

Shri Nambiar (Tiruchirapalli): We suffered quite a lot the other day because of that. All our Bills had lost their place in the new ballot. It is not proper that every week the

private Members' business should be postponed in this manner.

Suri K. C. Sharma (Sardhana): We have been discussing the Demands of the External Affairs Ministry, and many great and important speeches have been made, and I have been hearing them all through and listening with great care and attention to the studied performance of my hon. friends. But I have found one thing, namely that the central theme of the modern world is missing. What is the central fact of modern life in India and in the world? It is that peace is necessary and peace is inevitable. Neither India nor Pakistan nor any other country has a chance of survival if the peace in the world does not exist. So, the first and most primary objective of India and her foreign policy has been to help in the maintenance of peace and to create conditions in which that peace would be a sure peace in the world so that we may develop our people to an acceptable standard of life. Sovereignty has no meaning to the hungry and the naked man. What is the use of sovereignty to him? What is the use of crying about the protection of our flag? Where is the flag for him when he has no cloth worth the name to wear? What is the use of the sacred shrine, if I cannot walk to pay homage to Gandhiji? I must have strength enough to walk two miles. That means that I must have enough food to nourish my body, my bones and my blood.

This is the question before the world today, with all its emphasis and with all its force, as has never been the case before.

Now, I shall pose two questions. How are we to guarantee food and cloth to the ordinary citizens? For that, peace is necessary. Most of the countries in the world do not produce enough food for their citizens, and it has to come from elsewhere. Where

is the guarantee that the population can be controlled in all the countries through medical help? Every country has not got the medical apparatus to control the population. Even for the survival of the human race, peace in the world is necessary.

The greatest contribution of our Prime Minister Shri Jawaharlal Nehru in the modern world is that he has raised the voice for peace in the world, and he has put that as the first condition and the primary objective of his foreign policy, and his first objective is that peace should be secured.

Mr. Deputy-Speaker: The hon. Member may continue his speech tomorrow. Now, we shall have to take up the non-official business.

15.00 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FORTIETH REPORT

Shri Muthiah (Tirunelveli): I beg to move:

"That this House agrees with the Fortieth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 8th April, 1964."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Fortieth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 8th April, 1964."

The motion was adopted.

CONSTITUTION (AMENDMENT)
BILL*

(Amendment of article 217) by Shri P. R. Patel

Shri P. R. Patel (Patan): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Shri P. R. Patel: I introduce the Bill.

CONSTITUTION (AMENDMENT)
BILL*

(Amendment of the Seventh Schedule) by Dr. L. M. Singhvi

Mr. Deputy-Speaker: Dr. Singhvi.

श्री राम सेवक यादव (बाराबंकी): उपाध्यक्ष महोदय, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ।

उपाध्यक्ष महोदय : आर्डर, आर्डर।

श्री राम सेवक यादव : माननीय सदस्य, सिववी साहब, जो प्रस्ताव करने जा रहे हैं, उस विधेयक की जो प्रति हम लोगों को मिली है,

उपाध्यक्ष महोदय : पहले माननीय सदस्य को मोशन कर लेने दीजिये और बाद में व्यवस्था का प्रश्न उठाइये।

Dr. L. M. Singhvi (Jodhpur): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

Mr. Deputy-Speaker: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

श्री राम सेवक यादव : हम लोगों को इस विधेयक की जो प्रतिलिपि मिली है, उसमें दिया गया है कि 3 अप्रैल, 1964 को इस का नोटिस दिया गया। नियम के अनुसार

उपाध्यक्ष महोदय : माननीय सदस्य किस बिल की बात कर रहे हैं ?

एक माननीय सदस्य : यह तो कांस्टीट्यूशन (एमेंडमेंट) बिल है।

श्री राम सेवक यादव : अच्छा ?
(*Interruption*)

Mr. Deputy-Speaker: This is a different Bill. The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

Dr. L. M. Singhvi: I introduce the Bill.

SALARIES AND ALLOWANCES OF
MEMBERS OF PARLIAMENT
(AMENDMENT) BILL*

(Amendment of sections 3 and 5) by Shri Raghunath Singh

Mr. Deputy-Speaker: Shri Raghunath Singh.

Shri S. M. Banerjee (Kanpur): I rise to a point of order.

Mr. Deputy-Speaker: Let the motion be moved first and let me place it before the House. He cannot oppose it now.

Shri S. M. Banerjee: I rise to a point of order.

श्री राम सेवक यादव (वाराणसी) :
उपाध्यक्ष महोदय, एक व्यवस्था का प्रश्न है।

डा० राम मनोहर लोहिया (फर्रुखाबाद) :
एक व्यवस्था का प्रश्न है।

Shri Raghunath Singh (Varanasi):
I have not still asked for leave and my hon. friends have got some objection.

I beg to move for leave to introduce a Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954.

Shri S. M. Banerjee: I wish to oppose it.

श्री राम सेवक यादव : उपाध्यक्ष महोदय,
व्यवस्था का प्रश्न है।

श्री कछवाय (देवास) : उपाध्यक्ष
महोदय, मेरा व्यवस्था का सवाल है।

Mr. Deputy-Speaker: Let me first place it before the House.

Motion moved:

"That leave be granted to introduce a Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954."

श्री राम सेवक यादव : उपाध्यक्ष महोदय, माननीय सदस्य, श्री रघुनाथ सिंह ने, जो कि कांग्रेस पार्टी के महामंत्री हैं, बनारस के माननीय सदस्य हैं, और मैं ने सुना है कि बनारस के बिड़ला भी हैं, जो प्रस्ताव रखा है, उसके बारे में मुझे यह निवेदन करना है कि हम को विधेयक की जो प्रतिलिपि मिली है, उसमें साफ है कि इस विधेयक का नोटिस ३ अप्रैल, १९६४ को दिया गया। नियमानुसार किसी भी प्राइवेट सदस्य को विधेयक प्रस्तुत करने के लिए एक महीने का नोटिस देना चाहिए। मैं जानना चाहता हूँ कि बगैर एक

महीने के नोटिस के यह विधेयक किस तरह से यहाँ पर आ गया।

दूसरा निवेदन यह है कि

उपाध्यक्ष महोदय : कौन सा नियम है ?

श्री राम सेवक यादव : मैं अभी नियम पर आ रहा हूँ। आप पूरी बात सुन लीजिये।

उपाध्यक्ष महोदय : माननीय सदस्य पहले बतायें कि कौन सा नियम है।

(Interruptions.)

श्री राम सेवक यादव : नियम का नम्बर मुझे मालूम नहीं है। (Interruptions)
मेरी पूरी बात सुन लें।

श्री रघुनाथ सिंह : माननीय सदस्य
रुपया न लें।

श्री राम सेवक यादव : अगर स्पीकर अनुमति दें, तो उस समय को घटाया जा सकता है या उस नियम को वेब किया जा सकता है।

श्री श्यामलाल सराफ (जम्मू तथा
काश्मीर) : नियम कौन सा है ?

श्री राम सेवक यादव : हम को नम्बर से मतलब नहीं है। नम्बर से माननीय सदस्य को मतलब है। हम को तो नियम के तात्पर्य से मतलब है।

श्रीमन्, मेरा निवेदन है कि या तो स्पीकर ने अनुमति दी—अगर नहीं दी, तो यह विधेयक मुव नहीं हो सकता है—और अगर उन्होंने अनुमति दी है, तो ऐसा कौन सा महत्वपूर्ण कारण है कि ऐसी संकट-कालीन स्थिति में इस नियम को वेब किया गया है? यह मेरा व्यवस्था का प्रश्न है ?

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय, मेरा भी व्यवस्था का प्रश्न है।

उपाध्यक्ष महोदय : पहले एक ख़त्म हो जाये, उसके बाद ।

डा० राम मनोहर लोहिया : बहुत अच्छा ।

उपाध्यक्ष महोदय : चूक स्प्रीकर साहब ने अनुमति दी है, इसलिए कोई व्यवस्था का प्रश्न नहीं उठता है ।

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय,

श्री स० मो० बनर्जी : उपाध्यक्ष महोदय, मैं इन्ट्रूडक्शन स्टेज पर इस विधेयक का विरोध करना चाहता हूँ ।

Mr. Deputy-Speaker: It is a different matter.

Shri S. M. Banerjee: I want to oppose the Bill.

Mr. Deputy-Speaker: He can do it. I will give him an opportunity. But he has no point of order.

Shri S. M. Banerjee: I want to oppose it.

Mr. Deputy-Speaker: Please resume your seat.

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय, आप ने इस के लिए विशेष अनुमति वक्ती तौर पर दी है । आप मेरी बात सु लीजिये । शायद आप उससे अपनी विशेष अनुमति वापस ले लेंगे । (Interruptions). यह सवाल असल में . . . (Interruptions)

श्री शिव नारायण (बांसी) : भ्रान ए पायंट आफ़ आर्डर ।

डा० राम मनोहर लोहिया : आजकल चीजों के दाम . . . (Interruptions).

श्री शिव नारायण : भ्रान ए पायंट आफ़ आर्डर, सर ।

उपाध्यक्ष महोदय : कृपा कर के आप बैठ जाइये ।

डा० राम मनोहर लोहिया : आजकल चीजों के दाम बढ़े हुए हैं, शायद इसीलिये श्री रघूनाथ सिंह जी यह मस्विदा लाये हैं—इसलिए (Interruptions)

Shri Khadiilkar (Khed): On a point of order. . . .

Mr. Deputy-Speaker: Let him finish.

डा० राम मनोहर लोहिया : इसलिए बजाये इस के कि सदस्य लोग, जो कानून बनाते हैं, खुद अपनी तनख्वाहें बढ़ायें (Interruptions)

उपाध्यक्ष महोदय : व्यवस्था का प्रश्न क्या है, यह बता दीजिए ।

डा० राम मनोहर लोहिया : जी, हाँ । कानून बनाने व ले चीजों के दामों को घटाये, न कि अपनी तनख्वाहों को बढ़ायें । इस चीज को ले कर के एक आदमी—श्री राज नारायण सिंह अपनी जान तक दे रहा है । मैं च हूता हूँ कि आप अपनी विशेष अनुमति . . .

एक माननीय सदस्य : वापस ले लें ।

डा० राम मनोहर लोहिया : इस मस्विदे को न दें । उस के लिए मैं आप के सामने तर्क रख रहा हूँ । (Interruptions) अगर चिल्लायेंगे, तो फिर दूसरी तरफ़ चल्लाना शुरू हो जायेगा । (Interruptions) अपनी ताकत बजाये अपनी तनख्वाहें बढ़ाने के लिए लगाओ, चीजों के दाम घटाने के लिए क्यों नहीं लगाते हो ? मैं आप को तर्क दे रहा हूँ कि क्यों आप अपनी अनुमति वापस ले लें । (Interruptions) आप को इस कानून के लिए, इस मस्विदे के लिए, अपनी अनुमति नहीं देनी चाहिए । नहीं तो सार

संसार कहेगा कि ये कानून बनाने वाले लोग खाली अपने स्वार्थ को जानते हैं और ४४ करोड़ के हित को नहीं जानते हैं ।
(Interruptions)

उपाध्यक्ष महोदय : माननीय सदस्य बिल के मैरिट्स पर बोल रहे हैं । यह स्पीकर का निर्णय है और वह आखिरी बात है । इसलिए यह कोई व्यवस्था का प्रश्न नहीं है ।

डा० राम मनोहर लोहिया : इस समय कुर्सी पर जो अध्यक्ष महोदय बैठे हुए हैं, हम उन को अपील कर रहे हैं कि वह इस बारे में निर्णय करें ।

Shri S. M. Banerjee rose—

Mr. Deputy-Speaker: I will give him a chance to speak later and then the Mover will reply.

Shri S. M. Banerjee: I want to oppose it now.

Mr. Deputy-Speaker: He can oppose it now.

Shri S. M. Banerjee: I oppose this particular Bill.

