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Monday, April 29, 1963  
Vaisakha 9, 1885 (Saka)

# LOK SABHA DEBATES

(Fourth Session)



*(Vol. XVIII contains Nos. 51—61)*

LOK SABHA SECRETARIAT  
NEW DELHI

ONE RUPEE (INLAND)

FOUR SHILLINGS (FOREIGN)

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[See cover page 3 also

LOK SABHA

Monday, April 29, 1963/Vaisakha 9,  
1885 (Saka)

— — —

The Lok Sabha met at Eleven of the  
Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO  
QUESTIONS

कोयला खान मजदूरों का कल्याण

\*१०६७. { श्री म० सा० द्विवेदी :  
श्रीमती सावित्री निगम :

क्या श्री रोजगार मंत्री यह बताने की कृपा करेंगे कि केन्द्रीय सरकार ने १९६२-६३ में कोयला खान मजदूरों के कल्याण के लिए कितनी धन राशि व्यय की है ?

श्री रोजगार मंत्रालय में उपमंत्री  
(श्री २० कि० मालवीय): २,५६,६३,१०० रु०  
[Rs. 2,56,93,100/- Approximately.]

श्रीमती सावित्री निगम : श्रीमन्, क्या मैं जान सकती हूँ कि जो रुपया खर्च होता है वह विभिन्न कमेटियों के द्वारा होता है या एडमिनिस्ट्रेशन के द्वारा खर्च होता है ?

श्री २० कि० मालवीय : इस फंड के खर्च के लिए सब कमेटीज बनी हुई हैं। जिन जिन प्रान्तों में कोयला उत्पादन होता है, जैसे बिहार में, आन्ध्र प्रदेश में, मध्य प्रदेश में, वहाँ हर जगह सब कमेटीयां बनी हुई हैं और इन सब कमेटीयों में कोयला खदानों के मालिकों के प्रतिनिधि रहते हैं, मजदूरों के प्रतिनिधि रहते हैं और गवर्नमेंट के भी आफिसर्स रहते हैं और जो उनकी सिफारिशों

होती हैं उन पर विचार हो कर यह रकम खर्च की जाती है।

श्रीमती सावित्री निगम : क्या मैं जान सकती हूँ कि यह जो रकम रखी है इन में से कितना रुपया लोगों के पीने के पानी की सुविधा पर खर्च किया गया है, क्योंकि अक्सर देखते हैं कि मजदूरों को शुद्ध पानी मुहय्या नहीं होता जहाँ कोयले की खानें हैं ?

श्री २० कि० मालवीय : जहाँ तक कि पीने के पानी का सवाल है, एक बहुत बड़ी स्कीम झरिया कोलफील्ड में चालू की जा रही है जिसमें करीब ७५ लाख रुपया खर्च होगा और इस फंड में से कुछ रुपया लोन के रूप में और कुछ अनुदान के रूप में इस काम के लिए दिया जा रहा है। इसके अलावा कुछ भी खोदे जाते हैं जिन पर सन् १९६२-६३ में करीब ५१,४७६ रुपया खर्च हुआ और दूसरी जगहों पर भी वाटर स्कीम लागू की जा रही हैं। जिन जिन एम्प्लायर्स ने अपनी कोलोनीज में पानी की योजनायें बनायी हैं, उनके लिए हम लोग रुपया देते हैं।

श्री २० गोविन्द दास : अभी मंत्री जी ने एक अंक बताया कि इतना रुपया खर्च हुआ है। सन् १९६२-६३ में। क्या मैं जान सकता हूँ कि कितना कितना रुपया किन किन राज्यों में खर्च हुआ है, और क्या खर्च करते वक़्त इस बात का ध्यान रखा जाता है कि मजदूरों की जितनी संख्या है और उनकी जैसी हाजत है उसके अनुपात में रुपया खर्च किया जाए ?

श्री २० कि० मालवीय : जी हाँ। जो मेम बताने वाला है उसके लिए कायदा

यह है कि जिस प्रान्त में जितना सेस जमा किया जाता है वह सारा उसी प्रान्त में और उसी प्रान्त की एडवाइजरों, कमिटी की सलाह से खर्च किया जाता है। वैसे जितना भी लेबर कोल फील्ड्स में है वह कवर्ड है। कोयला खानों में करीब ४ लाख लोग काम करते हैं और उनके परिवारों को मिला कर करीब १६ लाख आदमी होते हैं। यह रुपया इन सब लोगों की भलाई के कामों के लिए खर्च किया जाता है।

**Shri S. M. Banerjee:** I want to know whether it is a fact that a good amount out of this total amount is likely to be spent in constructing houses for the mine workers and if so, to what extent?

**Shri R. K. Malviya:** Yes, Sir. Today, our estimated income from the cess for 1963-64 is going to be about Rs. 27,00 lakhs. Out of this amount, 50 percent of the amount will be spent on their housing. There is also accumulation of the amount of the past which is also being spent on housing.

**Shri Mohammad Elias:** There was a scheme for improved drinking water supply in Asansol and Raniganj area and subsequently this scheme did not materialise. May I know whether this scheme is going to materialise and what amount will be spent from the coal workers welfare fund for this improved water supply?

**Shri R. K. Malviya:** There are two different water supply schemes, one for the Asansol area and the other for the Jharja area. I have just said that the amount which is to be spent on Jharja water works is going to be to the tune of about Rs. 75 lakhs. This scheme will get a good amount as loan as also our subsidy. There is also a scheme for Asansol area. But it has not been finalised. As soon as it is finalised, it will come into operation. In that scheme also, there will be quite a large amount which will be given as loan and as subsidy to the West Bengal Government.

**श्री प० ला० बाबूपाल:** बीकानेर जिले में, राजस्थान में कोयला निकलता है। वहां पर जो पालना की कोलरी है उसमें मजदूरों को पानी न मिलने के कारण बड़ी दिक्कत है। क्या उनके लिए सरकार कोई योजना बना रही है ?

**अध्यक्ष महोदय :** एक एक जगह के बारे में सवाल पूछा जाएगा तो बड़ी मुश्किल होगी।

**श्री र० कि० मालवीय :** पालना के बारे में, कुछ दिन हुए जब मैं जयपुर गया था तो बात हुई थी। पालना की कोलरी अभी ठीक ढंग से काम नहीं कर रही है। उसका क्षेत्र बहुत छोटा है और उसका सेस बहुत कम वसूल होता है। तो भी कोल कमेटी जिस ढंग से सिफारिश करेगी उसके मुताबिक काम किया जाएगा।

**श्री विभूति मिश्र :** कोयला खानों में जो मजदूर काम करते हैं उनकी सेहत बहुत खराब हो जाती है। क्या सरकार ऐसा इन्तजाम करना चाहती है, और उनको ऐसी सुहूलियत देना चाहती है कि उनकी सेहत ठीक रह सके ?

**श्री र० कि० मालवीय :** जहां तक सेहत का सवाल है, हमारे इस फंड से सब से ज्यादा एमाउंट, करीब ५०-५२ लाख रुपया, सिर्फ सेहत पर खर्च होता है। दो बड़े बड़े अस्पताल आसानसोल और धनबाद में हैं और उसके साथ रॉयनल अस्पताल है और जितने कोलरीज के अस्पताल हमारे स्टैंडर्ड के हैं उनको भी हम सहायता देते हैं। इस प्रकार इन मजदूरों की सेहत को प्रोटेक्ट करने का प्रयत्न करते हैं।

**आकाशवाणी पर हिन्दी का प्रयोग**

\*१०६८. श्री भक्त दर्शन : क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) कुछ समय पहले आकाशवाणी को हिन्दी के प्रयोग के बारे में परामर्श देने के लिए



श्री श्रीप्रकाश की अध्यक्षता में जो विशेष समिति नियुक्त की गई थी, उसकी अब तक कितनी और किन किन तिथियों को बैठकें हुई :

(ख) समिति ने क्या क्या सिफारिशें की हैं; और

(ग) उन सिफारिशों पर किस सीमा तक प्रमल किया गया है ?

**सूचना और प्रसारण मंत्रालय में उप मंत्री (श्री शामनाथ):** (क) तीन; २२ अक्टूबर, २० दिसम्बर, १९६२ और २४ फरवरी, १९६३।

(ख) एक स्टेटमेंट जिसमें, अपेक्षित जानकारी दी हुई है, सभा पटल पर रखा जाता है [पुस्तकालय में रखा गया। देखिये संख्या एल० टी० १२४४६३]

(ग) सिफारिशों को इम्प्लीमेंट करने का काम बराबर चल रहा है।

[(a) Three; on 22nd October, 20th December, 1962 and 24th February, 1963.

(b) A statement giving the requisite information is placed on the Table of the Sabha [Placed in the Library. See No. LT-1244/63].

(c) The recommendations are being implemented as a continuous process.]

श्री भक्त दर्शन : जो विवरण दिया गया है उसमें जो सिफारिशें हैं उनमें पूर्वी सिफारिश यह है कि हिन्दी के समाचार वृत्तियों की भाषा यथासंभव इतनी सरल होनी चाहिए कि उसे अधिक से अधिक श्रोता जिनमें ऐसे लोग भी शामिल हैं जो हिन्दी अच्छी तरह नहीं जानते, आसानी से समझ सकें। मैं जानना चाहता हूँ कि जो लोग हिन्दी अच्छी तरह नहीं समझ सकते इन लोगों में अहिन्दी भाषी प्रान्तों जैसे बंगाल, महाराष्ट्र आदि के और दक्षिण भारत के

लोग भी शामिल हैं या इनमें केवल वे लोग शामिल हैं जो उर्दू जानने के कारण हिन्दी को अच्छी तरह नहीं समझ सकते ?

श्री शाम नाथ : इसमें ज्यादातर तो वे लोग शामिल हैं जो नार्थ इंडिया में, दिल्ली, पंजाब वगैरह में रहते हैं और जो उर्दू जानते हैं और हिन्दी अच्छी तरह नहीं समझ सकते। इसी तरह बंगाल, महाराष्ट्र वगैरह के जो लोग ए० आई० ग्रार० के हिन्दी ब्राडकास्ट सुनते हैं, और अच्छी तरह हिन्दी नहीं जानते, उनको भी इसमें शामिल समझना चाहिए।

श्री भक्त दर्शन : इस विवरण में दूसरी सिफारिश यह है कि समाचारों का अंग्रेजी से अनुवाद करते समय प्रयत्न यह हो कि अनुवाद मूल जैसा अच्छा हो। क्या माननीय मंत्री जी ने यह विचार किया है कि यहाँ से हिन्दी के भाषणों के समाचार अंग्रेजी के द्वारा जाते हैं और फिर उनका हिन्दी में अनुवाद किया जाता है क्या आकाशवाणी ऐसी व्यवस्था नहीं कर सकती कि यहाँ से हिन्दी के समाचार हिन्दी में अपने मूल रूप में जायें और उसी रूप में प्रसारित किये जायें ?

श्री शाम नाथ : उनकी कोशिश की जा रही है कि जो प्रजेसन दिया गया है उसको पूरा किया जा सके। जहाँ तक लोक सभा की प्रोसीडिंग्स का सवाल है, यहाँ भी एक साथ हिन्दी व ले आते हैं और वह हिन्दी में लिख कर ले जाते हैं और उनका बाद में ब्राडकास्ट किया जाता है।

श्री सिद्धेश्वर प्रसाद : इस विवरण में दी गई सिफारिशों में एक यह भी है कि नये शब्दों को निश्चित करते समय संस्कृत से ज्यादा सहायता ली जानी चाहिए। मैं यह जानना चाहता हूँ कि आकाशवाणी स

इस समय जो हिन्दी प्रसारित की जा रही है, क्या उसमें इस सिफारिश पर ध्यान दिया जा रहा है।

**श्री शाम नाथ :** इस सिफारिश पर बहुत ज्यादा ध्यान दिया जा रहा है।

**Shri Muthu Gounder:** Is the Government aware that on account of too much of propagation of Hindi, people are switching over to Radio Ceylon, and if so, will they give equal opportunity for all national languages in All India Radio?

**Mr. Speaker:** That will be a different question.

**श्री सरजू पाण्डेय :** क्या माननीय मंत्री जी को ऐसी शिकायतें मिली हैं कि आल इंडिया रेडियो से जिस हिन्दी का प्रसारण किया जाता है, वह बहुत गलत होती है? यदि हाँ तो इस बारे में क्या कार्यवाही की गई है?

**श्री शाम नाथ :** ऐसी कोई शिकायत नहीं आई है।

**Dr. Ranen Sen:** Is the Minister aware of the fact that complaints have been made from Bengal that the Hindi used in All India Radio, namely Sanskritised Hindi, is not understood by the people in Bengal who want to listen to these broadcasts? If so, what arrangement has the Government of India and the Ministry made in respect of that?

**The Minister of Information and Broadcasting (Dr. B. Gopala Reddi):** As far as we are aware, no complaints have been received since the committee started functioning. Since the Sri Prakasa Committee began deliberating on this point, we have not received any complaint.

**श्री यशपाल सिंह :** क्या यह सही है कि यह भाषा देखने का काम एक ऐसे मानव-भाव को सौंपा गया है, जो विदेश मंत्रालय में काम करते हैं और जिन्हें इतना समय नहीं

मिलता कि इस काम को देख सकें, और इसीलिये भाषा का परिमार्जन नहीं हो सका है?

**श्री शाम नाथ :** यह सही है कि डा० बच्चन, जो एक्सटर्नल एफेयर्स मिनिस्ट्री में आफिसर भ्रान स्पेशल इयूटी हैं, हमारे एड-वाइजर हैं। वह जितना ज्यादा से ज्यादा वक्त दे सकते हैं, वह हमारे काम के लिए देते हैं।

**Dr. Sarojini Mahishi:** The hon. Minister was pleased to state the other day that the addition of a few minutes Hindi programme to the usual programme is not under consideration. May I know the reasons for that?

**Dr. B. Gopala Reddi:** There are so many pressures, so many bulletins are needed, so much information is needed from the All India Radio, that we are not in a position to give more time for the relay of Hindi broadcasts from other stations.

**Shri D. C. Sharma:** In the statement given here, there is item 5 which says that steps should be taken to ensure that the staff engaged on this work is capable of meeting the requirements. May I know what efforts have been made so far, what steps have been taken, to reorient the staff so that some of the requirements are met. I want some specific answer, not a generalised answer.

**Dr. B. Gopala Reddi:** We want to screen the existing staff and see whether they are coming up to the standard, and if they are not up to the mark, perhaps they will have to be retrenched.

**श्री द्वा० ना० तिवारी :** चूंकि अहिन्दी-भाषियों में दो तरह के लोग हैं—एक ऐसे हैं, जो उर्दू से मिक्सड हिन्दी ज्यादा समझते हैं और दूसरे संस्कृत से मिक्सड हिन्दी ज्यादा समझते हैं, इसलिए उन लोगों का समावेश कैसे किया जा रहा है?

**Dr. Gopala Reddi:** We have to follow a middle course, and as far as we are concerned, after the appointment of this committee, we are very happy that there are not too many complaints. Everybody seems to be more or less satisfied with the present day Hindi broadcasts.

**Shri Narasimha Reddy:** I have got some doubt about the name Prakash. I know whether this refers to my hon. friend Shri Prakash Vir Shastri? Secondly, may I know whether the Government intends to convert All India Radio very soon into an undiluted All Hindi Radio?

**Shri Sham Nath:** The Chairman of the Committee is Shri Sri Prakash, ex-Governor.

**Shri Sheo Narain:** How many Members are there in this Committee? Who are the Members?

**Dr. Gopala Reddi:** Seven.

**डा० गोबिन्द दास :** जहाँ तक भाषा की नीति का सम्बन्ध है, इस सदा की एक समिति बनी थी और उसने एक भाषा की नीति के सम्बन्ध में कुछ निश्चित सिद्धान्त तय किये थे। जो यह कमेटी बनी है, क्या उसने उन सिद्धान्तों को मामने रख कर भाषा की नीति के बारे में अपनी सिफारिशों की हैं ?

**श्री शाम नाथ :** जी हाँ। जो कमेटी एम० पी० जी की बनी थी, उसने जो सिफारिशें की थीं, वे इस कमेटी के मामने पेश की गई थीं। इस कमेटी ने उन पर गौर करके अपनी सिफारिशों की जिन पर अमल हो रहा है।

### Conference of Atomic Scientists held in Tokyo

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\*1069. { Shri Maheswar Naik:  
Shri D. C. Sharma:

Will the Prime Minister be pleased to state:

(a) whether in a conference of Atomic Scientists held in Tokyo in March this year, a proposal had been broached for creating an organization to be called "ASIATOM" on the model of "EURATOM"; and

(b) if so, the attitude of the Government of India and the participating countries towards the formation of this organization?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) Yes. A proposal to set up an organisation of countries in Asia and the Pacific on the model of Euratom was discussed at the recent conference of countries in Asia and the Pacific for the promotion of peaceful uses of atomic energy held in Tokyo on March 11, 1963.

(b) The proposal is being examined by the Government.

**Shri Maheswar Naik:** What are the specific functions of this organisation and how will the results of the research be shared by participating countries?

**Shri Dinesh Singh:** These are details which will be decided upon once this organisation comes into existence.

**Shri Maheswar Naik:** May I know whether the Government have agreed to share the results of research activities conducted by a particular country?

**Shri Dinesh Singh:** The idea is to share the experience in this organisation.

**Shri Sham Lal Saraf:** May I know if all the participating countries have agreed to work for the scheme for

the utilisation of atom for peaceful purposes?

**Shri Dinesh Singh:** The delegates in Tokyo agreed in principle but the matter is now being referred to each Government.

**Shri D. C. Sharma:** Which country is taking the initiative in this matter, has the Government of India seen any communication on the subject, and if so what is the reply of the Government of India?

**Shri Dinesh Singh:** Government of India participated in this conference and, as I mentioned earlier, it was decided in principle that it would be a good thing. Now the matter is being referred to each individual country.

**Shri D. C. Sharma:** I wanted to know who has taken the initiative and secondly, what is the reaction of the Government of India? Has the Government of India sent any communication in writing?

**Shri Dinesh Singh:** I do not know what communication the hon. Member refers to. There must have been a lot of correspondence on the subject. The principle has been agreed to and it is now for the individual countries to decide. I could not say offhand which country is taking special interest.

**Shri Hari Vishnu Kamath:** Will not the implementation of this proposal lead to the erection of continental, if not national, barriers to the organisation of atomic research and, if so, does Government propose to countenance the erection of such barriers to worldwide scientific research, because I believe Government's policy is not to jeopardise or imperial the progress or welfare of mankind through such scientific research?

**Shri Dinesh Singh:** This will not set up any barriers to atomic research co-operation.

## गांधी साहित्य

\*१०७०. श्री विद्वनाथ पाण्डेय : क्या सूचना और प्रसारण मंत्रा यह बताने का कृपा करेंगे कि :

(क) गांधी जी के साहित्य के प्रचार सम्बन्ध में उनका मंत्रालय क्या कर रहा है ; और

(ख) किन किन भाषाओं में प्रचार कार्य करने का विचार है ?

सूचना और प्रसारण मंत्रालय में उपमंत्री (श्री शाम नाथ) : (क) और (ख). मिनिस्ट्र. आफ इन्फार्मेशन और ब्राडकास्टिंग महात्मा गांधी के सभी लेखों, भाषणों और पत्रों को सिलसिलावार और तरीका में 'क्लेक्टड वर्क्स आफ महात्मा गांधी' के रूप में अंग्रेजी और हिन्दी में प्रकाशित कर रहा है। इन वर्क्स का माला में ५५ पुस्तकें होंगी और उनके १९६९ तक पूरा होने की आशा है। इन पुस्तकों का गुजराती एडिशन नवजवान ट्रस्ट, अहमदाबाद, द्वारा प्रकाशित किया जायेगा। दूसरी प्रादेशिक भाषाओं के एडिशन राज्य सरकारों के जरिये निकाले जाने का उम्मीद है। गांधी साहित्य के दूसरे ग्रन्थ भी, जिनमें गांधी जी का प्रार्थना सभाओं के प्रवचन शामिल हैं, प्रकाशित हो चुके हैं। 'एक्सट्रैक्ट्स फ्रॉम गांधी जाज स्पेचिज एण्ड राइटिंग्स आन दि शिड्यूल्ड कास्ट्स एंड शिड्यूल्ड ट्राइब्स' और "महात्मा गांधी— एक विद्यापी के रूप में" नाम का दो किताबें तैयार की जा रही हैं। गांधी साहित्य का प्रचार अंग्रेजी और हिन्दी के अलावा दूसरी बड़ी भारतीय भाषाओं में भी किया जाता है।

इसके अलावा गांधी साहित्य का प्रचार एक मिनिस्ट्रों के और विभागों के जरिया भी समय समय पर किया जाता है। आकाशा-

भाषां भी १९५६ से हर शुक्रवार को सुबह अपने सभी केंद्रों से बड़ी भारतय भाषाओं में आध घंटा का ब्राडकास्ट कर रहा है, जिसमें गांधी जी की प्राथम-बैटकों में दिये हुए भाषणों के एक्स्ट्रेक्ट्स और उनके प्रिय गीतों में से कुछ चुने हुए गान शामिल होते हैं। ब्राडकास्टिंग ने तम दो-तरफा प्रोड्यूसन रिकार्ड ज भी बित्री के लिये तैयार किये हैं, जिनमें गांधी जी के भाषणों के चुने हुए एक्स्ट्रेक्ट्स हैं, ताकि उनका सन्देश उनके अपने स्वर में ग्राम जनता को प्राप्त हो सके।

**Mr. Speaker:** When the answer is long, it is better that it is in the form of a statement that might be placed on the Table.

**Shri Sham Nath:** We will note it for the future, but now, if you allow, Sir, I will read the English answer also.

**Mr. Speaker:** Yes.

**Shri Tyagi:** The Hindi was so mixed that everybody has followed it.

[(a) and (b). The Ministry of I&B are publishing in English and Hindi all available writings, speeches and letters of Mahatma Gandhi arranged in chronological order in the series of 'Collected Works of Mahatma Gandhi'. The series will run into 55 volumes and is expected to be completed by 1969. The Gujarati edition of the Collected Works will be published by the Navjeevan Trust, Ahmedabad. Editions in other regional languages are expected to be brought out by the State Governments. A number of other books relating to Gandhian literature, including Gandhiji's post-prayer speeches have also been published. Two pamphlets entitled 'Extracts from Gandhiji's speeches and writings on the Scheduled Castes and Scheduled Tribes and Mahatma Gandhi as a student' are under preparation. Publicity of Gandhian literature is undertaken in the major Indian languages besides English and Hindi.]

Apart from this, publicity on Gandhian literature is also done in appropriate manner through the other Media Units of the Ministry. The All India Radio has also been broadcasting every Friday morning since January 1959 from all its Stations an half-hour programme in all major Indian languages consisting of 'Extracts from Gandhiji's addresses at prayer meetings' and selection of his favourite songs. The AIR has also placed thirty doublesided gramophone records, containing suitable extracts from the speeches of Gandhiji, in the market, to make his message in his own voice available to the common people.]

**श्री विश्वनाथ पाण्डेय :** किन किन विदेशी भाषाओं में महात्मा गांधी जी के साहित्य का प्रचार हो रहा ?

**Shri Sham Nath:** We are not doing anything in foreign languages.

**श्री विश्वनाथ पाण्डेय :** इस साहित्य के प्रचार में इस समय कितने रुपये का व्यय हो रहा है ?

**Shri Sham Nath:** I have not got that information with me at the moment.

**Shri S. N. Chaturvedi:** May I know how many of the 55 volumes have been published so far in English and Hindi?

**Shri Sham Nath:** Eight volumes in English and seven volumes in Hindi have been published. The English volumes IX and X Hindi volumes VIII and IX are in the press.