Shri Khadilkar: On a point of order. May I remind the Deputy-Speaker that there is a convention in this House that at the introduction stage no opposition voice is raised? When the question of consideration comes in, then alone somebody is allowed to speak.

Mr. Deputy-Speaker: The hon. Member is an experienced parliamentarian. There is no point of order in this.

Shri S. M. Banerjee: I oppose this for two or three reasons.

This particular Bill seeks to raise the salary of the Members of Parliament from Rs. 400 to Rs. 500, and also the daily allowance from Rs. 21 to

Rs. 31 per day. This Bill is being introduced by so many Members of Parliament.

Mr. Deputy-Speaker: You have got to state only the reasons why you oppose the Bill, and not go into the merits of the case.

Shri S. M. Banerjee: At a time when there are 27 crores of people in this country who are getting only 7½ annas per day,....

Shri Raghunath Singh: Why do you get Rs. 400?

Shri S. M. Banerjee: ...at a time when only Rs. 2 has been sanctioned to the Central Government employees as dearness allowance, I say we shall be doing something immoral if we raise our salary. I would request you, and through you the members of the ruling party especially, to see that such a Bill does not come in this House, as we would become the subject-matter of controversy. This is a shameful thing. I oppose this Bill tooth and nail. Let there be voting and a clear-cut picture as to who wants the salary to be increased and who does not want it to be increased.

श्री राम सेवक यादव : इसी सिलसिले में मैं एक निवेदन करना चाहता हूँ

उपाध्यक्ष महोदय : आप बैठ जायें . . .

श्री राम सेवक यादव : मेरा निवेदन मुन लें ।

उपाध्यक्ष महोदय : एक ही माननीय सदस्य को, आप की पार्टी के, मौका मिल सकता था और वह मिल चुका है । अब आप कुछ नहीं कह सकते हैं ।

Shri Raghunath Singh: I introduce the Bill.

Mr. Deputy-Speaker: You have to give reasons why you want the Bill to be introduced.

श्री रघुनाथ सिंह : जो सब से बड़ा कारण है वह मैं आप के सामने रखना चाहता हूँ। मैं आप को अपनी ही एग्जम्पन देता हूँ। पिछले पांच महीनों के अन्दर मैं एक पैसा भी अपनी सैलरी में से नहीं ले पाया हूँ।

श्री राम सेवक यादव : इस से क्या मतलब ?

श्री रघुनाथ सिंह : यहां जितने भी माननीय सदस्य हैं . . .

श्री स० मो० बनर्जी : इन की तनख्वाह बढ़ा दी जाये।

श्री काशी नाथ पांडे (हाता) : साढ़े सात आने जब सारे लोग पाते हैं तो आप के पास भी साढ़े सात आने कट कर जो बचता है, उस को आप भी सरेंडर क्यों नहीं कर देते हैं ?

श्री राम सेवक यादव : उन को बिड़ला के खाते से दे दिया जाए।

एक माननीय सदस्य : उन की तनख्वाह में से काट लिया जाए और उनको दे दिया जाए।

श्री स० मो० बनर्जी : अपने दामन को देखो, गरीब किमान को देखो।

Shri K. N. Pande: People are convinced by actions, not by words.

Shri S. M. Banerjee: What is this? Why should he disturb like this?

Mr. Deputy-Speaker: The hon. Member cannot go on like this.

Shri S. M. Banerjee: You did not follow him. He is the agent of these capitalists.

श्री रघुनाथ सिंह : हमारे डा० लोहिया साहब ने इस बात को स्वीकार किया है और अपोजीशन के दूसरे माननीय सदस्यों ने भी स्वीकार किया है

श्री राम सेवक यादव : डा० लोहिया ने तनख्वाह बढ़ाने को नहीं कहा है। गलत बात मत कहें।

श्री रघुनाथ सिंह : अपनी सम्मता का परिचय आप दे रहे हैं।

श्री राम सेवक यादव : इससे बड़ी संकटकालीन स्थिति और क्या हो सकती है कि २७ करोड़ तो तीन आना खाते हैं और आप पांच सौ रुपया लेना चाहते हैं .

उपाध्यक्ष महोदय : आप बैठ जाइये।

श्री रघुनाथ सिंह : उन्होंने स्वीकार किया है कि दाम बहुत अधिक हो गए हैं। आज हम लोगों को अपने मकानों का जो किराया देना पड़ता है, वह कितना देना पड़ता है, इस को देखा जाए, टेलीफोन का कितना बिल देना पड़ता है, इस को भी देखा जाये। यह बहुत ज्यादा होता है, चाहे कोई माननीय सदस्य कहे या न कहे, सभी हृदय में इस बात को अनुभव करते हैं कि इस में काम चलने वाला नहीं है। उपाध्यक्ष महोदय, अगर हम पार्लियामेंट के मेंबर ईमानदार और सच्चा बनना चाहते हैं, तो उस के लिए उचित वातावरण भी हमें उपस्थित करना चाहिये

श्री राम सेवक यादव : कारखाने की व्यवस्था कर दीजिये इन के लिए। इन को कारखाना दे दीजिए।

श्री रघुनाथ सिंह : हमारे दोस्तों ने गरीबों की तरफ से आवाज उठाई है और कहा है कि साढ़े सात आने वे पाते हैं। चूंकि उन की इतनी आमदनी है इसवास्ते हमारी तनख्वाहें नहीं बढ़नी चाहियें। अगर हिन्दुस्तान के लोगों की तरह से ३०० रुपये में से या ३६६ रुपये में से साढ़े सात आने या साढ़े छः आने रख कर बाकी

के आप ने छोड़ दिये होते या माढ़े छः आने ही छोड़ दिये होते तो आप को कहने का यह हक था। आप पूरी सनेरी ले रहे हैं, पूरा आप डी० ए० ले रहे हैं, पूरा टी० ए० ले रहे हैं।

ऐसी अवस्था में मैं निवेदन करना चाहता हूँ कि पार्लियामेंट के सदस्यों का अगर ईमानदारी से काम करना है, मन्चाई से काम करना है तो उस के लिए अनकल वतावरण भी उपस्थित किया जाना चाहिये।

इन शब्दों के साथ मैं इस बिल को उपस्थित करना हूँ।

Shri S. M. Banerjee: I rise on a point of order. This is an insinuation. Kindly give me a chance.

Mr. Deputy-Speaker: It should be very short. (Interruptions).

डा० राम मनोहर लोहिया : दूँ घटवाने वाली बात ना कहो।

Shri S. M. Banerjee: I rise on a point of order.

Mr. Deputy-Speaker: There cannot be any point of order now. I am not allowing any point of order.

Shri S. M. Banerjee: You hear me.

Mr. Deputy-Speaker: Not now.

Shri S. M. Banerjee: Can I not raise a point of order? Without hearing

me, can you say there is no point of order?

Mr. Deputy-Speaker: I have given you sufficient opportunity. There cannot be a reply now.

Shri S. M. Banerjee: I rise on a point of order.

Mr. Deputy-Speaker: What is the point of order?

Shri S. M. Banerjee: When he was replying, he said:

“अगर यहाँ के सदस्य ईमानदारी से काम करना चाहते हैं, अगर चाहते हैं कि ईमानदारी से काम करना है तो उन की तनखवाह बढ़ाई जाए।” इस को उन्होंने ने रिपीट किया है। यह एक इंसिनुएशन है कि अगर तनखवाह नहीं बढ़ती है तो जितने भी सदस्य हैं

उपाध्यक्ष महोदय : आर्डर।

श्री कछवाय मतलब इस का यह हुआ कि चार सौ रुपये लेने वाला तो बेईमान है लेकिन पांच सौ लेने वाला ईमानदार हो जायेगा।

Mr. Deputy-Speaker: The question is:

“That leave be granted to introduce a Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954.”

The Lok Sabha divided.

Div. No. 16]

AYES

[15:21 hrs.

Akkamma Devi, Shrimati
Alva, Shri Joachim
Ancy, Dr. M. S.
Anjanappa, Shri
Babunath Singh, Shri
Badrudouja, Shri
Basappa, Shri
Basumatari, Shri
Baswanth, Shri
Bhanjandeo, Shri L. N.
Bhatkar, Shri
Bis, Shri J. B. S.
Brajeshwar Prasad, Shri
Chandrasekhar, Shrimati
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Chavda, Shrimati Johrabai A.
Das, Shri B.K.
Deo Bhanj, Shri P.C.
Dhuleshwar, Meena, Shri
Dighe, Shri
Dubey, Shri R. G.
Gahmari, Shri
Ganapati Ram, Shri
Hansda, Shri Subodh
Hanumanthaiya, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jedhe, Shri
Jena, Shri
Kappen, Shri

Kedaria, Shri C. M.
Khadilkar, Shri
Kotaki, Shri Liladhar
Koya, Shri
Lalit Sen, Shri
Laskar, Shri N. R.
Mahadeva Prasad, Dr.
Mahishi, Dr. Sarojini
Malhotra, Shri Inder J.
Maniyangadan, Shri
Mehta, Shri J. R.
Mengi, Shri Gopal Datt
Mishra, Shri Bibudhendra
Mohanty, Shri G.
Morarka, Shri

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 Allowances of
 Members of
 Parliament
 (Amendment) Bill

More, Shri K. L.
 Mukane, Shri
 Munzani, Shri David
 Muthiah, Shri
 Niranjani Lal, Shri
 Pande, Shri K. N.
 Pandey, Shri Vishwanath
 Parashar, Shri
 Patel, Shri N. N.
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri D. S.
 Patil, Shri S. B.
 Prabhakar, Shri Naval
 Pratap Singh, Shri
 Raghunath Singh, Shri
 Rajdeo Singh, Shri

Ram, Shri T.
 Ram Swarup, Shri
 Ramaswamy, Shri V. K.
 Rane, Shri
 Ranga Rao, Shri
 Rao, Shri Jagannath
 Rao, Shri Muthyal
 Rao, Shri Rameshwar
 Rao, Shri Thirumala
 Saha, Dr. S. K.
 Sanji Rujji, Shri
 Saraf, Shri Sham Lal
 Shah, Shrimati Jayaben
 Sharma, Shri A. P.
 Sharma, Shri D. C.
 Sharma, Shri K. C.
 Sheo Narain, Shri

Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singhvi, Dr. L. M.
 Sivapraghassan, Shri K.
 Sonavane, Shri
 Soundaram Ramachandran,
 Shrimati
 Subbaraman, Shri C.
 Swell, Shri
 Thevar, Shri V.
 Tiwari, Shri R. S.
 Tombi, Shri
 Ukey, Shri
 Valvi, Shri
 Varma, Shri Ravindra
 Vidyalkar, Shri A. N.
 Vyas, Shri Radhela

NOES

Banerjee, Shri S. M.
 Bhawani, Shri Lakshmi
 Gupta, Shri Indrajit
 Kachhavaia, Shri

Keishing, Shri Rishang
 Lohia, Dr. Ram Manohar
 Mandal, Shri B. N.
 Misra, Dr. U.

Nambiar, Shri
 Swamy, Shri Sivamurthi
 Utiya, Shri
 Yadav, Shri Ram Sewak

Mr. Deputy-Speaker: The result of the division is:

Ayes 96; Noes 12.

The motion was adopted.

Shri Raghunath Singh: I introduce the Bill.

श्री राम सेवक यादव : यह बहुत ही शर्मनाक विषय है । जब संकटमय स्थिति हो, देश में भ्रष्टाचार हो और तीन आने राज में २७ करोड़ आदमी . . .

श्री कछवाय : मैं वाक आउट करता हूँ ।
(Interruptions.)

Mr. Deputy-Speaker: Order, order. Members who want to go out, may go out.

डा० राम मनोहर लोहिया : उपाध्यक्ष महोदय, हमारे जाते वकन तो इन को खूश होना चाहिये या कि रास्ते से कांटा हट रहा है । फिर भी यह बिलनाते हैं जैसे माकूम होता है कि गले में कांटा फंस गया है ।

(Interruptions.)