**श्रीमती सावित्री निगम :** भ्रम। भ्रम। मंत्री महोदय ने बतलाया कि हालांकि यह पुस्तकें इन्फार्मेशन ऐंड ब्राडकास्टिंग मिनिस्ट्री तैयार कर रही है, वह नवजीवन प्रेस द्वारा प्रकाशित की जायेंगी। क्या मंत्रालय ने यह तय कर लिया है कि जो पुस्तकें वहां से प्रकाशित होंगी उनके मूल्य उचित होंगे, वह इतने कम होंगे कि वह हर एक

आदमी तक पहुँच सकें और उनको आसानी से पापुलराइज किया जा सके ?

**श्री शाम नाथ :** मैं ने सिर्फ गुजराती एडिशन के मुतालिक कहा था कि गुजराती एडिशन नवजीवन ट्रस्ट अहमदाबाद छापेगा ।

**अध्यक्ष महोदय :** बाकियों के लिये उन्होंने कहा कि जो कुछ छपवाया जायेगा वहाँ से उसमें इस बात का ध्यान रखा जायेगा कि उनका मूल्य उचित हो और आम आदमी उनको खरीद सके । मि० अल्वा ।

**Shri Joachim Alva:** In this long rigmarole, how much is expected to be devoted to youngsters under seven and children under 15 years of age?

**Shri Sham Nath:** As far as the literature meant for students is concerned, the Education Minister had answered a question put by Shri Sham Lal Saraf. He had stated in that reply what books had been published by the Education Ministry and he had also given some information with regard to the work in this connection which was being done by the Education Ministry.

**Shri Manaen:** May I know whether Government propose to undertake the publicity of Gandhian literature in languages other than the 14 national languages such as minority languages like Sindhi or Nepali.

**The Minister of Information and Broadcasting (Dr. B. Gopala Reddy):** There is no such scheme under our consideration.

**श्री सरजू पाण्डेय :** श्री माननीय मंत्री जी ने बतनाया कि हिन्दी और अंग्रेजी के अतिरिक्त गांधी साहित्य का प्रकाशन अन्य भाषाओं में भी होगा । मैं जानना चाहता हूँ कि किन किन भाषाओं में उसका प्रकाशन होगा और उर्दू में होगा या नहीं ?

**श्री शाम नाथ :** जितनी भाषाएँ कांस्टिट्यूशन में दी गई हैं उन सब में क्लेक्टिव बक्स आफ मद्रात्मा गांधी छपेंगी ।

**अध्यक्ष महोदय :** माननीय सदस्य उर्दू के लिये पूछ रहे हैं ।

**श्री शाम नाथ :** उर्दू के मुतालिक मेरे पास इस वक्त इन्फॉर्मेशन नहीं है, मैं पता लगा सकता हूँ ।

**श्रीमती चावदा :** माननीय मंत्री महोदय ने बतनाया कि नवजीवन प्रेस का ट्रस्ट से २५ किताबें गुजराती में छपेंगी, उनके आम दाम क्या हैं ?

**श्री शाम नाथ :** वह तो छपाने वाला है । अभी यह नहीं मालूम कि उन किताबों का क्या कांमत होगा ।

**Shri Sonavane:** May I know the major Indian languages in which these publications are printed and what associations other than the Navjeevan Trust are given permission to print these publications?

**Dr. B. Gopala Reddy:** We received a lot of articles and letters from the Navjeevan Trust. Therefore, we have given the Gujarati edition to them in view of the help they have rendered to us. But the publications in the State languages must be undertaken by the State Governments.

**Shri Sham Lal Saraf:** Now that the two Ministries are looking after Gandhian literature, may I know if the Government contemplate the introduction of Gandhian literature and Gandhian philosophy as subject for study in the schools and universities?

**Shri Sham Nath:** I have already stated that the Education Minister had answered this question and that was put by the hon. Member himself. If you permit Sir, I can read out . . .

**Mr. Speaker:** Not necessary.

**Shri P. Venkatasubbaiah:** May I know whether Government propose to entrust this work to the various Sahitya Akadami's instead of giving it to certain publications?

**Dr. Gopala Reddy:** Since this is a very costly programme. I think the

State Governments may entrust it to anybody they like.

#### High Protein food for Jawans

\*1071. **Dr. L. M. Singhvi:** Will the Minister of Defence be pleased to state:

(a) the stage of the Research Project for evolving high calorie and high protein foods for the Jawans in cold climate and high altitude; and

(b) whether any foreign collaboration is being sought for the purpose?

**The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah):** (a) A team of scientists has been sent to high altitude stations to study the problem of nutritional and food requirements of troops operating at high altitudes.

(b) No foreign collaboration is being sought at present.

**Dr. L. M. Singhvi:** May I know whether any complaints in regard to the deficiency of food supplied to the common soldiers have been brought to the notice of the Defence Ministry? May I know whether the Defence Minister has looked into it himself and whether the Ministry are satisfied with the quality of food that is given or any improvements are being considered?

**Shri Raghuramaiah:** The whole object of this study by this group of scientists is to find out whether the present rations given to them at various altitudes are suitable or whether any modification is required. That is the whole object of this study.

**Dr. L. M. Singhvi:** May I know whether any concentrated food in a form which is more portable than at present available has been devised or is proposed to be devised shortly?

**Shri Raghuramaiah:** It has been devised and an exhibition was held in the Defence Ministry sometime back of the dehydrated and concentrated foods for our jawans.

**Shri Banga:** May I know if Government have made any enquiries from the Japanese authorities and experts concerned whether they have in their possession any information as to the high protein food that they have themselves evolved and supplied to their armies during the second World War?

**Shri Raghuramaiah:** This committee of scientists will undoubtedly take into account all the information available.

**Shri Kapur Singh:** May I know whether this proposed food will also contain ingredients taken from animals or will it be purely vegetarian and of synthetic components?

**Shri Raghuramaiah:** It is all-comprehensive.

**Shri Bhakt Darshan:** Sir, it being considered as to what type of food is being supplied or was being supplied to the Chinese soldiers at that height, so that we may take some lessons from that?

**Shri Raghuramaiah:** The group of scientists will, no doubt, take into account the type of foods that are suitable at the altitude and the condition of those by whom it is now taken.

#### Sainik School in Assam

\*1072. **Shrimati Renuka Barkataki:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Government of Assam have accepted the proposal to set up a Sainik School in Assam; and

(b) if so, the progress made in this connection and Centre's allocation to this institution?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) The Government of Assam has accepted in principle the proposal to set up a Sainik School in that State.

(b) The Assam Government have set up a Committee to select the site

and process other matters relating to the establishment of the school. When the school is set up the Central Government, in accordance with the scheme for the Sainik Schools, will provide at their cost three service officers and institute scholarships for the children of defence services personnel.

**Shrimati Renuka Barkataki:** What will be the total expenditure on this school and what will be the share of the State?

**Shri D. R. Chavan:** I have already said that we provide three service officers of the rank of Lieutenant-Colonel, Major and Captain to work in the Sainik School as Principal, Head-Master and Registrar. The approximate cost will come to Rs. 50,000. This cost is met by us.

**Shrimati Renuka Barkataki:** What will be the share of the State?

**Shri D. R. Chavan:** The rest of the expenditure will be borne by the State.

**Shrimati Renuka Barkataki:** What is the total capacity of the school? Is it meant only for boys?

**Mr. Speaker:** The third question is being put without my consent.

**Shri D. R. Chavan:** It is only meant for boys. The total capacity will be 550.

**Shri Basumatari:** May I know whether any preference will be given to the boys of the hill districts?

**Shri D. R. Chavan:** All these schools are all-India schools where the entrance is on the basis of competition. If they come out successful in the competition, naturally, they will get admission.

**Shri P. C. Borooah:** In view of the fact that there was no Sainik School there so far, may I know what special steps are being taken by the Government to see that the school is set-up very early?

**Shri D. R. Chavan:** I have already stated the steps that are being taken

A committee has been appointed, which has selected the site and all that.

**श्री विभूति मिश्र :** ग्राम के हों छात्र इस सैनिक स्कूल में लिये जाएंगे या सारे हिन्दुस्तान के छात्रों को भा लिया जायगा ?

**प्रध्यक्ष महोदय :** यह तो बता दिया गया है ।

**Shri Suro Narain:** What steps have been taken till now and how much money has been spent?

**Mr. Speaker:** That is exactly what he has stated.

**Shri Maheswar Naik:** May I know whether Government are aware that the cost of studying in Sainik schools is very high and beyond the reach of the common man? If so, may I know what steps the Government are taking to reduce the cost so that the common man may be able to send his children to such school?

**Shri D. R. Chavan:** Government are aware of the fact that the cost of studying in such schools is beyond the reach of the poor people. But there are scholarships instituted by the State Governments and also by the Central Government, Ministry of Defence meant for poor boys on the merit-cum-means basis.

**Shri S. M. Banerjee:** Apart from the establishment of Sainik Schools, what positive steps have been taken by the Defence Ministry to improve rifle training or compulsory military training to the people of Assam?

**Mr. Speaker:** This relates to the Sainik schools.

#### Diplomatic Relations with 'KMT' Government

\*1074. **Shri P. R. Chakraverti:** Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to reports in the foreign press that Kuomintang



China will have diplomatic relations with India; and

(b) whether it is a fact that Kuomintang China has been invited to send a delegation to the forthcoming International Cotton Advisory Commission to be held in Delhi in April, 1963?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) Yes, Sir. There is no basis for these reports.

(b) Yes, Sir. Invitations have been issued on behalf of the International Cotton Advisory Committee.

**Shri P. R. Chakraverti:** May I know the attitude of the KMT Government in the face of universal condemnation of unprovoked aggression on the part of China on the Indian sub-continent?

**Shri Dinesh Singh:** That, I submit, does not arise out of this question.

**Shri P. R. Chakraverti:** May we know on how many occasions India participated in any conference where the KMT representative was there?

**Shri Dinesh Singh:** United Nations Organisation is one.

**Shri Tyagi:** Are we having trade relations with KMT China?

**Shri Dinesh Singh:** No, Sir, not that I am aware of.

**Shri Hem Barua:** Is it not a fact that our flirtations with Kuomintang China, which has also supported Communist China in her territorial claims against us, are also likely to our present diplomatic relations with Communist China, however tenuous the relations might be? May I know whether Government have taken this aspect of the problem into consideration or not, because the Deputy Minister has said that we have relations with them?

**Shri Dinesh Singh:** While sending the invitation to KMT China (Formosa), we have made it clear that this could not in any way imply

that we are giving them any recognition.

**Mr. Speaker:** Dr. Singhvi.

**Shri Tyagi:** I could not get a clarification. I had asked a question . . .

**Mr. Speaker:** It is long part since he asked his question. After that another question has been answered. Dr. Singhvi.

**Dr. L. M. Singhvi:** If the basis of recognition of any government is *de facto* existence of it, on what criteria do the Government justify the non-recognition of the KMT Government in Nationalist China?

**Shri Dinesh Singh:** That would not come within the scope of this question, I would submit.

**Shri Tyagi:** The hon. Minister said in reply that there were no trade relations with the KMT Government. What I really meant to know was: Are we having any trade with them actually and, if not, are there any possibilities of our exporting to and importing from there?

**Shri Dinesh Singh:** I said, I could not say that off-hand. This was a question about the Conference as such.

**Shri K. C. Pant:** Has the invitation been issued by the International Commission or by the host country, India?

**Shri Dinesh Singh:** By the host country, India, on behalf of the Commission.

**Situation in Laos**

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- Shri D. C. Sharma:
- Shri Hem Barua:
- Shri P. C. Borooah:
- Shri Yashpal Singh:
- Shri Bishanchander Seth:
- \*1075. Shri Kapur Singh:
- Shri Kesar Lal:
- Shri D. D. Mantri:
- Shri Ram Ratan Gupta:
- Shri Hari Vishnu Kamath.

Will the Prime Minister be pleased to state:

(a) whether Government are aware of the unsettled conditions in Laos; and

(b) if so, the steps taken by the Government of India to restore peace there?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh)** (a) Yes, Sir.

(b) India as a member and Chairman of the Commission is in constant touch with various groups in Laos and with the representatives of the Co-Chairmen, with a view to bringing about a cessation of armed conflict, and a resumption of co-operative contacts between the parties concerned in Laos.

**Shri D. C. Sharma:** May I know if the International Control Commission of which India is the Chairman has been allowed to visit the Plain of Jars which is the scene of fighting and, if so, how many times and whether it has been able to put any permanent representative here to see that the fighting does not take place?

**Shri Dinesh Singh:** Yes, Sir; the Commission has visited the Plain of Jars several times. They have been stationing teams there for various durations during the day. They are hoping to establish their presence for as long as is necessary.

**Shri D. C. Sharma:** Lord Home, the Foreign Minister of the U.K., met Comrade Gromyko, the Foreign Minister of the USSR, and they had discussions about the situation in Laos. Then a joint communique had to be issued, but there were some differences between Lord Home and Mr. Gromyko. May I know what result those differences between the British Foreign Minister and the Soviet Foreign Minister has produced on the situation in Laos and what further steps are necessary to restore peace in that troubled neutral country?

**Shri Dinesh Singh:** I could not say what it has produced but what it has not produced is the joint communique.

**Shri Hem Barua:** May I know whether the attention of Government is drawn to a recent statement made by the Laotian Ambassador at Bangkok to the effect that two battalions of Chinese troops are operating in Laos; if so, may I know whether our Government has approached Soviet Russia to restrain the Chinese from operating in Laos because there is a threat to peace in the whole of South-East Asia?

**Shri Dinesh Singh:** It is not something for our Government to take up but for the International Commission in Laos and, I am sure, they are looking into all these matters.

**Shri P. C. Borooah:** May I know whether it is a fact that the talks between the neutralist Premier Souvanna Phouma and the Pathet Lao representative have failed in arriving at an agreement on the ways to and the Plain of Jars trouble; if so, what further steps Government propose to take into the matter?

**Shri Dinesh Singh:** These negotiations are going on. They had reached one settlement some time back. Then that could not be kept and they are negotiating again.

**श्री यशपाल सिंह :** क्या सरकार इस मामले को डिफेंस मिनिस्ट्री के मातहत सीने को हैरार है जिसे कि देश निश्चित हो सके ?

**प्रद्यक्ष महोदय :** यह कैसे हो सकता है ?

**Shri Kapur Singh:** Shri Hem Barua just now asked a question which, I think, has not been directly answered. So, I will put it differently. May I know whether there is any truth in the widespread report that the present situation in Laos has been directly instigated and worsened by the participation of a certain Communist Power?

**Shri Dinesh Singh:** I am afraid we cannot make any statements in the matter as yet because India is a Chairman of this Commission and before

any report is submitted to the co-Chairman it would not be desirable for us to say anything.

**Shri Hari Vishnu Kamath:** May I know if the International Control Commission under the Chairmanship of India is really in a position to control the situation in any report of Laos, or has it become a helpless spectator of events and, if so, what steps are being taken to strengthen its position with regard to controlling the situation?

**Shri Dinesh Singh:** I do not know what the hon. Member means by Control Commission—it has had never any troops or any executive authority, but the . . .

**Shri Hari Vishnu Kamath:** Not militarily.

**Shri Dinesh Singh:** . . . whole idea of the presence of the Commission was that it would be able to give a factual report which will bring the public opinion to bear on the subject.

**Shri Joachim Alva:** Recently, the King of Laos, the assassinated Minister and other high dignitaries of Laos visited India. Did they draw the attention of the Government of India to the gravity of the situation and did they suggest any measures which may have perhaps averted this climax?

**Shri Dinesh Singh:** We discussed the Laos situation. But, if I may remind the House, the fighting has broken out after they had gone back.

**Dr. Ranen Sen:** Has the Government of India's attention been drawn to a report given by the Polish Member of the Commission to the effect that the American troops are being transported by helicopters to the Plain of Jars and as a result of that this conflict is going on inside Laos.

**Mr. Speaker:** Some conflict is detected here also.

**Shri Dinesh Singh:** I am not aware of the report given by the Polish Member. He might have made some complaints on private remarks.

## योजना आयोग का पुनर्गठन

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\*१०७६. श्री सिद्धेश्वर प्रसाद :  
श्री हरिविष्णु माथुर :

क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि योजना आयोग को अधिक कार्यसाधक बनाने के लिये पुनर्गठित किया जा रहा है ; और

(ख) यदि हाँ, तो प्रस्तावित पुनर्गठन की मुख्य बातें क्या हैं ?

**The Deputy Minister in the Ministry of Labour & Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). The staff position and arrangements in relation to work in the Planning Commission are reviewed from time to time. Such a review was undertaken in the current month and is still in progress.

[(क) और (ख). योजना आयोग में काम के अनुसार, स्टाफ की स्थिति और प्रबन्ध के सम्बन्ध में समय समय पर पुनर्विचार किया जाता है। चालू महीने में ऐसा एक पुनर्विचार हाथ में लिया गया है और यह काम अभी चल रहा है।]

**श्री सिद्धेश्वर प्रसाद :** क्या माननीय मंत्री जी बताने की कृपा करेंगे कि प्लानिंग कमीशन को मोर इफीशेंट बनाने की दृष्टि से अभी उसमें जो क्लास १, क्लास २, क्लास ३ और क्लास ४ आफिसर्स हैं, उनमें रिआरगेनाइजेशन के फलस्वरूप कितने आफिसर्स को कम करने के लिए कदम उठाये जा रहे हैं, और परिवर्तन के बाद उनकी संख्या क्या होगी ?

**योजना तथा श्रम और रोजगार मंत्री (श्री नन्दा):** इसमें क्लास १, आंग क्लास २ आदि का सवाल नहीं है। प्लानिंग कमिशन किस प्रकार ज्यादा अच्छी तरह काम कर सके इस पर बतन फवक्तन विचार होता है,

और इस वक्त इस सवाल को इस दृष्टि से देखा जा रहा है कि इसके काम में कितनी इकानमी की जा सकती है।

**श्री सिद्धेश्वर प्रसाद :** क्या मंत्री महोदय बतलाएंगे कि प्लानिंग कमीशन में इस समय कितने गजटेड आफिसर्स हैं और क्लास ३ और क्लास ४ आफिसर्स की संख्या क्या है और रिआरगेनाइजेशन के बाद क्या पोजीशन होगी ?

**Shri Tyagi:** What is the present strength?

**Shri C. R. Pattabhi Raman:** I am sorry I did not catch the latter portion of the question.

**अध्यक्ष महोदय :** वह कहते हैं कि मैंने सवाल नहीं समझा।

**The Minister of Planning and Labour and Employment. (Shri Nanda):** I shall give the information—265 gazetted staff; 593 non-gazetted staff.

**श्री सिद्धेश्वर प्रसाद :** मैंने यह भी पूछा था कि रिआरगेनाइजेशन के बाद क्या अवस्था होगी ?

**Shri Tyagi:** How many peons?

**Shri Nanda:** The number of Class IV is 253 in all . . . (Interruption) May I complete the answer?

**Mr. Speaker:** That is exactly what I have requested hon. Ministers so many times, that when they are answering the questions, or any supplementaries particularly, of any hon. Member, they should look to me also whether I have allowed it or not. Straight questioning and answering goes on even after I disallow that.

**Shri Nath Pai:** Is it a fact that, with a view to increasing the efficiency of the Planning Commission and to remove misapprehensions that it is a recruiting ground for superannuated politicians, the Government is serious-

ly planning to reduce the number of politician-Members and substitute them by experts like economists and engineers?

**Shri Nanda:** In the composition of the Planning Commission, every care has been taken that it is such as to meet the needs of the work and the duties of the Planning Commission. Any reflection that may be intended is wholly unwarranted.

**Shri Nath Pai:** There is no reflection.

**Dr. K. L. Rao:** May I know the percentage of increase in the cost of staff and the number of staff during the last five years?

**Shri Nanda:** I can get the information.

**Shri Ramanathan Chettiar:** May I know whether there are part-time members apart from the permanent members of the Planning Commission and if so, how many permanent members and how many part-time members in the Planning Commission?

**Shri Nanda:** There is no question of part-time members. There are some Ministers who are Members who have their other duties.

**Shri Nath Pai:** Some ex-Ministers also?

**Shri Nanda:** No.

**Shri Morarka:** Is it suggested to the Planning Commission as part of re-organisation that it should address itself to the task of planning and not take upon itself the responsibility of execution of the plan projects?

**Shri Nanda:** It does not undertake execution of the plan projects.

#### Emergency Commissions

\*1077. **Shri Yashpal Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the staff of the Police of Uttar Pradesh have to submit their resignations before applying for Emergency Commissions;

(b) whether it is contrary to the direction issued in this respect; and

(c) if so, the steps taken to have that order withdrawn?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) Police officers of Uttar Pradesh have to resign from their posts before joining pre-Commission training for grant of Emergency Commissions.

(b) This is a matter within the jurisdiction of the State Government.

(c) An approach has been made to the State Government to review the position.

**श्री यशपाल सिंह :** क्या यह सही है कि इस गलत नीति के कारण सैरुडों नौजवानों के कैरियर खराब हो चुके हैं ?

**श्री बा० रा० चाव्हाण :** यह तो सही नहीं है !

**श्री यशपाल सिंह :** क्या मेरी सूचना को सही मान कर सरकार इस पर कदम उठायेगी ? जब कि हजारों नौजवान पुलिस में सरविस करने को तैयार हैं, क्या कारण है कि उनको इमरजेंसी कमिशन के अन्दर मौका नहीं दिया जा रहा है ?

**अध्यक्ष महोदय :** उन्होंने कहा कि हमने स्टेट गवर्नमेंट को लिखा है ।

**Shri Kapur Singh:** I beg to point out that part (a) of the question has not been properly answered. The question was whether the police staff of U.P. have to submit their resignations before applying for emergency commissions. The answer is that they have to do so before joining.

**Mr. Speaker:** Not applying?

**Shri D. R. Chavan:** I shall make the position clear. There have been three Sub-inspectors of police force of U.P. They had applied for the grant of emergency Commission. They were interviewed by the S.S. Board and they were selected. Permission was not granted. As a result of it, one officer submitted his resignation and joined the training.

**Shri Ranga:** Will the Government take steps to see that this disability is removed and may I know whether this particular disability applies to the police officers of any other State?

**Shri D. R. Chavan:** We have written to the State Government of U.P. to reconsider the decision that they have taken imposing a general ban on the employees of the State Police Force. So far, we have not received any reply from them. As regards the second part of the question, for the time being, I have not got that information.

**Dr. L. M. Singhvi:** When was this anomalous disincentive to defence recruitment first brought to the notice of the Union Government and since then how many stages has this undergone for securing rectification?

**Shri D. R. Chavan:** It was brought only recently to our notice.

**Dr. L. M. Singhvi:** Before this question or only with this question?

**Shri D. R. Chavan:** Before this question, it was brought to our notice.

#### Education Programme for NEFA

\*1078. **Shri P. C. Borooah:** Will the Prime Minister be pleased to state:

(a) whether Government have of late sanctioned an education programme for NEFA to meet the Chinese threat of ideological infiltration; and

(b) if so, the salient features of the scheme?

**The Parliamentary Secretary to the Minister of External Affairs (Shri D. Ering):** (a) The educational programme in NEFA has been intensified recently. It has always sought to foster an awareness and pride in the heritage of India. The behaviour of students in NEFA during the Chinese aggression vindicated this policy which is now being strengthened.

(b) 26 schools with 30 teachers and an enrolment of 1,124 students have

recently been opened. NEFA now has a total of 6 High Schools, 20 Middle Schools, 159 Primary Schools, and 4 Nursery Schools as against 2 Primary Schools only at the time of Independence.

Targets for 1963-64 include 2 more High Schools, 6 Middle Schools and 27 Junior Basic Primary or Nursery Schools.

There has also been intensive training of NEFA tribal teachers, who now number 133 out of a total teaching cadre of 641.

The National Anthem is sung every morning in NEFA schools and the recited morning prayer includes references to the students' brotherhood with all the people of India. A text book on Mahatma Gandhi has been translated into tribal dialects. Lessons includes talks on India, its Constitution and its great historical leaders. National Days are celebrated with enthusiasm, and the NCC programme has been extended to High Schools. Students have already voluntarily contributed towards the National Defence Fund and several college students have applied for Emergency Commissions.