Div. No. 17]

Banerjee, Shri S. M.
 Brajeshwar Prasad, Shri
 Chatterjee, Shri N. C.
 Kamath, Shri Hari Vishnu

Kapur Singh, Shri
 Singhvi, Dr. L. M.
 Swell, Shri
 Swamy, Shri Sivamurthi

15.27 hrs.

Vishram Prasad, Shri
 Yashpal Singh, Shri

Mr. Deputy-Speaker: Order, order. I cannot understand this disturbance.

At this stage, Dr. Ram Manohar Lohia and some other hon. Members left the House.

15.20 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of articles 84 and 173)
 by Shri Hari Vishnu Kamath

Mr. Deputy-Speaker: I shall now put Shri Kamath's Bill to the vote of the House; it was adjourned last time for want of quorum.

This being a Constitution (Amendment) Bill, voting has to be by Division.

The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration."

The Lok Sabha divided.

AYES

NOES

Akkamma Devi, Shrimati
 Alva, Shri Joachim
 Anjanappa, Shri
 Babunath Singh, Shri
 Balmiki, Shri
 Basappa, Shri
 Basumatari, Shri
 Baswant, Shri
 Bhanja Deo, Shri L. N.
 Bhatkar, Shri
 Bist, Shri J. B. S.
 Brij Rai Singh, Shri
 Chandrasekhar, Shrimati
 Chavda, Shrimati Zohrabehn
 Das, Shri B. K.
 Deo Bhanj, Shri P. G.
 Dhuleshwar Meena, Shri
 Dighe, Shri
 Dubey, Shri R. G.
 Ganapati Ram, Shri
 Gupta, Shri Shiv Charan
 Hansda, Shri Subodh
 Hanumanthaiya, Shri
 Jadhav, Shri M. L.
 Jadhav, Shri Tulshidas
 Jedhe, Shri
 Jena, Shri
 Kappen, Shri
 Kedaria, Shri C. M.
 Keishing, Shri Kishang
 Khadijkar, Shri
 Kotaki, Shri Liladhar
 Koya, Shri
 Lalit Sen, Shri

Laskar, Shri N. R.
 Mahadeva Prasad. Dr.
 Mahishi, Shrimati Sarojini
 Malhotra, Shri Inder J.
 Maniyangadan, Shri
 Mehta, Shri Jashvant
 Mengi, Shri Gopal Datt
 Mishra, Shri Bibudhendra
 Morarka, Shri
 Mukane, Shri
 Munzri, Shri David
 Muthiah, Shri
 Niranjan Lal, Shri
 Pande, Shri K. N.
 Pandey, Shri Vishwa Nath
 Parashar, Shri
 Patel, Shri N. N.
 Patel, Shri P. R.
 Patel, Shri Rajeshwar
 Patil, Shri D. S.
 Patil, Shri S. B.
 Pottekkatt, Shri
 Prabhakar, Shri Naval
 Pratap Singh, Shri
 Raghavan, Shri A. V.
 Raghunath Singh, Shri
 Rajdeo Singh, Shri
 Raju, Dr. D. S.
 Ram, Shri T.
 Ram Sewak, Shri
 Ram Swarup, Shri
 Ramaswamy, Shri V. K.
 Rane, Shri
 Ranga Rao, Shri

Rao, Shri Jaganatha
 Rao, Shri Muthyal
 Rao, Shri Rameshwar
 Rao, Shri Thirumala
 Saha, Dr. S. K.
 Samanta, Shri S. C.
 Sanji Rupji, Shri
 Saraf, Shri Sham Lal
 Shah, Shrimati Jayabehn
 Sharma, Shri A. P.
 Sharma, Shri D. C.
 Sheo Narain, Shri
 Shinkre, Shri M. P.
 Siddiah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Sivapraghassan, Shri K.
 Sonavane, Shri
 Sounjaram Ramachandran,
 Shrimati
 Subbaraman, Shri C.
 Sumat Prasad, Shri
 Surendra Pal Singh, Shri
 Thevar, Shri V.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tyagi, Shri
 Uikey, Shri
 Valvi, Shri
 Varma, Shri Raviendra
 Vyas, Shri Redhela
 Yadav, Shri Ram Harkh

Mr. Deputy-Speaker: The result of 15.26 hrs.
 the Division is:

CONSTITUTION (AMENDMENT)
 BILL

Ayes: 10; Noes: 98

(Amendment of articles 124 and 217)
 by Shri K. C. Sharma

The motion is not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Mr. Deputy-Speaker: We will now take up the next Bill. Shri K. C. Sharma.

Shri K. C. Sharma (Sardhana): I beg to move:

The motion was negatived.

"That the Bill further to amend the Constitution of India, be taken into consideration."

[Shri K. C. Sharma]

Although it is a two-line Bill, it is very important because it deals with social structure and order in society. It is Dharma meaning "Dharmodharayate Praja". It relates to human order and rule of law. That is what Manu, the first law-giver, gave to the world.

First, a law was brought into ensure social order and social order could not be maintained with the progress of human intellect and human organisation, through human aspirations unless something is also enjoined to see that the social order is made to be based on sounder and more definite principles. So, the Romans brought what is called the secular law. It is a very much misunderstood expression. Secular law meant justice, order, reason and humanity and when you use this term it means that all these constituent principles are involved there. Further on, there were the Roman lawyers who said that world law and order, stability and order in society, though necessary for human progress, a socially stabilised order is not enough to meet the human aspirations and social needs. So, they brought in *Omines Homines. Natura Adnokacy Senta*, that is, it is the natural law, namely, everybody is equal before the court of law. Everybody, every citizen, every man, should be equal before the law. This went on, and in the French Assembly in 1789, the cry was that all men are equal, and then in the American Declaration of Independence also, it was declared that all men are born equal. Grotius, in his international law, took from the Roman law and said that all States are equal. All sovereign States are equal. Then, after the English Constitution, the Indian Constitution lays down that all citizens are equal before the law. What does it mean? It means that when they are equal, the judge will dispense justice to every citizen without any bias or prejudice, and he would be impartial and independent. Indian judges, and judges all over the world,

claim to be independent and intelligent and impartial. But the bones and flesh of a human being are influenced by one thing: one is born and bred up and nourished and educated in a particular atmosphere. A lawyer who goes to the high court or to the Supreme Court has his association with the rich clientele. He is not to look into what the poor man does; he is not to look into the eye of the poor man; he has no occasion to have a glimpse at the naked woman; he does not go in the street and see the hungry children walking around. To him, the law is the same for the prince as it is for the beggar. Beggary is a crime. The beggar begs for food, because his stomach is empty. The prince descends from dignity because some screw is loose in his brain when he begs. There is a difference. But, for the judge, it is all the same.

15.30 hrs.

[SHRI SONAVANE in the Chair]

Life is different, but the law is the same, and the judgment is the same. Why? Because the lawyer that goes to the high court and to the Supreme Court is not the man from the street. He is not a man from the poor people. He is not the people's man. He is something above the people. So, here, the difference is that so far as procedure is concerned, so far as the letter of the law is concerned, so far as the meaning in the dictionary of the words used in the law is concerned, the judges are equal to everybody. But so far as putting the facts in certain moulds, in certain case laws is concerned, the judge plays a different part.

Take the history of the United States. The judges that come from the upper classes stood against the right of labour. It was a United States judge who said that slavery was a legal institution. Even Aristotle did not see anything wrong in slavery, because he used to live with the

princes. He had not to work in the field or work as a slave and so he did not know what slavery meant. He said that the progress of humanity has to go on. And so it is here that I beg to submit that there should be some institution, there should be brought about certain environments where it should be reasonably possible that the judge, when administering the law, would be equal to the beggar as he is to the prince. He will feel the pain of hunger as he enjoys the luxury of abundance.

In the modern age it is all the more necessary, because, as Baner says:

"Laws and lawyers are today the most important directive elements in our civilisation. Our technique of production, transportation and communication may be determined and controlled by science and machinery. But our institutional life is dominated by law and lawyers. Ours is as much a lawyer-made civilisation on its institutional side as the civilisation of Syria and Rome was a military one and that of the middle ages a religious one."

So, we are living in a world where the judge's word with regard to the rights of man is the final word.

An American authority says that the Supreme Court has ceased to be a court in the old common law sense. It decides for the most part technical cases involving petty legal quarrels of private litigants. It has tended to become through the years a great public law court confining its attention more and more to broad, fundamental constitutional issues where technical and knowledge of the law is only one of many sources of knowledge which may be drawn upon in seeking a wise decision. Again, in this process, the Supreme Court not only applies precedents and established principles in deciding cases but actually makes new law in many cases. The highest tribunal further on calls for the capacities

that are demanded of the historian and the philosopher and the prophet.

I beg to submit that the judges make the law as they made the common law of England and as they made the Roman law in old Roman Empire. Today also they make the law. So, in making the law, there should be something that, in this instrument of the highest importance, to the structure of a human society, should command respect and regard and that should have the knowledge to use the great work that they are entrusted with.

As I said, in other countries, for example, in the United Kingdom and the USA, a judge is appointed for life. They are expected to retire at the age of 75, and after retirement in the United States his full pension is paid to him. But he is at liberty, if his faculties are in order and if he is fit to work, to continue in office. In our Constitution, the high court judge is expected to work up to 60 years. Now, it is 62 years. I moved an amendment that instead of 60, 62 should be there. A Supreme Court Judge has to retire at the age of 65. My purpose in moving this amending Bill is that a High Court Judge from the bar should be appointed at the age of 50 and he should be given 15 years to make law, to make up his mind to lay down a new rule of law, a new principle of jurisprudence. 15 years is not a very long time. What is the use of appointing a man at 58 or 60 and asking him to go away at 62? In two years, what law will he lay down? After all, law is not like Alif-Laila. It is not a fairy girl's story. It is the basic principle for the structure of society. Even a marble piece in Taj Mahal took thirty years to be chiselled and put in that grand edifice. If it took thirty years for a marble to be beautifully placed in a building, do you think the human mind, so fine a structure, would take only, two or three years to produce a fine piece of art?

It is the saddest spectacle in modern human history that a Supreme Court

[Shri K. C. Sharma]

Judge comes in at the age of 60 and says goo-bye at 65. What a fun it is! With whom are we dealing? We are dealing with the final master of the structure of the society, the man who gives the final word about the rights of a citizen. With this exalted office, how do you behave? We say, come in at 60, remain for 5 years and go away. This is something which reason does not accept. So, it must be changed. With all the emphasis and force at my command, I submit that it is wrong, a grievous wrong to the society that judges should be placed in a position where they are not able to lay down the rule of law and the principle of jurisprudence, because they do need time enough to be matured, experienced, and enlightened enough to build up something that would add to the credit of India. We are like a light to the smaller countries around us. We are the central country and so many other countries look to us. What is the light? It is the light that guides the structure of life and it is the court of law. It is the Judge. So, I plead that this change should take place. The age of retirement should be 65 instead of 62 in the case of High Court Judges and 70 instead of 65 in the case of Supreme Court Judges.

In USA, over a hundred and fifty years, there have been only 14 or 15 Chief Justices of this Supreme Court in such a long span of years. But in India every third year, there is a new Chief Justice. They do not get enough time to frame a new structure, to give something fresh, which may guide the judiciary, to adjudicate rightly in the matter of citizens' rights. So, again I submit, it is not simply a question of a certain gentleman sitting in the exalted office having five years more. It is a question of giving to the ordinary citizen equal right before the court of justice. Who will lay down the rule of law? Only the Supreme Court Judges can do it. They will be able to do it if they have time and opportunity to appreciate the changes

of life and the new forces of life, to look ahead and find out where the light has failed and where new light has to be lit.

With these words, I appeal to the hon. Members that this amendment of the Constitution may be accepted, because it is necessary and it would be basically good to do so.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Constitution of India be taken into consideration."

1½ hours have been allotted for this Bill and the time for this Bill would be up to 5 P.M. I would request hon. Members to be brief.