**Mr. Speaker:** I would request that such long statements in answer might be placed in the form of a statement on the Table of the House.

**Shri P. C. Borooah:** In order to meet the ideological challenge of the Chinese and to strengthen the ties of the different tribes inhabiting NEFA with the people of nearby place, have Government got any proposal for re-orientation of the educational policy by co-ordinating education in NEFA with that of Assam, and if so, in what manner?

**Shri D. Ering:** As I have just stated, our policy in NEFA is to rely on sound educational training, fostering by personal contact and teaching a sense of pride among the students in citizenship of India. This is considered better than any political indoctrination or ideological teaching. As I stated, re-

cently 26 schools with 30 teachers and an enrolment of 1,124 students have recently been opened. This is in addition to the schools already there.

**Shri P. C. Borooah:** Is it a fact that there are some instances where the Assamese language has been discouraged? If so, has this resulted in a new demand from the NEFA people for English to be taught there?

**Shri D. Ering:** This is not correct, but the NEFA people want mostly Hindi and English since Assam is a neighbour State and definitely, even without learning Assamese as such in that way, they have to learn it and they have been learning it. In the primary stage the mother tongue is the medium. In other classes, Hindi is also one subject and then there is Assamese. In some schools, in M. E. Assamese is the medium of instruction now.

**Shri Basumatari:** May I know what is the area where students are demanding Assamese to be the medium of instruction and where they feel that Hindi is too far away and is a sort of imposition?

**Shri D. Ering:** As I stated, our NEFA people prefer Hindi and English. They do not definitely want to say that they do not want Assamese, but they want English and Hindi more.

**Shri Hem Barua:** May I know if Government are aware of the fact that during the last ten years NEFA boys and girls have been taken to China for education in the People's Institute for Minorities in Peking, and then sent back to NEFA with obvious purposes; if so, may I know whether Government have taken any steps, besides trying to meet this ideological infiltration through education, to physically prevent NEFA boys and girls from going to China for education?

**Shri D. Ering:** So far we have not heard anything about this.

**Shri Hem Barua:** We could not hear the answer.

**Mr. Speaker:** So far Government has not done anything in that respect.

**Shri Hem Barua:** Are we to understand that our NEFA boys and girls will continue to go to Peking for education to the detriment of this country?

**Mr. Speaker:** He put the question. The answer has come. Does he want me now to enlighten him?

Next question.

**Shri Hari Vishnu Kamath:** May I request you to let me put Question No. 1080 first and Question No. 1078-A later?

**Shri Hem Barua:** Do they propose to take any steps?

**Mr. Speaker:** I have passed on to the next question.

**Shri Hem Barua:** The Minister of State is there. She can help him.

**Mr. Speaker:** I have gone to the next question. He should have repeated it at once.

**Shri Dinesh Singh:** The answer to the next question is also a little long, but in view of the nature of the question, I hope you will bear with me.

**Shri Tyagi:** There is a question on Indian Navy which is of national importance. I think that should be taken up first.

**General Elections in Eastern U.P. in 1962**

1078-A. { **Shri Hari Vishnu Kamath:**  
**Shri Surendranath Dwivedy:**

Will the Prime Minister be pleased to refer to the cyclostyled Debate of Lok Sabha dated the 11th April, 1963 (pp. 12031 and 33) wherein an allegation was made that American money was spent during the 1962 General Elections in a constituency of Eastern U.P. and state:

(a) whether the said allegation has been inquired into; and

484 (Ai) LSD—2.

(b) if so, the results thereof?

**The Deputy Minister in the Ministry of External Affairs (Shri Dinesh Singh):** (a) and (b). The Prime Minister has seen the report of Shri Bishwa Nath Roy's speech in the Lok Sabha on the 11th April, 1963.

In May, 1962, Shri S. N. Dwivedy drew the Prime Minister's attention to certain allegations made in a weekly paper in which it was stated that Shri Bishwa Nath Roy, M.P. from Deoria, U.P. had said that a certain foreign lady had spent a number of days in his constituency and had spent a considerable sum of money there. The Prime Minister referred this matter to Shri Bishwa Nath Roy soon after. In his reply he told the Prime Minister that a foreign lady was seen repeatedly moving about his constituency during the General Election. Subsequently after the election, a friend of his told him that he had met the lady in question and that she had told him that she had spent about Rs. 60,000/- in that constituency. He believed what his friend had told him.

The Prime Minister tried to enquire into this matter then, but he could not get any confirmation of Shri Bishwa Nath Roy's statements. The lady in question had left India by that time.

After Shri Bishwa Nath Roy's speech in the Lok Sabha, Shri S. N. Dwivedy again drew the Prime Minister's attention to what he had said. The Prime Minister referred this matter again to Shri Bishwa Nath Roy who in his reply repeated that in his knowledge a certain foreign lady had spent money in his constituency and that he was informed by a reliable friend that the lady had said that she had spent about Rs. 60,000/- in the constituency. No names were mentioned.

In his recent speech in the Lok Sabha, Shri Bishwa Nath Roy also did not mention any names though it is possible to draw inferences from

what he said. It has not been possible to substantiate or disprove what he had said.

The Prime Minister regrets that any charges should be made in Parliament or elsewhere without some kind of definite proof to support them.

### छावनी अधिनियम

\*१०७६. श्री प्रकाश वीर शास्त्री :  
श्री काशी राम गुप्त :

क्या प्रतिरक्षा मंत्री ४ सितम्बर, १९६१ के तारांकित प्रश्न संख्या ११९७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) छावनी अधिनियम में संशोधन करने के सम्बन्ध में और आगे क्या प्रगति हुई है ; और

(ख) काम के कब तक पूरा होने की आशा है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चाव्हाण) : (क) १५० प्रस्तावित संशोधनों में से १४५ की जांच सम्पूर्ण हो चुकी है ।

(ख) चूंकि व्यापक संशोधन उलझे हुए हैं और उनके लिए नगर पालिका नियमों का विस्तृत तथा क्रमबद्ध अध्ययन आवश्यक है, अभी उस कार्य को सम्पूर्ण कर पाना सम्भव नहीं हो पाया । वर्तमान आपातीकाल में प्रस्तावित व्यापक विधेयक पर आगे विचार करना स्थगित कर दिया गया है ।

श्री का० रा० गुप्त : वर्तमान संकट-कालीन स्थिति में एक को जो नहीं लाया जा रहा है, उसके कारण क्या यह सच नहीं है कि बहुत से पत्र प्रतिरक्षा मंत्रालय में आते हैं और बहुत देरी तक उनके बारे में कोई निर्णय नहीं हो पाता है और वे पड़े रहते हैं ।

Shri D. B. Chavan: That is not correct.

12 hrs.

RE: Q. NO. 1080

Mr. Speaker: Hon. Members want that question No. 1080 should be answered . . .

Shri Hari Vishnu Kamath: . . . in the national interest.

Mr. Speaker: If the hon. Minister wants to answer it, he may do so.

### Strengthening of Indian Navy

\*1080. Shri Hari Vishnu Kamath: Will the Minister of Defence be pleased to refer to the points raised during the statement made in response to Call Attention Notice on the 18th April, 1963 and state:

(a) whether the Indian Navy is equipped with high speed sea-craft to track and pursue unidentifiable vessels whose movements are suspicious;

(c) if not, whether Government propose to manufacture or acquire such sea-craft and otherwise also strengthen the Navy; if so, the details thereof; and

(d) whether Government are aware of China's plan to reach the Bay of Bengal and the Indian Ocean?

The Minister of Defence (Shri Y. B. Chavan): (a) and (b). Indian Navy possesses a few fast ships. Aircraft of the Aircraft Carrier Vikrant are also capable of tracking and pursuing suspicious vessels. Proposals for the indigenous construction of more high speed Naval ships have been under consideration of the Government. It is not in the public interest to disclose the details on the floor of the House.

(c) Government are aware that the Chinese Navy has the capacity of operating some of its submarines and other craft in the Bay of Bengal and Indian Ocean.

Shri Hari Vishnu Kamath: Is the Government aware of Lenin's dictum



that the way to Paris lies through Peking and Calcutta and now that Peking has fallen, Calcutta may be the next in their menu and if so what steps are being taken by Government to counter any such possible move?

**Shri Y. B. Chavan:** It is rather too general a question.

**Shri Hari Vishnu Kamath:** Has the Government received any report to the effect that China is seeking naval bases in Indonesian waters as part of its strategy and drive towards conquest of Asia and South-East Asia in particular?

*No answer was given*

**Shri Hari Vishnu Kamath:** Sir, why is no answer forthcoming?

**Mr. Speaker:** Probably it is not in the public interest.

**Shri Tyagi:** Why is it that despite persistent demand from all corners of the House Government is hesitating to acquire sufficient number of submarines and now, in view of China's threat particularly, may I know if the Government have clarified their policy with regard to the acquisition of submarines?

**Shri Y. B. Chavan:** I can certainly make a statement that the Naval Headquarters has started consideration of the proposal and Government have also asked them to prepare proposals about that. Certainly they will be expedited. By the new nature of things it will take a long time.

#### SHORT NOTICE QUESTION

##### AIR CRASH NEAR JAMNAGAR

**S.N.Q. 9. Shri Joachim Alva:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a Pilot Officer crashed with his plane at Jamnagar on the 20th April, 1963; and

(b) if so, the causes of the accident?

**The Minister of Defence (Shri Y. B. Chavan):** (a) Yes, Sir.

(b) In accordance with the rules, a Court of Inquiry has been ordered to investigate the cause of the accident. Full details in this regard will be known when the proceedings of the Court of Inquiry are finalised.

**Shri Joachim Alva:** Is the hon. Minister aware of the two crashes during the last few weeks, one at Udampur involving Flight Officer Jamalpur and the other was at Orissa? Are these crashes due to any defect in the planes or due to faulty trainers or instructors?

**Shri Y. B. Chavan:** It is rather difficult to give an answer to this because all these things will depend upon the court of enquiry's decision and conclusions.

**Shri Joachim Alva:** Is the hon. Minister aware that when pilots crash either in the Air India or the Indian Airlines Corporation, their families are paid a high rate of compensation? In view of the fact that our young pilots make great sacrifices, will the Ministry give their relatives and dependents fairly good compensation?

**Shri Y. B. Chavan:** There is a scheme called Dependents' Pension, and it is normally given under certain conditions.

#### WRITTEN ANSWERS TO QUESTIONS

##### Film on Removal of Untouchability

\*1073. **Shri Daljit Singh:** Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 419 on the 9th August, 1962 and state the progress made in the production of a film on the removal of untouchability?

**The Minister of Information and Broadcasting (Dr. B. Gopala Reddy):** The revised script submitted by the producer in November, 1962 has not been considered suitable and he has been asked to prepare another script on the lines indicated to him.

**Shorter National Anthem on A.I.R.**

- \*1081. { Shri D. C. Sharma:  
           { Shri Onkarlal Berwa:  
           { Shri Hari Vishnu Kamath:  
           { Shri Yashpal Singh:  
           { Shri E. Madhusudan Rao:

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

(a) whether it has been decided to play shorter national anthem on the A.I.R.; and

(b) if so, the reasons therefor?

**The Minister of Information and Broadcasting (Dr. B. Gopala Reddi):**

(a) No, Sir.

(b) Does not arise.

**Prohibition**

- \*1082. { Shri P. C. Borooah:  
           { Shri Ram Harkh Yadav:  
           { Shri A. V. Raghavan:  
           { Shri Pottekkatt:  
           { Shri Vasudevan Nair:  
           { Shri P. R. Chakraverti:  
           { Shri D. C. Sharma:

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

(a) whether Government have appointed a Commission to study how far prohibition has evoked public enthusiasm; and

(b) if so, the precise terms of reference of the Commission?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) Government are appointing a Study Team to assess the magnitude of illicit practices both in dry and wet areas of the country, to suggest practical measures for improvement in enforcement and to study the financial aspects of prohibition.

(b) A statement giving the terms of reference is placed on the Table of

the House. [Placed in the Library. See No. LT-1245/63].

**New Ordnance Factories**

- \*1083. { Shri P. R. Chakraverti:  
           { Shri S. M. Banerjee:  
           { Shri Sidheswar Prasad:

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

(a) whether Government have finalised the selection of sites for new ordnance factories to be set up with technical and mechanical collaboration of U.S.A. and U. K. and if so, their location;

(b) whether administrative changes in the production wing have been made to speed up the setting up of these new factories; and

(c) whether a new office of the Controller-General of Inspection and Planning has been created to take up the development work?

**The Minister of Defence Production in the Ministry of Defence (Shri K. Raghuramaiah):** (a) Yes, Sir. Sites for new Ordnance Factories have been finalised. It is, however, not in public interest to disclose the locations of Ordnance Factories, at present.

(b) Yes, Sir. A Factory Planning Cell has been set up in the Defence Production Organisation to speed up the setting up of these new factories.

(c) Yes, Sir.

**Release of P. O. Ws. By Chinese**

- \*1084. { Shri Hari Vishnu Kamath:  
           { Shri Mohan Swarup:  
           { Dr. L. M. Singhvi:  
           { Shri Yashpal Singh:  
           { Shri P. C. Borooah:  
           { Shri Ram Harkh Yadav:

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

(a) whether the Indian Red Cross has informed the Chinese authorities of its inability to receive the prisoners of war as soon as they are released;

(b) if so, the reasons for such inability; and

(c) what arrangements are being made by Government for receiving the released prisoners without delay?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**

(a) It is only with reference to one particular batch of prisoners that the Indian Red Cross has had to request the Chinese Red Cross to postpone the date of release as they were not in a position to receive them on the original date notified by the Chinese Red Cross.

(b) and (c). The particular batch consisting of 469 prisoners is due to be released at Bum La. The Chinese originally proposed to release them on the 15th April, 1963 but it has not been possible to make arrangements for the Indian Red Cross to take them over at Bum La on that date because the route to Bum La on the Indian side was heavily laden with snow and had to be cleared sufficiently to enable movement of personnel. The work of clearing the route has been taken on high priority. It is estimated that it would be possible to clear the snow sufficiently and to take over personnel at Bum La by the 1st May, 1963. The Chinese authorities have been informed accordingly and they have agreed to deliver our personnel on the 1st May, 1963.

#### Employees' State Insurance Scheme

\*1036. { Shri D. C. Sharma:  
Shrimati Savitri Nigam:  
Shri Maheswar Naik:  
Shri Dinen Bhattacharya:

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

(a) whether a proposal to set up hospitals under the Employees' State Insurance Scheme at Hyderabad, Sir-

pur-Kagaznagar in Andhra Pradesh, Asraman and Dandeli in Mysore State and Amritsar in Punjab is under consideration; and

(b) if so, the details thereof?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Ramau)**

(a) Yes.

(b) A statement giving the details is laid on the table of the House. [Placed in the Library, See No. LT-1246/63].

#### वर्धा में प्रतिरक्षा कारखाने

२४१४. श्री सिद्धेश्वर प्रसाद : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि .

(क) क्या यह सच है कि प्रतिरक्षा-सामग्री के उत्पादन के लिये वर्धा में दो कारखाने खोलने का निश्चय किया गया है ;

(ख) क्या इन कारखानों के लिये विदेशी सहायता अपेक्षित है, यदि हां, तो किस रूप में ; और

(ग) इन कारखानों में किस सामग्री का उत्पादन कितनी मात्रा में होगा ?

**प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री रघुरामय्या) :** (क) प्रतिरक्षा साज-सामान के निर्माण के लिये कई कारखाने स्थापित किये जा रहे हैं। इन कारखानों के स्थान प्रकट करना लोक-हित में नहीं है।

(ख) जी, हां। मशीनरी और प्लांट जुटाने के लिये तथा तकनीकी सहायता के लिए भी यथा आवश्यकता तथा प्राप्य, विदेशी सहायता लेने का विचार है।

(ग) इन कारखानों में शस्त्रों तथा गोली बारूद की मर्दों का निर्माण करने की परियोजना है। साज-सामान की किस्मों तथा राशियों के विषय में विस्तार प्रकट करना लोक-हित में नहीं है।

**Air Accidents in NEFA**

2415. { Shri Ulaka:  
Shri Dhuleshwar Meena:

Will the Prime Minister be pleased to state:

(a) the number of aircraft accidents in NEFA during 1962-63; and

(b) the causes of the accidents?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):**

(a) There was one civil aircraft accident in NEFA during 1962-63. A Kalinga Airlines supply-dropping Dakota crashed near Sela on 21st September, 1962. All three aircrew and five ejection crew were killed.

(b) The crash was investigated by the Directorate General of Civil Aviation. It appears to have been due to turbulent weather at the end of the supply dropping circuit.

**Passports for U.K.**

2416. { Shri Ulaka:  
Shri Dhuleshwar Meena:

Will the Prime Minister be pleased to state:

(a) the number of passports issued for U.K. since June, 1962 to date;

(b) the number of applications received and the number entertained during the same period; and

(c) how many of them were rejected during the same period?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) 17,736 passports have been issued for the U.K. during the period June 1, 1962, to April 15, 1963.

(b) 20,778 applications for passport facilities for the U.K. were received, of which 17,736 were entertained.

(c) 1,262.

**Transmitter at Jeypore in Orissa**

2417. Shri Ulaka: Will the Minister of Information and Broadcasting be pleased to refer to the reply given to Unstarred Question No. 1593 on the 8th April, 1963 and state:

(a) the reasons as to why Government have changed their earlier decision to instal 20 Kw. medium wave transmitter at Jeypore in Koraput District (Orissa) and have decided to instal instead a 10 Kw. medium wave transmitter there; and

(b) when the construction of building for the remaining 10 Kw. medium wave transmitter at Jeypore in Koraput district would be completed?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Due to national emergency it became necessary to divert some equipment to new installations to cater to the urgent needs of border areas.

(b) By about July 1963.

**Technical Persons registered in Orissa**

2418. Shri Ulaka: Will the Minister of Labour and Employment be pleased to state:

(a) the number of technical persons registered in various employment exchanges in Orissa during 1961-62 and 1962-63; and

(b) the number of persons out of them provided with employment assistance during the same period so far?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) The information is not available.

(b) April, 1961—March, 1962 .. 2,627.  
April, 1962—December, 1962 .. 1,718.

**Distribution of Radio Sets in Maharashtra**

2420. Shri D. S. Patil: Will the Minister of Information and Broadcasting be pleased to state:

(a) the target fixed for providing radio sets in the rural areas of Maha-

rashtra during the Third Plan period; and

(b) the number of radio sets given to the State by the end of December, 1962?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Between 4000 and 5000.

(b) The total number of sets supplied to this State till 31st December, 1962 is 6756, including 5696 supplied during the First and Second Plan Periods. 975 sets allotted for 1962-63 will be supplied shortly.

#### Local Development Works

**2421. Shri D. S. Patil:** Will the Minister of Planning be pleased to state:

(a) the total amount allocated to Maharashtra for the local development works during 1962-63; and

(b) the amount utilised by the State during the period?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). A sum of Rs. 39 lakhs was intimated as the allocation for Maharashtra State under the Local Development Works Programme for 1962-63. The State Government had reported the actual expenditure from April 1962 to December 1962 as Rs. 37.00 lakhs and anticipated expenditure for January to March 1963 as Rs. 18.00 lakhs. An *ad-hoc* grant of Rs. 44.45 lakhs was released for 1962-63 and necessary adjustments will be made on receipt of the actual expenditure figures for the entire year. Since the financial year has closed only on 31st March, it will take some time to collect final figures regarding actual expenditure from the districts.

#### Persons registered in Maharashtra

**2422. Shri D. S. Patil:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of persons—graduates and under-graduates—registered during 1962-63 in various employment exchanges in Maharashtra;

(b) the number of persons provided with employment during the same period; and

(c) the number of Scheduled Castes and Scheduled Tribes persons provided with employment during the period?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b).

Category	Number registered during April-December, 1962	Number placed in employment during April-December, 1962
1	2	3
Graduates	7,555	1,049
Under-graduates (including Matriculates)	71,417	8,990

(c) The information is not available.

#### I.A.F. Pilots

**2423. Shri D. S. Patil:** Will the Minister of Defence be pleased to state:

(a) whether applications were invited from male Indian citizens for commissioning in the General Duties (Pilots) Branch of the Indian Air Force; and

(b) if so, how many applications were received, how many persons were called for interview and how many selected up to date?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) Yes.

(b) In response to the advertisement released to the press in December, 1962, 29870 applications were received. Upto 13th April 1963, 3918 candidates have been called for interview and tests. Candidates found suitable and medically fit were finally selected. It would not be in the public interest to disclose their number.

**Emergency Commissioned Officers**

2424. **Shri Reddiar:** Will the Minister of Defence be pleased to state:

(a) whether Emergency Commissioned Officers will be entitled to the benefits of Pension, Provident Fund and Gratuity; and

(b) if so, the rates thereof?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) and (b). Emergency Commissioned Officers are, under orders issued in 1955, entitled to disability pensions when they contract a disability due to cause attributable to service. The disability pension varies with the rank of an officer and the degree of disablement. This ranges from Rs. 45.00 p.m. for a Subaltern with the minimum degree of disability to Rs. 336.25 for a Lt.-Col. with maximum disability. The widow of an officer is also entitled to a Special family pension, should the officer die in conditions which are attributable to military service. The rate of pension depends on the rank of the officer. It ranges from Rs. 150.00 p.m. for a Subaltern to Rs. 220.00 p.m. for a Lt.-Col.

On release, an emergency commissioned officer is entitled to a terminal gratuity of Rs. 750.00 for each year of commissioned service.

Revision of these terminal benefits is being considered.

These officers are entitled to contribute to the Defence Services Officers Provident Fund in the same manner as Regular Commissioned officers.

**Plan Projects**

2425. **Shri Rameshwar Tantia:** Will the Minister of Planning be pleased to state:

(a) in view of the present emergency, what progress has been made towards the fulfilment of the revised plan priority projects; and

(b) whether any further changes are likely to be made in the Plan

projects apart from those already brought about?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) and (b). In view of the emergency, some reorientation of the plan was called for, requiring strengthening in some directions, rephrasing or deferment of less important schemes and application of rigorous economies in expenditure. No major changes are likely to be made in the plan projects already approved for 1963-64 except some marginal changes here and there and in the direction of accelerating programmes of the high-priority.

**पाकिस्तानी राष्ट्रजनों द्वारा उकँतियां**

२४२६. { श्री रघुनाथ सिंह :  
श्री प्रकाश बोर शास्त्री :  
श्री जगदेव सिंह सिद्धान्ती :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि गत तीन मास में पाकिस्तानी राष्ट्रजनों ने पूर्वी पाकिस्तान से भारतीय क्षेत्र में घुस कर कितनी उकँतियां कीं ?

प्रधान मंत्री तथा वैदेशिक-कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : इस बारे में सूचना इकट्ठी की जा रही है और जितनी जल्दी हो सकेगा सदन की मेज पर रख दी जाएगी ।

**नाल हवाई अड्डा**

२४२७. { श्री प० ला० बाळुपाल :  
श्री हेम राज :  
श्री नवल प्रभाकर :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान में बीकानेर जिले के नाल हवाई अड्डे के पुनर्निर्माण में कितना रुपया खर्च किया जायेगा ;

(ख) क्या सरकार को विदित है कि स्थानीय समाचार पत्रों में इस आशय की

खबरें छपी हैं कि नाल हवाई अड्डे में काम आने वाला सीमेंट चोर बाजारी में बेचा जा रहा है ; और

(ग) यदि नहीं, तो क्या सरकार इस मामले की जांच करायेगी ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चव्हाण) : (क) सूचना प्रकट करना लोक-हित में नहीं है ।

(ख) और (ग). जो, हां । आरोप का जांच की जा रही है ।

#### Mr. Ali Sabry's Visit to India

2428. Shri D. C. Sharma: Will the Prime Minister be pleased to state:

(a) whether Mr. Aly Sabry, Chairman of the United Arab Republic Executive Council will visit New Delhi towards the end of April; and

(b) if so, the purpose of the visit?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) Mr. Aly Sabry, Chairman of the Executive Council of the United Arab Republic visited New Delhi from 26th to 28th April, 1963 as guest of the Government of India.