Shri D. C. Sharma (Gurdaspur): Sir, the eloquent speech of the hon. Member has moved me tremendously. I congratulate him on giving a survey of the legal institutions, the legal precedents, etc. beginning from the Greeks and coming down to the modern world of the U.K. and USA. I think all the Judges all over the world must be grateful to him for the very noble things that he has said about them. He has made a very fervent plea on the office of the Judge and on his duties. He has not done so only in terms of law, but he has done so in terms of social justice and all those things.

But I am afraid that his speech was meant to turn the Judges into a special class or an exceptional class. While I was listening to him, I felt that he was almost following in the footsteps of Manu, the great law-giver of India, who introduced the caste system in India. He divided human beings into four classes. The *Brahmins* were the highest people. Next came the *Kshatriyas*. Then came the mercantile class and last of all the workers and toilers. We do not want to create another class of High Court Judges and Supreme Court Judges.

Sir, I will be always opposed to any kind of stratification of society in terms of caste, whether it refers to money, privilege or anything else. This Bill in the first place seeks to perpetuate a caste system of a kind which has not been heard of in India so far. The second thing is these judges are already enjoying privileges in the country which are not given to other servants of Indian nation and servants of Indian Government. What is the retirement age for persons who work in our Civil Departments? Well, I think the age is 58. The retirement age of those who work in the Army is lower than that; those who work in the Air Force is still lower and so on and so forth. Of course, in some of the Universities it has been decided that the age of retirement of Professors should be raised and it has been done in some Universities.

The fact of the matter is that we are going to create a special class of judges, High Court and Supreme Court, who will have greater advantages in the matter of retirement age than any other functionary in our free country. They will be placed at a greater advantage than the civilians, than the Army people and others. I would say, Sir, this is too much for the free citizens of India to swallow.

We have all respect for the Judges. I think it is the Parliament and the State Assemblies that make laws. The judges are very honoured persons and they interpret the law. As it has been said, sometimes they interpret laws in terms of precedents which are, I am quoting, moth-eaten, which are too old, too antiquated. But, all the same their function is very very useful in society. I do not want that the judges should have special prerogatives and we should upgrade the retirement age to 65 and 70.

We have already done something for them. The honourable Member introduced this Bill on 17 August 1962. The Government passed a Bill

on 1st June 1963 by which the age of retirement of High Court judges was raised from 60 to 62. So, already the Government of India have put them in a special class. But the honourable Member wants that they should be put in a special class—that their age of retirement should be raised to 65 from 62 and to 70 in the case of Supreme Court Judges.

Of course the expectancy of life has been raised in India, has been advanced in India. It is all due to our economic standards going up. Of course, they are not going up as fast as they should do, but still it is something to be proud of. During the period of last 17 years we have been able to step up the expectancy of life in this country. But, everyone should reap the advantage from that and not only one section. The age-limit of civil servant should be upgraded; the age-limit of Army officers, the clerk, class IV, Class III, Class II and Class I officers should be advanced in order to give them the corresponding advantage. But that has not happened. My honourable friend, who is a very eminent lawyer, has tried to do this as a gesture of his friendship for these people.

He says that the High Court and Supreme Court Judges should continue to be in office as long as they live. Why should you not make this rule applicable to all the servants of our country? Cannot we, the members of Parliament, continue to be members of Parliament as long as we live? This thing may have happened in some country, but it cannot happen in every country. The conditions in our country differ from the conditions prevailing in other countries. We belong to a tropical climate, which is not conducive to longevity of life. In Punjab, I do not find there are many persons who live up to 90. Of course, in Maharashtra, the longevity of life is very great. I congratulate the Maharashtrians for the wonderful way in which they preserve their energy and life.

Shri Nambair (Tiruchirappalli): What about Punjab?

Shri D. C. Sharma: Living in the tropical climate saps your energy, undermines your physical strength and gradually weakens you. I think it would not be possible for a High Court judge to do his duty properly if he becomes 70 years old. We all suffer from a kind of diminishing physical and mental energy, as time passes. Some persons are lucky to be born with a constitution which is a kind of iron constitution. They have a mind as strong as steel. They have a soul which rises above the limitations of the flesh and the mind. They are great people. It is their soul which conditions their body and mind. But in most cases you find that the rot begins to start when one is about 50. Of course there are some exceptions. So, taking into account the conditions of living in this country, taking into account the climate of this country, I would say that 65 for a High Court Judge should be too much and 70 for a Supreme Court Judge would also be too much. Sir, for the discharge of judicial duties in such an exalted position as the High Court Judge or Supreme Court Judge, you require the alertness of mind in the highest degree; you require memory which is tenacious and retentive and which can be put to use at any moment. You require the command of all your faculties, mental and physical. You require a tongue which can modulate and pronounce and intone words properly. You require all those things. You know, Sir, as time passes our mind begins to wander; our body begins to decline in strength and our tongue sometimes does not modulate words properly. That is what happens.

Shri Nambiar: But these are all undisputed points. There is no controversy about that.

16.00 hrs.

Shri D. C. Sharma: Therefore, I think, that it is not the right approach

to this problem. My hon. friend, **Shri Bade**, is not here. If he had been here, he would have been able to throw some light on this Bill. I remember, when he was speaking the other day, **Shri Bade** said—I am quoting him—

“Retired High Court Judges talk only of gout, diabetes and things like that.”

He made a statement on the floor of this House, meaning thereby that they become infirm after some time.

I feel that free India has done well by the High Court Judges by raising their age of retirement to 62 and has already done well by the Supreme Court Judges by raising their age of retirement to 65. I do not see any reason why this should be further up-graded.

Another point and I will sit down. I think, we should not play with the Constitution like this. Unfortunately, I find a tendency amongst ourselves to bring forward constitutional amendments without giving due thought to them. The Government introduced a change only a year ago and I do not see that any new set of circumstances has come into being after that which necessitates the bringing forward of this Bill. I would, therefore, say that, though I have the utmost respect for my learned friend, the hon. Mover of this Bill, taking into account everything else, this Bill should be opposed and we should not give to the Judges much more than what we have given to other functionaries of our State.

Mr. Chairman: I would like to know as to how many Members want to participate in the debate on this Bill.

Some Hon. Members rose—

Mr. Chairman: **Shri Hanumanthaiya.** After him, I will call **Dr. Lohia.**

Shri Hanumanthaiya (Bangalore City): Mr. Chairman, Sir, when a Bill is sponsored by my hon. friend, Shri Sharma . . .

Shri D. C. Sharma: K. C. Sharma.

Shri Hanumanthaiya: . . . it is entitled to our respectful consideration. He is one of the leaders of our country. He has been in the Congress for a long time and he has contributed a great deal towards winning the freedom of this country. Besides, he has participated in the Constitution-making as well. He is an eminent lawyer. These are his high qualifications that make this Bill worthy of consideration by this august House.

Any measure that is brought forward has to be supported not merely by the weight of the person who brings it forward but also by the reason he adduces. The reason my hon. friend has adduced for the change is that the average age in India has increased to 47½ years from 32 years since the Constitution was made. He has given the physical reason, that is, the average age has increased. He has not summoned courage enough to say that the average wisdom has also increased.

Shri Ravindra Varma (Thiruvella): He was not sure.

Shri Hanumanthaiya: Secondly, I fail to see why he makes a distinction between the Supreme Court Judges and the High Court Judges. After all, we are in an age where equality is the basis on which the social superstructure has to be built. We are against all privileges either based upon age, caste or social strata. Why should a period of five years be made as the distinguishing feature between the High Court Judges and the Supreme Court Judges? Is it that my hon. friend expects a High Court Judge to be less wise, less learned and less shrewd? The High Court judgements are cited with respect and authority in a given case. No doubt,

the Supreme Court case is entitled to better respect, being the highest court of judicature. But in the matter of appointment and the period of service, to make a distinction between a High Court Judge and a Supreme Court Judge goes against the very tenor of our thought, namely, equal treatment. Maybe, there is an argument, namely, why should there be Ministers whether it is in the Government of India or in the State Governments, who are more than 70? Why should not same privilege be extended to judges? The distinction is this. Here you want to extend the service of a judge not on account of the sanction he derives from the people but by the authority of the Constitution. The members of a legislature have to seek suffrage every five years. People freely vote and that is an accepted test of the suitability of a person for a particular job created under the Constitution, namely, the membership of this House or any other House and membership of the ministry consequent upon that membership of the legislature. Therefore the Ministers and members of the legislature are subjected to periodical elections or tests whether they are fit to occupy the respective places they do. In case of Judges, there is no such test. It is a question of a queue system. If a man is standing in a queue, even if he is dozing and is otherwise inefficient, by the very force of the people who are behind him, he is pushed forward. In the resolutions of great political parties, like the Congress and others, we have repeatedly said that merit ought to weigh even against seniority in a given case. If it is merely a question of a queue system, you will get officers or the personnel who are, no doubt, aged but that does not necessarily show that they are more efficient or more honest. I do not want this queue system to be constitutionally sanctified. This is the second argument that I advance against the provisions of this Bill.

I had an idea years ago that officers, whether in the judiciary or in the

[Shri Hanumanthaiya]

civil service, who retire may work in fields like education and cooperation. Dr. Pattabhi Sitaramayya, was an eminent leader of our country. He himself was a doctor by profession. He used to say that if a person marries at the age of 20 or 25, he marries a life partner and that he marries a disease at the age of about 50.

In most of the cases, people who come to the age of 50 will develop one of these diseases, may be Asthma or blood-pressure or diabetes or it may be some other thing. If you ask the Doctor who treats the Members of Parliament, you will find that most of us will be subject to one type of disease or another. One or the other disease marries a person at about the age of 50. Unless he is very careful and unless his constitution is very strong, he is likely to be overpowered by that disease. That is the established fact according to medical science. Therefore, we have to be very careful when we want a person to continue in office beyond the age of 55. That is why Government has very wisely made a provision for people to retire at the age of 55. If they are otherwise found fit, there is much to be done in the country. There is the field of co-operation, there is the field of education. In non-official life, one can really contribute a great deal towards the growth of our country in various fields of activities if one is really patriotic and if one is really healthy. To make a person perpetually the occupant of an office and leave the rest of our people who are equally qualified to go about in the streets without work, would not be in consonance with the social justice we have in view.

Having said this, I would also bring to the notice of the hon. Member that very recently we passed a measure in this House fixing the age of the judges at 62. Even that measure, though it is now more than a year, has not found the required acceptance at the hands of our State Legislatures. It

would, therefore, be very strange or out of tune with the temper of the times to ask for the age to be increased by three or five more years. In fact, if the Bill had contemplated equal treatment in regard to the age both for the High Court judges and the Supreme Court judges, I would have congratulated the hon. Member. That would have been in consonance with the equality of treatment. I, therefore, have to request my hon. friend to withdraw this Bill and bring a better Bill for the consideration and acceptance of the House.

Mr. Chairman: Dr. Lohia. After Dr. Lohia, I shall call Dr. Sarojini Mahishi.

16.14 hrs.