(b) During Mr. Aly Sabry's stay here opportunity was taken to discuss matters of mutual interest.

#### Haj Pilgrims From Kerala

2429. Shri Koya: Will the Prime Minister be pleased to state:

(a) whether our Embassy in Jeddah received any complaint from Haj pilgrims of Kerala to the effect that they were put to much hardship as the number of Moallims allotted to them were only two; and

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

**The Prime Minister and Minister of External Affairs and Minister of**

**Atomic Energy (Shri Jawaharlal Nehru):** (a) Yes.

(b) The Indian Embassy at Jeddah made necessary enquiries but found that the complaints could not be established. Therefore, no reference to the Saudi Arabian Government was considered necessary.

#### Trespassing into Tripura by Pakistanis

2430. Shri Hari Vishnu Kamath: Will the Prime Minister be pleased to state:

(a) whether cases of arson by Pakistanis trespassing into Tripura have been reported recently; and

(b) if so, the details thereof?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) and (b). The following two cases of arson committed by Pakistanis, after trespassing into Tripura, have been reported in course of the last three months:—

(1) On the night of 19/20th February, 1963, about 20/30 Pakistani nationals trespassed at Anandapur Colony, P.S. Kalamchura and set fire to three houses of Indian nationals causing loss to properties valued over Rs. 500/-.

(2) On the night of 4/5th March 1963, about 15/16 Pakistani nationals trespassed at Anandapur Colony and set fire to thirteen houses of Indian nationals causing a loss of properties worth about Rs. 1600/-.

Protests have been lodged with the Government of East Pakistan about the crimes committed by Pakistani nationals and demanding payment of compensation.

#### Gifts for Jawans

2431. Shri Subodh Hansda: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that various gifts sent by the public for the

Jawans in the forward areas were not actually received by them;

(b) whether most of these gifts were sold in the market of Calcutta some time back; and

(c) if so, who is responsible for this and whether anybody has been arrested so far?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**

(a) No, Sir. Specific instruction have been issued for the speedy and equitable distribution of gifts bearing in mind the requirements of the troops serving in different areas. Gifts are being received regularly by troops in the forward areas.

(b) No specific instance of this has come to the notice of Government.

(c) Does not arise.

### बोमडीला में अस्पताल

२४३२. श्री भक्त वरुण : क्या प्रधान मंत्री २५ फरवरी, १९६३ के अतारकित प्रश्न संख्या १५२ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) बोमडीला के अस्पताल में कितने मूल्य की दवाइयां व अन्य सामान ग्राह भेजा गया ; और

(ख) कितने मूल्य का सामान उस अस्पताल से चीनी सेनायें उठा ले गयीं ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहर लाल नेहरू) : (क) बोमडीला में फिर से प्रशासन स्थापित हो जाने के बाद से २८,८२५ रुपये के मूल्य का सामान भेजा जा चुका है ; और सामान का इन्तजाम किया जा रहा है।

(ख) १,१०,००० रुपये का।

### Progress of Third Plan

2433. **Shri Eswara Reddy:** Will the Minister of Planning be pleased to state when the review of the progress

of Third Plan during 1962-63 will be published?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** State Governments/Central Ministries have been requested to send the requisite data by the middle of May, 1963. The report will be presented to the Parliament at the next session.

### Missing Officers of Rajasthan Armed Constabulary

2434. **Shri P. R. Chakraverti:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that two missing Police Officers, Rao Bhoor Singh Bhath of Barsalpur and Dhan Singh, Platoon Commander of the Rajasthan Armed Constabulary have been located in Pakistan;

(b) whether they had been the victim of a trap laid by Indian dacoits sheltering in Pakistan; and

(c) whether they have been set free and restored to their working Centres?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) to (c). Thakur Bhoor Singh, an Indian national of Barsalpur and Shri Dhan Singh, a Platoon Commander of the Rajasthan Armed Constabulary, were deceitfully trapped, on the 11th March, 1963, by some Indian dacoits operating on the Rajasthan-West Pakistan border. They were carried away to Pakistan territory where the dacoits were chased by the Pakistan Rangers. While being chased, the dacoits shot dead Thakur Bhoor Singh, whose dead body was recovered and brought to Bikaner. The Rajasthan Armed Constabulary Platoon Commander has been rescued by the Pakistan Rangers, who have given the assurance to hand him over to the Rajasthan Police as soon as the formalities are completed.



भाकाशवाणी से हिन्दी समाचार बुलेटिन

२४३५. { श्री भक्त वर्शन :  
श्री भागवत ज्ञा आजाद :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भाकाशवाणी के दिल्ली केन्द्र से समय समय पर जो समाचार बुलेटिन प्रसारित किये जाते हैं वे अन्य केन्द्रों से पूरे के पूरे प्रसारित नहीं किये जाते हैं ; और

(ख) यदि हां, तो देश भर के सब केन्द्रों से हिन्दी समाचार बुलेटिन नियमित व समान रूप से प्रसारित करने के लिये क्या कार्यवाही की जा रही है ?

**सूचना और प्रसारण मंत्रालय में उप मंत्री (श्री शाम नाथ) :** (क) रांची और शिमला के सिवाये हिन्दी भाषी क्षेत्रों में स्थित अन्य सभी केन्द्र हिन्दी के चारों बुलेटिन प्रसारित करते हैं। शिमला से तीन बुलेटिन रिले होते हैं। और रांची से दो। बम्बई, श्रीनगर और पंजिम को छोड़ कर हिन्दीतर क्षेत्रों के केन्द्र हिन्दी का एक बुलेटिन रिले करते हैं, बम्बई से दो बुलेटिन रिले होते हैं और श्रीनगर व गोआ से एक भी बुलेटिन रिले नहीं होते। यह सच नहीं है कि जो भी समाचार बुलेटिन रिले किया जाता है वह पूरे का पूरा रिले नहीं किया जाता।

(ख) हिन्दीतर क्षेत्रों के केन्द्रों के लिये हिन्दी के सभी बुलेटिन रिले करना संभव नहीं है, क्योंकि उन्हें अपनी अपनी भाषाओं में प्रसारित होने वाले समाचार बुलेटिन भी रिले करने होते हैं और अपनी प्रादेशिक समाचार बुलेटिन भी प्रसारित करनी होती हैं। शेष बुलेटिन दिल्ली से जिस समय प्रसारित होते हैं, उस समय शिमला और रांची से कोई प्रसारण नहीं होता।

प्रेस परामर्शदात्री समिति

२४३६. { श्री भक्त वर्शन :  
श्री भागवत ज्ञा आजाद :

क्या सूचना और प्रसारण मंत्री १९ नवम्बर, १९६२ के तारांकित प्रश्न संख्या २५९ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) प्रेस परामर्शदात्री समिति में कौन कौन से व्यक्ति सदस्य नियुक्त किये गये हैं ;

(ख) उसके अन्तर्गत जो दो उप-समितियां नियुक्त की गई हैं उन में कौन कौन से व्यक्ति रखे गये हैं ;

(ग) उस परामर्शदात्री समिति और उसकी उप-समितियों की अब तक कितनी-कितनी व कब-कब बैठकें हुई हैं ; और

(घ) उस समिति व उन उप-समितियों ने अपने कार्य में अब तक क्या प्रगति की है ?

**सूचना और प्रसारण मंत्रालय में उप मंत्री (श्री शाम नाथ) :** (क) प्रेस परामर्शदात्री समिति के सदस्यों के नाम ये हैं :—

श्री आर० आर० दिवाकर, संसद सदस्य,

अध्यक्ष, इंडियन एंड ईस्टर्न न्यूजपेपर सोसाइटी।

श्री ए० आर० भट, सदस्य विधान, परिषद्,

अध्यक्ष, इंडियन लेंग्वेजेज, न्यूजपेपर एसोसिएशन।

श्री सी० के० भट्टाचार्य, संसद् सदस्य, अध्यक्ष, आल इंडिया न्यूजपेपर एडीटर्स कांफ्रेंस।

श्री एस० मुलगावकर।

श्री ए० बी० नायर।

श्री तुषार कान्त घोष।

श्री जी० नरसिम्हन।

श्री श्रीकांत ठाकुर विद्यालंकार ।  
श्री बी० आर० नरला, संसद् सदस्य ।  
श्री हयातउल्ला अन्सारी, सदस्य विधान  
परिषद् ।

श्री चन्द्रकान्त एफ० शाह ।  
श्री एम० सुभान ।  
श्री ए० जे० जार्ज ।  
श्री एम० आर० सोनी ।  
श्री तेजा सिंह ।  
श्री बशीर अहमद सईद ।  
श्री के० के० शाह, संसद् सदस्य ।  
श्री हिरेन मुखर्जी, संसद् सदस्य ।  
श्रीमती हंसा मेहता ।  
श्री हरिश्च सी० जैन ।  
अध्यक्ष, एडवर्टीजिंग एजेंसीस एसो-  
सिएशन आफ इंडिया ।

(ख) प्रेस परामर्शदात्री समिति की प्रथम बैठक में बनाई गई दो उप-समितियों के सदस्यों के नाम इस प्रकार हैं :—

(१) प्रेस के लिये आचार संहिता बनाने के लिये उप-समिति :—  
श्री तेजा सिंह (चेयरमैन) ।  
श्री आर० आर० दिवाकर, संसद् सदस्य ।  
श्री ए० आर० भट, सदस्य विधान परिषद् ।  
श्री एस० मुलगावकर ।  
श्री एम० सुभान ।  
श्री के० नरेन्द्र ।  
श्री एम०यू० फाकलीट } उप समिति  
द्वारा सहयो-  
जित ।

(२) भारत में प्रेस परिषद् की स्थापना करने के प्रश्न पर विचार करने के लिये उपसमिति :—

श्री बशीर अहमद सईद, चेयरमैन ।  
श्री सी० के० भट्टाचार्य, संसद् सदस्य ।  
श्री ए० बी० नायर ।

श्री चन्द्रकांत एफ० शाह ।

(ग) अपेक्षित जानकारी नीचे दी जा रही है :—

समिति का नाम	समिति की बैठकें	
	संख्या	दिनांक
प्रेस परामर्शदात्री समिति	२	५ नवम्बर, १९६२ और ६ व १० अप्रैल, १९६३ ।
आचार-संहिता उप-समिति	२	५ दिसम्बर, १९६२ और १६ व २० दिसम्बर, १९६२ ।
प्रेस परिषद् उप-समिति	२	१० व ११ दिसम्बर १९६२ और ७ व ८ जनवरी, १९६३ ।

(घ) दोनों उप-समितियों ने अपना कार्य समाप्त कर अपनी रिपोर्ट पेश कर दी है । प्रेस परामर्शदात्री समिति ने नई दिल्ली में ६ और १० अप्रैल, १९६३ को हुई अपनी द्वितीय बैठक में उन पर विचार किया था और उनका निपटान कर दिया था ।

जवानों के लिए पुस्तकें

२४३७. { श्री विद्वानाथ पाण्डेय :  
श्री बालगोबिन्द वर्मा :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार लड़ने वाले जवानों के लिये पुस्तकें भेजना चाहती है ;

(ख) यदि हाँ, तो किस तरह की पुस्तकें ; और

(ग) कितनी पुस्तकें फौज में भेजी गई हैं और कितनी इस प्रयोजन के लिये एकात्रित की गई हैं ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री  
 डा० रा० चव्हाण) : (क) और (ख).  
 जवानों के लिये पुस्तकों का प्रबन्ध केन्द्र  
 द्वारा नहीं किया जाता। साल बसाल यूनितों/  
 फार्मेशनों को कुछ निधियों तथा साहित्य  
 अनुदान दिये जाते हैं जिन से उन द्वारा  
 सैनिकों के लिये पुस्तकें, समाचारपत्र, पत्र  
 तथा पत्रिकाएँ खरीदी जाती हैं।

(ग) जवानों के लिये जनता से उप-  
 हार स्वरूप प्राप्त ६२६१५ पुस्तकों तथा  
 पत्रिकाओं में से अब तक ५७२५३ उन में  
 बांट दी गई हैं।

#### Institute of Physiology

2438. { Shri Vishwa Nath Pandey:  
 Shri Balgovind Verma:

Will the Minister of Defence be  
 pleased to state:

(a) whether the Institute of Physi-  
 ology, the part of Defence labora-  
 tory, has been shifted from Delhi to  
 Madras;

(b) if so, when; and

(c) the reasons therefor?