डा० राम ननोहर लोहिया (फरुखाबाद):
 मनापति महोदय, सब से पहले तो मैं अर्ज करूँ कि अंग्रेज उम्र बढ़ने की बात कही जरूर जाती है लेकिन उन का आधार अभी तक नहीं बतलाया गया है। कैसे हम लोग इस नतीजे पर पहुँचे हैं यह नहीं बतलाया गया। तो मुझे तो अब तक शक है कि औसत उम्र बढ़ी है, और अगर बढ़ी भी है तो इतनी नहीं बढ़ी है जितनी कही जाती है। आधार जब तक सरकार नहीं बताती तब तक इस तरह के आंकड़े बेमतलब होते हैं। दूसरी बात यह कि जो बच्चे पैदा होते हैं वे कुछ वर्षों पहले तक छः महीने या साल भर की उम्र तक मर जाया करते थे ज्यादा संख्या में। अब वह कम मरते हैं। इस का यह मतलब नहीं हो गया कि जो ज्यादा उम्र के लोग हैं, वयस्क हैं या अघेड़ हैं, उन की उम्र बढ़ी है। असल में बच्चों के न मरने के सबब से जो औसत उम्र है वह बड़ी हुई प्रतीत होती है। वह खाली आभास है, वस्तुतः वह बढ़ी नहीं।

इतना कहने के बाद मैं श्री शर्मा के बिल की मुखालिफत इसलिये भी करता हूँ कि हम जजों से जिस बात की अपेक्षा करते हैं उस

पर इस बिल का ध्यान नहीं है। कुछ इधर उधर की चींपा पीती की बातें हैं जो कि अलग बगल की हैं।

अब आप देखिये कि हम जज से क्या उम्मीद करने हैं। यह कि वह हमारी जान और माल का, आजादी की रक्षा करेगा। मुझे गिरफ्तारों से बचायेगा, नाजायज और गैर कानूनी गिरफ्तारों से। अगर मैं कहीं पर किसी कारणवश, चाहे कार्यपालिका के कारण, चाहे विधायिका के कारण गैरकानूनी ढंगसे गिरफ्तार कर लिया जाऊँ और मुझे सजा दी जाये तो उस वक़्त मैं जज से यह अपेक्षा करूँगा कि जो संविधान की धारा २० और २१ है उस को वह मुझे पूरी तरह से मदद देंगे। लेकिन वस्तुतः यह बात ही जाती है कि संविधान की यह धारायें भी कभी कभी बेकार साबित हो जाती हैं, या तो कार्यपालिका के कारण या अगर कहीं कोई विधायिका अपने मन में यह ठान लेती है कि वे इन धाराओं को भी तोड़ लेंगे उस के कारण। वस्तुतः गिरफ्तारों का, सजा का, फाँसी का जो कुछ भी कानून उन देशों में है जहाँ संविधान है, मैं इंगलिस्तान की बात नहीं कह रहा हूँ, जहाँ कहीं भी संविधान है, जहाँ यह सब धारायें न्यायपालिका के अधीन हैं। वहाँ मुकदमा जाता है, मुकदमे के ऊपर भारी बात चीत होती है, जज को पूरा हक होता है कि वह कानून के मुताबिक किसी नाजायज तौर पर गिरफ्तार किए हुए आदमी को छोड़ दे। मैं चाहता था कि हिन्दुस्तान में कोई ऐसा मस्विदा पूरी तौर से आ जाये और पास हो जाये ताकि इस के बारे में, कहीं कोई शक की गुंजाइश न रहे। यह जो इधर उधर की बातें आ जाती हैं, उन से काम चल नहीं पाता।

दरअसल अगर आप देखें तो हमारा जो अपना संविधान है उस में बिल्कुल साफ बात है कि २० और २१ जो धारायें हैं उनके साथ

साथ जो जुड़ी हुई एक बात है वह यह है कि किसी भी हालत में न्यायपालिका के अख्तियार को कम नहीं किया जा सकता। अगर कोई भी मुकदमा उस के पास जाता है तो वह सुनती है। खाली एक अपवाद है कि जब कभी कोई ऐसी संवत्कालीन स्थिति आ जाय जब कि राष्ट्रपति साधारण संविधान की धाराओं को हटा देते हैं, तब बात अलग है, वना उसे संविधान की धाराओं का मान करना ही पड़ेगा।

16.17 hrs.

[MR. DEPUTY-SPEAKER in the Chair].

ऐसी अवस्था में अगर कोई संविधान की धाराओं को तोड़ता है, जब तक संवत्कालीन कानून का ऐलान नहीं हो जाता है जिस के अनुसार जजों का अख्तियार छीन नहीं लिया जाता, तब तक अगर किसी भी नागरिक की आजादी का अपहरण होता है तब मैं यह उम्मीद करूँगा कि जज उस की पूरी तरह से रक्षा करेगा। लेकिन वस्तुतः ऐसा हो जाता है कि जज को यह ताकत रह नहीं जाती। तो सब से पहले तो मैं यह चाहूँगा कि श्री शर्मा कोई ऐसा कानून लायें जिस से जज अपनी जजी की कार्रवाई में जो कुछ भी करे उस के खिलाफ कुछ न हो सके, वह गिरफ्तार न किया जा सके, उस को किसी तरह से रोकना न जा सके। अगर कोई ऐसा मस्विदा आता तब अलबत्ता मैं समझता कि हाँ, कोई कानून आया जिस से हिन्दुस्तान के संविधान की रक्षा हो रही है।

आप अच्छी तरह से जानते हैं कि कभी कभी कोई कोई विधायिकायें भी अपने मन में ठान लेती हैं कि जो कुछ नागरिकों के अधिकार हैं उन को दबाया जाय या रोकना जाय। कई दफे तो वह अपने मान के ऐसे सवाल उठाती हैं कि हमारी मानहानि हो गई या किसी तरह से हमारे अधिकारों के ऊपर कुठाराघात हो गया और तब वह यह

[श्री राम मनोहर लोहिया]

भी कह दिया करती है कि जो कुछ वह नियम बनाती है उन के अनुसार लोगों को चलना चाहिये। मैं सब से पहले तो फर्क करूंगा नियम में और कानून में। हमारा संविधान साफ कहता है कि वह मान, वह ताकत, वह अख्यार, जो कानून द्वारा माने गये हैं नियमों के द्वारा नहीं। नियम और कानून में बड़ा फर्क है। लेकिन अक्सर यह होता है कि नियमों में अधीन बहुत सी करवाइयां कर दी जाती हैं, और जज जय नियम और कानून में फर्क करता है तो उन के काम में हस्तक्षेप होना है। तो मैं चाहूंगा कि जज ऐसी अवस्था में सुरक्षित किया जाय, उस पर आंच न आवे, नहीं तो नतीजा यह होगा कि कोई विधायिका कभी किसी हालत में किसी को गिरफ्तार करके मज्जा दे देगी। विधायिका इस बारे में अपने नियम बना सकती है और चूंकि राजा के बारे में कुछ लिखा नहीं रहना है, इसलिए चाहे तो फांसी भी दे दे। बहु संख्या कभी कभी ऐसी दी जाया करती है कि अपने मन में सब कुछ करने की ठान ले और बंधा कर दे। तो इस विल के सम्बन्ध में मैं इतना जरूर कहना चाहूंगा कि जज और न्यायपालिका सुरक्षित रहें, ताकतवर रहें, संविधान की धाराओं को लागू करने की उनकी पूरी क्षमता रहे और किसी तरह भी संविधान की धाराएं तोड़ी न जा सकें। ऐसा कानून आवे तब हम उसका समर्थन कर सकते हैं।

बेकन ने जो कि अंग्रेजों का एक बड़ा भारी जज हुआ है, कहा था कि जज शेर हैं, लेकिन तख्त के नीचे। उस बेचारे ने यह अपने अनुभव से कहा था। उन दिनों इंग्लैंड में भी जजों में और पार्लियामेंट में बड़ी लड़ाई चला करती थी। वह तेजस्वी और विद्वान था उस ने कहा था कि जज शेर होते हैं, लेकिन तख्त के नीचे। मैं यह कहना चाहता हूँ कि हमें ऐसे जजों की देखन की इच्छा है जो

शेर जरूर हों, लेकिन तख्त के नीचे नहीं, तख्त के वगल में, जिनमें कि हम हिन्दुस्तान के नागरिकों की आजादी की रक्षा हों सके।

एक माननीय सदस्य : तख्त के ऊपर क्यों नहीं।

डा० राम मनोहर लोहिया : तख्त के ऊपर मैं उनको नहीं रखना चाहूंगा। मैं नहीं चाहता कि जज पार्लियामेंट के ऊपर बैठे। जहां तक कानून बनाने का मवाल है वहां तक आप लोगों का सर्वोपरि स्थान है, पर जहां पर कानून पर निर्णय लेने का सत्ता है वहां पर जज सर्वोपरि स्थान रखे। यह सिद्धांत आप लोग मान लें तो बहुत कुछ दिक्कतें हल हों जायें।

Dr. Sarojini Mahishi (Dharwar North): I appreciate the sympathy which my hon. friend Shri K. C. Sharma extends towards the judges of the High Court and also the judges of the Supreme Court. I am sorry he has not been able to extend his sympathy towards the judges of the district courts also who unfortunately are required to retire at the age of 55 or so.

This particular rule, that the judges of the High Court were required to retire at the age of 60 and that the judges of the Supreme Court were required to retire at the age of 62 perhaps was the remnant of those good old days when the ICS people were taken into the judicial service. I do not know why there should be this distinction between the age of retirement of the judges of the High Court and that of the judges of the Supreme Court. Does it reflect upon the ability and efficiency of the High Court judges that they are required to retire at the age of 62 at present? If judges from the High Court are to be drawn to the Supreme Court for further service, I submit that that can be done even if the age of retirement

of the High Court judges is fixed at 65; they can be still drawn for service in the Supreme Court till they reach 65, the age of retirement of the Supreme Court judges. Therefore, I find no reason and no ground for fixing the age of retirement as 62 and 65 respectively in the case of the High Court and Supreme Court judges.

When the Bill came up before the House for increasing the age of retirement of the High Court and Supreme Court judges, I put forward this very ground for opposing the same. Now, my hon. friend has brought forward another amendment to the Constitution, particularly to articles 124 and 217, trying to increase the age of retirement of High Court judges to 65 and that of the Supreme Court judges to 70. The reason that he has given is that the longevity of average life in India has increased. I do not know whether it reflects upon the mental capacity of the persons also. But, anyway, we cannot compare our conditions with those prevailing in America where even at the age of forty, they feel that they are quite young whereas in India they say that everything is over at the age of forty. I do not wish that we should compare ourselves.

Anyway, India has got a very brilliant galaxy of brilliant judges at the High Court and the Supreme Court level, who have been very ably discharging their duties. The onus or the responsibility of a judge, especially in a federal country like ours where the judiciary plays a very prominent role, is very great. The judiciary is the interpreter and the custodian of the Constitution, and it is the judiciary which settles and dispute that may arise between different parties at different levels in the country. The Supreme Court and also the High Courts deal with the original side and the appellate side; the Supreme Court, in addition deals with the consultative side also and with those cases where the parties are some distinguished persons including the original native States where the ques-

tion of settling the assets and liabilities etc. may arise the Supreme Court deals with all such cases. Therefore, there is a great responsibility on the Supreme Court judges to interpret the Constitution and to entertain cases on the original side as also on the appellate side. And the Supreme Court being the final court of appeal in the country it is quite necessary that there should be a specific age of retirement, and that cannot be increased at random also. It is quite right that the age of retirement of the Supreme Court judges has been increased to 65, but my only grouse is why the age of the retirement of the High Court judges also should not be raised to 65.

I remember that the Law Commission recommended that the age of retirement should be the same at both the levels. I do not know how the Cabinet came to the conclusion that it should be 62 in the case of the High Court judges and 65 in the case of the Supreme Court judges. Only a few minutes back, I was told a story in this connection. Napoleon used to inspect his military camps every day after the war. The medical officers used to visit those camps and used to make a note of those unfortunate soldiers who were dead and also those who were seriously ill and who were to be removed from the camps. One day, it so happened that a particular person who was alive was being carried as a dead person. The man who was being carried suddenly got up and asked 'Why are you carrying me? I am alive'. But the people said 'It has been recorded in the papers that you are dead, and this is the opinion given by the medical advisers also. Therefore, we are carrying you'. Such a thing carries no meaning.

Therefore, I hope that Government will reconsider the position, and I wish that my hon. friend Shri K. C. Sharma will bring forward a better amendment to the Constitution in this regard. I do appreciate his sympathies towards the judges. Justice in India, especially in our federal form

[Dr. Sarojini Mahishi]

of government, is very important, and justice not only means written law but conventional law also. As it is said:

श्रुतिः स्मृतिः सदाचारः
स्वस्य च प्रियमात्मनः,
सम्पक् संकल्पजः कामी,
धर्मं मूलं भिदं स्मृतम् ॥

Srutit, smriti, the good conduct of the people and the experience of the wise people etc. are all being included in the term 'dharma' or justice. That is the body of justice in India. Our great law-makers and propounders of law were men of *arshyadrishti*, that is, men with the insight of a sage. It was they who propounded the laws. Subsequently, of course, the laws underwent certain changes also according to the exigencies of the times and the changing values in the country also. The English judges who were deputed to India to interpret the Indian law were also given this instruction by their people that they should interpret law according to equity, justice and good conscience. Whether it is a small offence or a big offence, or an ordinary civil case involving a sum of Rs. 100 or a big case involving Rs. 10,000 and go on, whatever may be the nature of the case, the same insight, the same presence of mind, the same sense of equity, the same sence of justice and the same sense of good conscience etc. are required. As such, we cannot make any distinction between the age of retirement of the High Court and Supreme Court judges as far as this capacity is concerned. Therefore, I wish that my hon. friend Shri K. C. Sharma would bring forward a better amendment. I wish that the hon. Minister also would reconsider the amendment made earlier and also the recommendations made by the Law Commission and see that the age of retirement of the judges of the High Court as also that of the Supreme Court judges is raised to 65, and if he is a bit too liberal, I hope

that he will extend that increase to the age of retirement of the district court judges also.

Shri Oza (Surendranagar): I am afraid I have also to oppose this Bill. Only last year, this House in its wisdom adopted an amendment to the Constitution, the 15th amendment, by which we raised the age of retirement of High Court Judges from 60 to 62 and did not raise the age of retirement of Supreme Court Judges from 65 to any other age. The reason advanced by the Mover is that the average age in India has increased to 47 from 32 since the Constitution was made, but I hope not since the last amendment was adopted. At the time of adopting the last amendment, we took into consideration all these factors and we thought in our wisdom to raise the age of retirement of High Court Judges only to 62 and not to raise the age of retirement of Supreme Court Judges to 70, as has been proposed.

The previous speaker said that the age should be uniform in the case of High Court and Supreme Court Judges. She also pleaded for raising the age of retirement of District Judges. I am afraid I cannot subscribe to that argument also. We have to look at the whole problem in the social context in which we are existing today. For example, we fixed the age of retirement in our executive at 58. There are most brilliant persons rendering service in various fields as administrators, doctors, engineers and so on. They are also brilliant in their walk of life. But looking to the overall aspects of longevity and health of the nation, we have fixed the age of retirement at 58. However brilliant an administrator or doctor or engineer may be, we make him retire at that age. There must be a reasonable gap between the age of retirement of those who are doing this sort of duty and that of those in the judiciary. To widen that will not be cogent or logical. Looking at the health of the nation and the persons employed in various services and the fact that they are not getting senile after a par-

particular age and their mental and physical faculties are intact, we raised their age of retirement in the government service from 55 to 58. I think it is quite reasonable.

There is one argument why High Court Judges should retire at 62 and the Supreme Court Judges at 65. It is only my conjecture. Supreme Court Judges are recruited from the High Courts. Those who in the view of the Chief Justice of India are likely to be able to render service upto 65 are recruited from the High Court Benches. They are not recruited direct. There are certain Judges in the High Courts who will not be useful after 62, but there are others who would be mentally and physically vigorous and capable of discharging their duties upto 65. So if there is a difference between the ages of retirement in the High Court and the Supreme Court Benches, I do not think it is absolutely without reason. It has a logic and a *raison d'être*. If there was direct recruitment, then there would be some force in the argument advanced. In view of this, I think the margin appears reasonable. There is a presumption that people at a certain age must be made to retire, considering the average mental and physical capacity of Indians in whatever walk of life they may be serving, the judiciary or executive. But it is also true that if there are persons who are quite healthy and vigorous their services may be continued. This must be the reason for the differentiation in the age of retirement. So I do not think we should make a departure by making the age of retirement in the case of Supreme Court and High Court Judges uniform. We should maintain the existing difference.

As I said, we have to look at the whole question in a certain context. For example, I am against raising the age of retirement of government servants to 58. Looking at the employment potential in the country, limited as it is, so many young people waiting in queues for employment in the va-

rious administrative and other services, as administrators, doctors, engineers and so on, have their careers blocked by extensions given to people who have served the best part of their lives and should be enjoying their pensions, with their sons also perhaps employed. In certain exceptions, their services may be extended, but by and large, the employment potential in the country being very poor, we cannot provide employment to our educated persons fully. That being so, we should not raise the age of retirement. We should keep it at a low level. Those who have served must be made to retire and enjoy their pensions so that we could give more and more opportunities to young men so that their energies and services may be utilised in the interest of the nation.

The Minister of State in the Ministry of Home Affairs (Shri Hathi): The hon. Mover has given one reason for bringing forward this measure in his statement of objects while during his speech, he put forward a number of other reasons. Taking all of them together, I have tried to understand his arguments for the acceptance of his proposal, but I am afraid I have not been able to convince myself of the reason and logic behind those arguments.

His main contention, namely, improvement of physical health, has been replied to by almost all Members who spoke. That cannot be the criterion for determining the age of retirement of a particular category of people. He paid a tribute to the work of the Judges in our country and their efforts to dispense justice. I would also like to join him there. Our judiciary has got a reputation of independence in the dispensation of justice. But when he said that we want a fresh outlook, we want people who can give something new, we have to remember that the duty of the Judges is to administer justice, to interpret the law as it is. But the function of legislating rests with this House. Anyway, I do not want to enter into these arguments.

[Shri Hathi]

The only argument I would advance against not accepting this measure would be, as Prof. Sharma and other hon. Members said, that his Bill was introduced in August 1962. That was pending when Government brought forward the Constitution (15th amendment) Bill which received the President's assent on the 5th October 1963. The question of the age of retirement of Supreme Court Judges and High Court Judges was discussed threadbare and it was after a full debate in both Houses that we ultimately got the Constitution amended, raising the age of retirement of High Court Judges to 62.

I do not think the Mover had moved any amendment or had said anything in support of the Bill which was already introduced and was being considered. But that does not bar him or the House from reviewing the position and also considering the reasons put forward by the hon. Member.

The reasons put forward by the hon. Member, I am afraid, cut at one another. In the first place, he said that every person should be equal in the eye of the law. That equality before the law itself is denied by him when he says that the retirement age of the Supreme Court Judges should be 70 and that of the High Court Judges should be 65.

Then he said that these Judges were people who were giving law, who were giving something to the present society, and therefore, there should be maturity. Is that maturity considered by him to be attained at 70 or 65? If the High Court Judges are mature at 65, the Supreme Court Judges also would be mature at 65. I do not think there is any logic in saying that there should be equality before the law on the one hand, and in the same breath saying that there should be difference between the age of retirement of the High Court judge and that of the Supreme Court Judge.

He had also argued that a person who is appointed a High Court Judge at 55, retires after five years at 60. But some Judges of the High Court are also appointed as Judges of the Supreme Court. Those who are brilliant, bright, have contributed something, have chances to come from the High Court to the Supreme Court, and their experience, their maturity, their knowledge are available. Therefore, it is not that the experience of these Judges is not availed of when necessary or to the extent possible.

The whole question is why the age of retirement of the Supreme Court Judges should not be raised to 70. This question also was discussed here. It has also been discussed threadbare by the Law Commission. Looking to the average life of the people and the onerous duties which the Supreme Court Judges have to perform, they thought the age of 70 was too much, and that 65 would be reasonable.

Having considered all these arguments, it was decided by this very House a year ago that the age of retirement of the High Court Judges would be 62, and that of the Supreme Court Judges would be 65. And there is reason behind it, which I have just explained.

I therefore think that the argument which the hon. Member has put forth in the Statement of Objects and Reasons, namely that the average age in India has increased to 47½ from 32, and therefore the age of retirement of the High Court Judges and the Supreme Court Judges should be extended to 65 and 70 respectively, is not a valid one. I am myself not convinced, nor has any of the Members who have participated in the debate, been convinced.

I am sure that, seeing that all the Members who have participated in the debate have not agreed with him, are not in line with his thinking I am sure he would see the desirability of not pressing this Bill.

Shri Harish Chandra Mathur (Ja-lore): He is a great philosopher, much ahead of the times.

Shri K. C. Sharma (Sardhana): I am sorry the hon. Minister has not thought it fit to agree with me. In one of my speeches I had said that there should be a separate Ministry of Justice, and that the Judges should be under that Ministry. It is wrong that the Judges are appointed through the Home Ministry. I expected this, and I am sorry that the Home Minister does not understand the question at issue.

The question at issue is that a code of law has to be made and for a new system to be evolved, it takes at least 20 years. What is the span of tenure of the Supreme Court Chief Justice?—three to five years. It is a funny thing. Do we treat them as shop assistants, taking an assistant and asking him to go out in the evening? To lay down a system, to evolve a new code of jurisprudence, to bring a static jurisprudence into a dynamic mould, twenty years are required. It is a strange irony that a dynamic evolving society does not look to the new evolution of the law. What for is democracy if law is not being evolved?

It has been said, an engineer's age of retirement is 50, a military officer's age is 45, and thus, there is no such thing as equality between man and man or between cow and cow in all aspects. The difference goes with the function. Man is distinguished from his animal forefathers simply by this distinction and uniqueness of being more evolved. The more evolved, the better developed the man, the more he is different from any other man. It is the function that makes him different.

It is no favour to the judges. It is a necessity of the situation. A High Court Judge has a different function. His judgment is not the final law in most cases, but the Supreme Court Judge's judgment is the final law. Therefore, I stress that he should retire at 70.

As to the average age, I submit that we know that nowhere in the world the difference between the classes is so great as in India. The Judges come from a class where the age is longer, and all over the world, the Judges and the lawyers have the longest life. Why? Because they live in a different environment where what are called the rough, crude realities of life do not touch them. They are a finer class of people. Therefore, their age is longer, they have better facilities in life.

It is no argument to say that the average life is 47, and so Judges should not retire at 70. We have seen many lawyers working at 80. Sir Sapru and others used to work beyond 70; in the courts of law, from 10 A.M. to 4 P.M. they would argue cases. Shri N. C. Chatterjee is over 70, he is working like a young man in the Supreme Court. There are so many people like that, because life is different.

With all respect, I am sorry I differ from the hon. Minister. I take it as a fundamental question for the improvement of law and procedures of law, and creating better conditions for the administration of justice. Therefore, I press for the acceptance of the amendment.

Mr. Deputy-Speaker: This is a Constitution Amendment Bill. So, there has to be a division. Let the lobbies be cleared.

I shall now put the main motion to the vote of the House. This being a Constitution (amendment) Bill, voting has to be by Division. The question is:

"That the Bill further to amend the Constitution of India be taken into consideration."

The Lok Sabha divided:

Division No. 18]

AYES

[16.55 hrs.

Aney, Dr. M.S.
Balmiki, Shri K.L.L.
Banerjee, Shri S.M.
Kachhavaiya, Shri

Kapur Singh, Shri
Lohia, Dr. Ram Manohar
Seth, Shri Bishanchander
Sezhiyan, Shri

Sharma, Shri K. C.
Singh, Shri D.N.
Yadav, Shri Ram Sewak
Yashpal Singh, Shri

NOES

Alva, Shri Joachim
Basappa, Shri
Brahm Prakash, Shri
Brajeshwar Prasad, Shri
Brij Raj Singh-Kotah, Shri
Chandrabhan Singh, Shri
Chuni Lal, Shri
Das, Shri B.K.
Das, Shri N. T.
Deo Bhanj, Shri P. G.
Elayaperumal, Shri
Ganga Devi, Shrimati
Hajarnavis, Shri
Hanumenthaiya, Shri
Harvani, Shri Ansar
Ismail, Shri M.
Jadhav, Shri M.L.
Jain, Shri A.P.
Jena, Shri

Jyotishi, Shri J.P.
Kajrolkar, Shri
Kappen, Shri
Kotoki, Shri Liladhar
Lalit Sen, Shri
Laskar, Shri N.R.
Malhotra, Shri Inder J.
Mathur, Shri Harish Chandra
Mehdi, Shri S.A.
Mirza, Shri, Bakar Ali
More, Shri S.S.
Patel, Shri Rajeshwar
Patil, Shri D.S.
Patil, Shri M.B.
Prabhakar, Shri Naval
Ram, Shri T.
Ramaswamy, Shri V. K.
R ne, Shri

Ranga Rao, Shri
Rao, Shri Jaganatha
Rao, Shri Thirumala
Roy, Shri Vishwanath
Sahu, Shri Rameshwar
Samanta, Shri S.C.
Saraf, Shri Sham Lal
Sheo Narain, Shri
Shinkre, Shri M.P.
Siddiah, Shri
Siddheshwar Prasad, Shri
Sonavane, Shri
Subbaraman, Shri C.
Tiwary, Shri R.S.
Upadhyaya, Shri Shiva Dutt
Utiya, Shri
Valvi, Shri
Varma, Shri Ravindra

Mr. Deputy-Speaker: The result of the division is:

Ayes 12; Noes 55.

The motion is not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voing.

The motion was negatived.

16.55 hrs.

PROTECTION OF CIRCUS EMPLOYEES BILL

(By Shri Nambiar)

Shri Nambiar (Tiruchirappalli):
Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill to protect the Circus employees by bringing them under the operation, of the Industrial Disputes Act, 1947 and the

Workmen's Compensation Act, 1923, etc. be taken into consideration."

Sir, I consider it a privilege to introduce and speak on this Bill. Some hon. Members may not know the contents of this Bill and may begin to think that it is about circus. This is not a Bill about the circus industry. This Bill only seeks protection to be given to the tens of thousands of employees working in the circus industry. This is a social security measure intended to give relief to these poor employees who are working day and night in these industries throughout the country. From the *Statement of Objects and Reasons*, the hon. Members may see that the idea is this. The circus employees who are not attached to any particular trade or industry do not have the benefit or relief of the Workmen's Compensation Act, Industrial Disputes Act and other labour laws. The purpose of the Bill is to bring them under the scope of these labour laws; that is, the artists

and employees of the circus industry who comprise women, children and men. They work day and night but they are not protected by this. It is not treated as an industry under the Shop Establishments Act or the Industrial Disputes Act. My purpose is to see that this lacuna is cleared. Then hon. Minister of Labour and Employment may say that the present labour laws are applicable to them and that there is already some protection. I submit that it is not so clear.

17.00 hrs.

[SHRI SONAVANE in the Chair]

To my knowledge, the industrial court or labour courts have not acted in a way to give these employees any benefit out of these Acts. The hon. Labour Minister and the Deputy Labour Minister are here and if they can convince the House that they are already protected, I shall be the happiest. But if there is a lacuna, the necessary provision may be brought in because this has to be done. They may have difficulties in accepting my Bill as it is. But if a lacuna exists, as I shall presently point out that it exists, I shall request the hon. Minister to bring forward some legislation to remove it to the satisfaction of the employees. There is no opposition to the principle that protection should be given; there is no difference of opinion on this point between the Opposition and the Treasury Benches. It is the *modus operandi* which has to be considered. If they could be brought under the present Workmen's Compensation Act, the Payment of Wages Act and the Industrial Disputes Act, there could be no difficulty. They may state the position clearly and it will be circulated throughout the country and all the labour officers will know that they are covered and these employees will have protection.

Now, section 2 of the Industrial Disputes Act defines the "workman". The circus employees will not come

under that definition. It says that "the workman means any person including apprentices employed in any industry, trade or calling as unskilled, skilled, supervisory, technical or clerical work for hire or wages under terms which may be expressed or implied, and for the purposes of this Act in relation to an industrial dispute it includes any such person who has been dismissed, discharged or retrenched in connection with or as a consequence of that dispute or whose dismissal, discharge or retrenchment has led to that dispute ...". Here, the term "workman" does not include an artiste. An artiste of the circus company may be working on the trapeze or doing any other work in the company or he may be riding a tiger or tiger in the cage on the motor cycle, etc. The employee may be taming or breeding some dangerous animals. These people do not come under the term "workman". That is my submission. Therefore, I want to say that these employees also should be covered by this section. If the term "workman" applies to them, I shall accept it.

In the Industrial Disputes Act, at page 3, the relevant section says:

" 'Industry' means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or avocation or working."

Here again, the circus proprietors escape from the claws of the law as they are very capable, and they spend a lot of money in this respect to see that their employees do not get the benefit of the legislation. Therefore, I want a better clarification on this point.

In the Payment of Wages Act also, there is no provision to show that the circus employees will have the benefit. Only in the Workmen's Compensation Act, there is a mention. In the

[Shri Nambiar.]

schedule to the Workmen's Compensation Act, page 45, item 32 says "those employed in a circus." It is only here, in the Workmen's Compensation Act, these employees can be brought remotely under the provisions of the law, but generally speaking, they do not get themselves covered under the Industrial Disputes Act or the Payment of Wages Act, and since they do not come under the definition of "workman", there is the danger of their being neglected. This remote entry in the schedule to the Workmen's Compensation Act alone will not suffice. That is the reason why I am bringing forward this piece of legislation.

Coming to the position of circus companies, I have to bring to the notice of the Government that, to my knowledge, all told—small and big—there are 480 circus companies in this country with 10,500 employees. The smallest circus company has 75 to 85 employees and the biggest has 250 to 400 employees. This is the size, and it is a big industry. In my Bill I have concentrated my attention on certain aspects of the benefits that are to accrue to the employees. I could not make it a complete Bill as such. There may be drafting mistakes or certain other defects. I am not submitting that the whole Bill as such must be accepted. My point is only to concentrate on the aspect that the employees should be treated properly.

Clause 3 of the Bill provides that the employees of a circus should be treated as workmen, as I have already stated earlier. Clause 4 is about the muster roll of the employees. The management of a circus establishment shall maintain a muster roll showing the names of all the employees employed by it. Today, they are not doing that. I have proof with me to show that they are not doing it. Then comes the question of the hours of work. No employee of a circus establishment shall be required to

work in excess of eight hours a day or 48 hours a week and for every additional hour of work he shall be paid an amount equal to double the normal rates treating it as overtime work. Today, the employees of a circus start functioning practically from the early morning. Suppose, it is a matinee show on a Sunday, the show starts from 3 O'clock. In order that the circus should start at 3 O'clock, the employee or a clerk or a gate-keeper has to start working five or six hours earlier than 3 O'clock for the reason that they have to stamp the tickets, get them prepared, and so all the preliminaries of preparing for the show have to be done much earlier. They have to keep everything in order. So, actually, the work starts several hours prior to 3 O'clock.

Then, the actual issue of tickets starts. The people come in. The circus show goes on, one show after another; the last show finishes somewhere at 11 or 12 in the night. After that, the employees have to put the whole thing in order, and then only they can go to sleep. It means that right from 10 in the morning up to 12 or 1 in the night the employee, he or she, is engaged in one way or the other. This goes on. There is no holiday for him. Practically, there is no chance for a holiday, because, on Sundays and other holidays there are more shows, and the employees are put to continuous strain and continuous work. It is not only so for the employees who are at the gate or elsewhere, but other employees who are artistes.

Take the case of an artiste. One man or woman plays on the trapeze. He or she has to keep himself or herself fit so as to play on the trapeze. The artiste has to attend to exercises in the morning. A minimum of two to three hours every day is necessary. Every day, the artiste must undergo such exercise. Otherwise he or she would not be in a fit condition. Only after three shows he or she can take

rest. Therefore, it is basically a sort of work that is continuous for more than eight hours a day. If the training time is also included, the working hours are greater. Sometimes, they are made to work for several hours in the day. That is why I submit that there must be some sort of restriction as to which part of the day is to be treated as a working hour, whether the exercise is to be included or not, and if it is not to be included, how it can be accounted for. Then the question of overtime also comes in. Otherwise, the danger is, if there is no specification like this; the proprietors who are only bent upon the success of the show and on the collection of money, have no scruples to see how their employees are hard-worked.

The employees and the artistes are engaged continuously in the work, and they cannot escape. Further, the employees or the artistes must be very accurate in their work. No flaw can be committed by any artiste. You know that the smallest fault committed by the man who plays on the trapeze will bring him nothing but death, and there is no safety. The otherday, I had the benefit of going and seeing the Russian circus here. I do not know whether all the Members who have seen the circus have noted one thing. To every artiste who was playing the risky game, a string-like thing, obviously a copper wire, was attached on the belt which was also moving along with the movement of the artiste, which may not be always visible clearly. Thereby any accident that might occur will never lead to death or any harm to the artiste. The artistes are held by the string, and everything will go perfect, and there is no danger there; whereas in the Indian circus, I have seen and I have verified that no such safety is offered. There is absolutely no safety.

Shri S. M. Banerjee: (Kanpur): There is a net.

Shri Nambiar: That does not give protection. In the Gemini circus, the person on the trapeze once fell down and he was straightway taken to the hospital, but he died in a few hours. Recently, in the Kamala circus in Madras, the same thing happened. This sort of thing continues.

An Hon. Member: No compensation for him?

Shri Nambiar: So far as I understand—I have got cases with me—no compensation was given, and there is no possibility either. According to the Workmen's Compensation Act, a claim can be made, but when you look into that aspect, you will have to look into the whole question of the circus establishment and see how it runs. That is a thing which might give you certain pieces of information which you might not get otherwise. A circus tent is a place where the circus proprietor alone rules. The rule of law does not reach there. Our Rashtrapathi's rule never reaches within a tent. In the place where the tent is pitched, about 200 to 400 employees work. This tent is a place where the policemen do not generally go except when wanted by the proprietor. So, if anything happens to anybody, if he is beaten and he dies, he could be buried in the tent for two or three months, the play will continue. By the time the tent goes, the body gets completely mutilated. Nobody in the circus company will have the courage to raise a finger against the proprietor. If anybody does, he is beaten and buried.

Shri Kapur Singh (Ludhiana): Are you speaking about Punjab or circus?

Shri Nambiar: I am talking about circus. Perhaps circus in Punjab will be still worse. I am not exaggerating. The circus proprietors, who tame wild animals like tigers and lions and elephants, tame the employees also. They show the same attitude towards the young boys and girls which they show towards the

[Shri Nambiar]

wild animals, I know a girl was beaten and the child died.

Ninety per cent of the circus proprietors come from Malabar in Kerala and ninety-five percent of the artistes and employees are also Malayalees. How it happened is a big story. There was a famous teacher Keeleri Kunjikannan, in Tellicherry who started the idea of circus in this country sixty years back. He started a circus company and it gradually spread. They bring small children—boys and girls of 6 or 7 years of age, who are orphans invariably, with nobody to look after them. They are tamed in the same way as wild animals. They are beaten to such an extent that when the *ustad* comes before the child, the child gets terrorised and does anything that the *ustad*, says. They are trained in this way.

We have got a memorandum submitted by one Damodaran who belongs to the Kamala Circus. He has cyclostyled it in reply to the Bill which was gazetted. He says that children below 12 years of age are to be brought in, because otherwise it will not be possible to have such shows which will create so much thrill, enthusiasm and inspiration to the onlooker. He says, unless the child is trained up in this way, it cannot bend itself. So, bending has to be done when it is small and there is no other go. That is their argument. But we saw in the Russian circus boys and girls of 15 or 16 years. We could not see a child of 8 or 10 years playing in it.

An hon. Member: That is not a perfect circus.

Shri Nambiar: We want a perfect circus where orphans are not brought in and made to suffer like this for the benefit of our looking on, so that if anything happens to them, nobody cares.

Shri Joachim Alva (Kanara): In the Soviet circus, the parents and their children enact an item all together.

Shri Nambiar: Here orphans are brought, so that nobody sheds any tear over the children's sufferings.

Therefore, the rule of law does not reach the circus tent. You may say, there is the police. But even the police officer, if he is given two circus complimentary passes, speaks on behalf of the proprietor. Some of the circus companies offered me free passes. I accepted them, went there and saw the circus, because they are my Malayali friends coming from the South. I saw the circus and the same night I wrote the Bill. They cannot corrupt us with free passes, though officials may be corrupted by it.

There are labour officers, but they are not useful in this case, because this month the show will be in Delhi. Suppose there is an accident and a petition is given to the Delhi court for compensation. Before it is decided, the company has shifted somewhere in Nagpur. The whole paraphernalia has gone to Nagpur where there is another court. Who will go to Delhi to claim the compensation? Where is the heir or successor to claim it? No one is there and thus the compensation is also lost to them. By that time these circus proprietors call the concerned people and square it up with them. They get a receipt to the effect that they have received the compensation.

When an accident occurs and an artiste dies, there is always the desire on the part of the relatives of the deceased to get back the body for burial. When a death occurs the body goes for *post mortem*. Then his relatives will say: "Why do you want to break his head now; after all, he is dead. You may say that he died

under normal circumstances and put it in writing so that at least you may release the corpse for burial." Then a letter is extorted by the proprietors from the relatives saying that they will not claim any compensation. These are very, very strange things that are hapening. I have no animosity towards these proprietors. As I have said, most of these people come from Malabar and I will naturally have a soft corner for them because I am also a Malayalee. But still I do not agree that these proprietors have a right to exploit these people like this and make their life most miserable. That is the reason why I have brought in this Bill.

Dr. M. S. Aney (Nagpur): Are you their legal adviser?

Shri S. M. Banerjee: He is their moral adviser.

Shri Nambiar: I am not their legal adviser, I am only a servant of the people, especially of the workmen.

In clause 6 I have said about the question of freedom of movement. I have said that they must have the right to move about as they like so that they may have an opportunity to contact lawyers or other people concerned to write their petitions etc. These opportunities should not be denied to them.

Then I come to the question of leave. No leave is granted with full pay and no casual leave is allowed. Suppose they are sick and they go on leave, they are treated as absent and no salary is paid. The excuse that Shri Damodaran, proprietor of Kamala Circus, gives is that the circus shifts from place to place and then they will have two or three days in between which could be treated as leave. In these two or three days they have actually to work more in shifting the things etc., and practically they do not get any leave. I submit, therefore that they must be given casual leave

and they must also be given one month's leave in a year with full pay. I have made a provision to that effect in this Bill.

Sir, I have many points more to submit, but as there are other hon. Members who want to speak on this, which I welcome I will only say a few words on one or two important aspects and then conclude. Firstly, education is to be imparted to the children who are in the circus company. Small boys and girls are taken in and they are given no education. Most of the circus employees do not even know how to read or write with the result that to evade income tax the proprietors show their salaries in the books as Rs. 200, Rs. 300 and so on and they are actually paid Rs. 20, Rs. 30 and Rs. 35. Therefore, these circus proprietors do not want their employees to have even this much or education to know what they are signing for.

Lastly, I will submit that recently when the Russian circus team came, their leader, Shri Valoshin, gave an interview to the correspondent of *Ananda Vikatan*—one of the widely circulated weeklies in Madras—on 15th March, 1964 and there he said—I am translating from the Tamil version of it—

"We have made our feats out of danger. Still if some artistes are injured they are capable of looking after themselves as they are well educated. Yours is quite different. Your artistes are not so educated and if made incapacitated they are left helpless in the streets."

"The private employers send them out as they are unable to keep useless men in service. For all these reasons I suggest that it is better you nationalise this industry."

[Shri Nambiar]

This is what Mr. Veloshin said. I do not say now to nationalise it.

Shri Sidheshwar Prasad (Nalanda): Why not?

Shri Nambiar: No. Let the industry thrive. My intention is to see that the industry thrives with all the help that the Government must give to it. Railway facilities must be given; they may be given exemption from entertainment tax. Let the industry flourish; but, at the same time, while all this is being done, the employees should also be given the protection.

Recently the employees have themselves formed a union. The name of the Union is Akhil Bharat Circus Karmachari Sangh registered under the Trade Union Act.

Shri Sidheshwar Prasad: Affiliated to the Communist Party?

Shri Nambiar: But since this union has been registered the circus companies have started victimising the employees. I have got a case. The Gemini Circus people have sent out two of their employees while they were working in Meerut after knowing that those employees had joined this Sangh. They do not even want a union to function. Therefore I request the Gemini Circus proprietors also to see that this witch-hunting is stopped. In that case the Union has filed an application before the Labour Ministry here. They should see that suitable compensation is given and these circus proprietors are not allowed to have their way. This sort of misbehaviour should be stopped. These poor employees must be given the minimum guarantees and the minimum provisions that are granted to all the Indian labour. I am not asking for anything more. That privilege and that facility must be extended. That is why I submit that the hon. Minister and the members of the Treasury Benches may accept this.

With these remarks I commend this Bill to the consideration and acceptance of the House.

Mr. Chairman: Motion moved:

"That the Bill to protect the Circus employees by bringing them under the operation of the Industrial Disputes Act, 1947 and the Workmen's Compensation Act, 1923, etc., be taken into consideration."

1½ hours are allotted for this Bill.

Shri Kapur Singh: Mr. Chairman...

Mr. Chairman: Shri Joachim Alva.

Shri Joachim Alva: I am indeed grateful to you that you have called upon me to speak for I am going to give whole-hearted support to my hon. friend, Shri Ananda Nambiar, in regard to this Bill.

In the first place may I congratulate you on seeing you in the Chair? I see you for the first time in the Chair.

An hon. Member: That is why he has given you the chance.

Shri Joachim Alva: Apart from that, I think, you are a representative of an economically underdeveloped community and to see you in that Chair indeed fills our hearts with joy. You are a capable young man, a patriotic, capable, hardworking young man. Our leader, the symbol of that great community, Shri Sanjivayya, is here. Having said this, I will go on with the Bill.

I do hope, the hon. ex-President of the Congress will see that the small boys and girls are not maltreated and oppressed in the manner so graphically and realistically described by my hon. friend, Shri Ananda Nambiar. I have been sitting on this bench today from 11 O'clock to 5 O'clock. I went to the Estimates Committee and when the bell rang, I came running down. When I found that Shri Nam-

biar was dealing with the circus artistes, I said to myself, "Time or no time, I must give my humble support to this Bill".

As a journalist I have received many free passes for circuses and cinemas. But the other day I paid Rs. 10 each for the highest seat that I could ever pay. I paid Rs. 40 to go with my entire family to see the Soviet circus. I am glad, I saw it. I will correct Shri Nambiar. There was only one girl of 15 or 16 who played in the Soviet circus and I found out from the programme that her father and mother were also acting along with her at the same time and in the same item. So, this girl was protected under the fostering care of her own parents. Not so in Indian circuses. What about our own poor children? As a boy I have been seeing circuses because the Malabar people are near my native place in the South Kanara District. We had the natak or Kannada dramas and the circuses. As a small boy I have seen how those gymnasts used to thrash those little boys and girls. I still remember those incidents vividly. Therefore, whatever Shri Nambiar said was not away from truth; but more than the truth he uttered when he said that they are thrashed.

He as mentioned something horrible about murders. It is quite a possibility that murders take place. I have no knowledge about it; but I think, he has gone deep into the subject and it is quite possible to commit a murder, bury the person and not allow any one to come near. He was also right in saying about the police. I do not attack the police, but all kinds of influences are brought to bear on people. When we go to a small town, we find that the officials in the little town, the Taluk Board, the municipality or the police, are brought under all sorts of influence. And you know, what happens next? Dark things can be hidden and things do not come in to the public view. I want the Gov-

ernment to take a serious view of all these things happening in these Circuses. People want to enjoy Circuses more than anything else. I have seen the Circus in Germany and I saw another Circus at some other place. However, I had not enquired of conditions therein. But, I think, there the employees are well protected. In the Soviet Union, the artistes are the kings and queens. They get very high salaries. They are well-fed and beyond a certain hour they are not allowed to work. I remember, when Mrs. Pandit was our Ambassador in the Soviet Union, I had been there and once she was sitting in front of me right here and she was heard narrating an experience that she wanted a waitress to wait for an extra hour and the Foreign Office whispered, "Nothing of the sort; you shall have to pay many times more." So, if a waitress cannot be ordered like that, what about the poor children? You and I are the guardians of those children. They have no guardians inside the Circus. Though now you may think that this Bill is of not a national importance, we have to attach every kind of importance to this kind of a Bill and to the people who are not looked after and protected well. I am sure the new hon. Minister for Labour will see the importance of this Bill and give all the protection to the artistes who need to be looked after.

Now, as my hon. friend Shri Nambiar said, we watched the Soviet Circus and we saw a string being attached to every artiste so that when he or she is forced down, he or she may not break his or her limb or knock down the head. They do this so that they will not lose their life. Here, in every Circus they want thrillers. Many people refuse to go to see the Circus because they cannot bear to see such narrow escapes from death, when they are unaided by strings. Our circus people do not even learn by imitation. We can learn from the Soviet Circus and attach strings to all the artistes.

[Shri Joachim Alva]

But that is not done here at all. For the sake of thrilling thousands of people, all that is done is at the cost of the poor artistes. I come from a place not far off from Malabar. I pay a tribute to the Malabar artistes—they, are also Communists, but for us they are good artistes—these Malabar boys and girls. I must pay a tribute to them. If you go to Assam, if you go far away into NEFA, the nurses that are in the hospitals come from Malabar. They do not get all the railway or other facilities to go back to their homes as they ought to get. The circus artistes ought to get free passes to go to their homes. I think, when the State takes over the Circuses in its own hands, if the artistes die, they will be duly compensated; if they are injured, they will be compensated and they will not be forced to work. They will, of course, be sharers in the profits. This is a Bill where there can be no question of Party interests. I think, we are indebted to Mr. Nambiar for having done research in the conditions of working of these artistes. The House should support the Bill and strengthen the hands of the hon. Minister for Labour and see that he moves in the matter and at least he calls for the records, calls for the statistics, to find out how many children are employed, how they are employed, how long they serve and all that. He has also brought out one very important thing. It is this that circus owners escape the legal responsibility by running to another State where the labour laws do not touch them. These are the loopholes which the Circus employers and also the managers know. But what about those poor artistes under 12 years or 10 years of age? It is a shame that we exploit these children and put them up for our amusement. If we do not allow our children to work in mines, why should we allow them here in the circus? There are young boys and girls over 15 or 16 years who can be trained and who can be put on those shows. But even those artistes will have to be properly

looked after both financially and also in regard to their holidays, travelling and medical facilities and in regard to their food. Now, food is again another important thing about which my hon. friend has not said anything. It is a common kitchen and I do not think they get the food that they deserve and they should get. I remember, I went to Kamala Circus in Bombay about 20 days ago. I went to that Circus and when I went there the Circus had not yet started and there were 10,000 people to see the Circus. There was no room left. I saw a big fat man there. I started talking with him. He told me, "I am a sandow. The motor car passes over my chest". He was waiting for his item. He was to give his item for three minutes only. I asked about his salary. He said it was Rs. 1200. But then he said, "I have got digestive troubles". I suggested to him that papaya is a very good fruit and I took the trouble to see that he got papaya before I came to Delhi. The reason why I am mentioning this is that this artiste who can give three hours' performance or even three minutes' performance is paid a salary of Rs. 1200, and he is physically an extremely strong man and he can take care of himself. But you and I have a double responsibility for the tiny little boys and girls and we must see that they are protected financially, morally and physically.

Mr. Chairman: Now, Shri S. M. Banerjee.

Shri S. M. Banerjee: Mr. Chairman, Sir...

Mr. Chairman: It is now 5.30 p.m. Shri S. M. Banerjee will continue his speech on the next occasion

17.32 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, April 11, 1964/Chaitra 22, 1886 (Saka).