**The Minister of Defence Production  
 in the Ministry of Defence (Shri  
 Raghuramaiah):** (a) The Defence  
 Institute of Physiology and Allied  
 Sciences is in the process of moving  
 to Madras and some personnel and  
 a part of the equipment/stores have  
 already been sent.

(b) Personnel were sent in Feb-  
 ruary/March 1963 and equipment/  
 stores on 4th April 1963.

(c) Out of various sites considered  
 for the permanent accommodation  
 of the Institute, Madras was found  
 the most suitable.

#### A.I.R. Programme for Prisoners

2439. { Shri Balgovind Verma:  
 Shri Vishva Nath Pandey:

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

(a) whether there is any special  
 programme broadcast from the A.I.R.  
 for the moral upliftment of prisoners;  
 and

(b) if so, the details thereof?

**The Deputy Minister of Informa-  
 tion and Broadcasting (Shri Sham  
 Nath):** (a) No, Sir.

(b) Does not arise.

#### Funds for Liberation of Goa

2440. Shri Hari Vishnu Kamath:

Will the Prime Minister be pleased to  
 state:

(a) whether during 1961 funds were  
 raised by a Committee to help the  
 campaign for the liberation of Goa;

(b) if so, the personnel of the Com-  
 mittee and the total amount collected  
 by the Committee;

(c) whether the funds so raised have  
 been accounted and audited; and

(d) if so, when and by whom?

**The Prime Minister and Minister of  
 External Affairs and Minister Atomic  
 Energy (Shri Jawaharlal Nehru):**  
 (a) In 1961, a non-official Com-  
 mittee known as the National  
 Campaign Committee for Goa raised  
 funds in the name of "Goa Movement  
 Fund."

(b) The Office bearers of this non-  
 official Committee were:

Shrimati Rameshwari Nehru	— Patron
Shrimati Aruna Asaf Ali	— Chairman
Rev. Dr. H.O. Mascarenhas	} — Vice Chair- man
Shri B.A. Dalal	
Shri Ramesh Chandra	} — Joint Sec- retaries
Shri George Vaz	
Shri V.N. Lawande	
Shri Gajetan Lobo	
Dr. A.V. Baliga	— Treasurer

The Committee was a non-official body and Government have consequently no information about the amount collected. Government has no information.

#### Passports to Visit Pakistan

2441. Shri Daljit Singh: Will the Prime Minister be pleased to state:

(a) the number of applications received in 1962-63 from Indian citizens passports to go to Pakistan;

(b) the number of applications granted; and

(c) the number of applications still under consideration?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): (a) to (c). The information is being collected and as soon as it is available, it will be placed on the Table of the House.

अमेरीका में प्रकाशित "इंडिया न्यूज"

२४४२. श्री हुसम चन्द कछवाय : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) संयुक्त राज्य अमेरिका में जो 'इंडिया न्यूज' नामक समाचारपत्र निकाला जाता है वह कितनी कितनी अवधि पर निकाला जाता है ;

(ख) इसे विज्ञापनों और अन्य तरीकों से अलग अलग कितनी आय होती है ; और

(ग) उस पर सालाना कितना व्यय आता है ?

वैदेशिक कार्य मंत्रालय में उप सचिव (श्री विनेश सिंह) : (क) साप्ताहिक ।

(ख) कुछ भी नहीं । यह पत्रिका न तो बित्री के लिये है और न इसमें विज्ञापन ही रहते हैं । यह मुफ्त ही बांटी जाती है ।

लगभग ६७,५०० डालर

#### Expenditure on Publicity Against Chinese Aggression

2443. Shri Yajnik: Will the Minister of Information and Broadcasting be pleased to state:

(a) the total amount spent on the publicity of the recent war effort necessitated by the Chinese aggression;

(b) the amount spent on different items of publicity in different languages;

(c) whether posters and publicity materials in the different State languages have been fully utilized by the respective State Governments to whom they were sent; and

(d) whether any State Governments have pointed out any serious linguistic or other defects in the posters printed for their use?

The Deputy Minister of Information and Broadcasting (Shri Sham Nath):

(a) and (b): Information is being collected and will be laid on the Table of the House.

(c) Yes, Sir.

(d) No, Sir.

#### Recruitment from Orissa

2444. { Shri P. K. Ghosh:  
Shri Y. N. Singha:  
Dr. Kohor:  
Shri Mahananda:  
Shri Yashpal Singh:

Will the Minister of Defence be pleased to state the number of persons from Orissa employed in (i) Army (ii) Navy, and (iii) Air Force at present?

The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan): It will not be in the public interest to disclose this information on the floor of the House.

**Diversion of Plan Funds**

**2445. Shri Vasudevan Nair:** Will the Minister of Planning be pleased to state:

(a) whether any States have resorted to the diversion of plan funds from approved projects to schemes of their own choosing;

(b) if so, the number of such States; and

(c) whether Planning Commission was consulted about this before deciding on the diversion?

**The Deputy Minister in the Ministry of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** (a) to (c). Yes. But the diversions are not significantly large in relation to the over-all plans.

**Allotment of Quota of Newsprint to Newspapers in Jammu and Kashmir**

**2446. Shri Buta Singh:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the newsprint quota allotted to papers of Jammu and Kashmir State in 1961-62 and 1962-63;

(b) the basis on which the allotment of the quota was made; and

(c) whether the circulation of papers for getting newsprint was got verified by the Audit Bureau of Circulation?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) The newsprint quota allotted to papers of Jammu and Kashmir State in 1961-62 and 1962-63 was 111.57 tonnes and 100.30 tonnes respectively.

(b) The allotment was made on the basis of circulation, size of the page, average number of pages of each newspaper and regularity of its publication.

(c) No, Sir.

**Resignation by Emergency Commission Trainees**

2447. { Shri Kapur Singh:  
Shri Y. N. Singha:  
Shri Buta Singh:  
Shri Yashpal Singh:

Will the Minister of Defence be pleased to state:

(a) whether some persons who were recently recruited for Emergency Commission have submitted their resignations even before completion of training; and

(b) if so, how many till todate and the reasons therefor?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) Yes.

(b) 14 Gentlemen cadets resigned from the 14th January to 6th March 1963. The reasons given for their resignations were (i) inability to withstand the physical strain of training (ii) lack of aptitude for Army life (iii) domestic problems (iv) temperamental unsuitability and (v) lack of interest in Army life and inability to withstand its hardships.

**Passport Racket Case in Punjab**

2338. { Shri S. M. Banerjee:  
Shri Sidheshwar Prasad:

Will the Prime Minister be pleased to state:

(a) whether his attention has been drawn to the statement made by a Minister of the Punjab Government in the Punjab Vidhan Sabha to the effect that the list of persons involved in the Passport Racket Case was missing from the court record; and

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

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

(b) No action was called for on the part of the Central Government as the missing lists did not form part of the Central Government record. The relevant Government of India file is intact.

**Peaceful Uses of Atomic Energy**

2449. { Shri N. R. Laskar:  
Shri D. C. Sharma:

Will the Prime Minister be pleased to state:

(a) whether an agreement has been reached with Poland regarding collaboration in peaceful uses of atomic energy; and

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

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):**

(a) Yes.

(b) The Agreement broadly provides for collaboration in the following fields:—

(i) exchange of unclassified information concerning the peaceful uses of atomic energy and research connected therewith, except information which either party is not free to exchange because it has been obtained from or developed in collaboration with a third party;

(ii) reciprocal exchange of scientists;

(iii) extension of facilities for the purchase of nuclear materials and equipment required by either party;

(iv) co-operation in the implementation of such joint projects as may be mutually agreed upon; and

(v) grant of fellowships for the study and training of Indian scientists in Poland and Polish scientists in India.

The Agreement will be in force for a period of five years in the first ins-

tance and may be renewed from time to time and may also be modified or expanded by mutual consent.

**गोम्रा में बाहड़ भूमि को कृषि योग्य बनाना**

२४५०. श्री श्रीकारलाल बैरवा : क्या प्रधान मन्त्री यह बताने का कृपा करेंगे कि :

(क) क्या यह सच है कि गोम्रा को बाहड़ भूमि को कृषि योग्य बनाने का योजना पर सरकार विचार कर रही है ;

(ख) यदि हां, तो इस योजना में इस पर कितने रुपये व्यय करने का विचार है ;

(ग) यह जमान कितने परिवारों को दी जायेगा ?

प्रधान मंत्री तथा बंधेशिक कार्य मन्त्री तथा धनु शक्ति मन्त्री (श्री जवाहरलाल नेहरू) : (क) जा हां । सरकार ने तासरां पंचवर्षीय योजना में गोम्रा में बाहड़ भूमि में और कछार क्षेत्र का भूमि में खेता शुरु कराने का एक योजना मंजूर का है ।

(ख) चालू योजना में इस पर ४१.७८ लाख रुपए खर्च करने का प्रस्ताव है ।

(ग) इस भूमि पर ८०० परिवारों को बसाने का योजना है ।

**Chinese Infiltration into Indian Army**

2451. Shri P. C. Borooah: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a number of Chinese have been found to be employed in Assam Rifles and other Gurkha troops under Nepali Gurkha names;

(b) if so, how many such cases have been detected since the declaration of emergency; and

(c) the steps being taken to screen out such elements from the Indian army?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan): (a)**

and (b). Only two persons of Chinese origin were known to have been recruited recently under fictitious names, one in the Army and the other in the Assam Rifles. They are brothers. Immediately after detection they were handed over to the civil police for investigation and further action.

(c) As already stated in reply to Short Notice Question No. 19 dated the 24th January, 1963 by Shri Ram Sewak Yadav and others, suitable precautionary steps have been taken to prevent such infiltration.

### दिल्ली में कारखाने

२४५२. श्री हुकम चन्द कछवाय : क्या श्रम और रोजगार मन्त्रा: यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में कई ऐसी फैक्ट्रियां हैं जिनमें १०० से भी अधिक कर्मचारी काम करने हैं परन्तु वे न्यूनतम वेतन बोर्ड के क्षेत्राधिकार में नहीं हैं ;

(ख) यदि हां, तो इसके क्या कारण हैं ; और

(ग) क्या सरकार इस पर विचार कर रहा है कि वे न्यूनतम वेतन बोर्ड के क्षेत्राधिकार में आ जायें ?

श्रम और रोजगार मंत्रालय में उपमन्त्री (श्री २० कि० मालवीय) : (क) हां । सम्भवतः यह हवाला न्यूनतम वेतन अधिनियम के बारे में है ।

(ख) न्यूनतम वेतन अधिनियम, १९४८ को धारा ३(१ए) के अन्तर्गत यह व्यवस्था है कि सम्बन्धित सरकार यदि चाहे तो किसी भां ऐंसे अनुसूचित रोजगार में, जहां सारे राज्य में एक हजार से कम कर्मचारां काम करते हों, वेतन निश्चित न करे ।

(ग) इस समय दिल्ली प्रशासन के पास अधिनियम का अनुसूची में नए रोजगार जोड़ने का कोई मुझाव नहीं है ।

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### Financial Powers for Nagaland Administration

2453. { Shri Yashpal Singh:  
Shri P. C. Borooah:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that it is proposed to delegate more financial powers to the administration of Nagaland; and

(b) if so, the details thereof?

The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):

(a) Yes. This proposal has been accepted in principle.

(b) A senior Finance officer of the Ministry of External Affairs will visit Nagaland in early May to study details in consultation with the Nagaland Government. A final decision must await his recommendations.

### Industrial Truce Resolution

2454. Shri P. C. Borooah: Will the Minister of Labour and Employment be pleased to state:

(a) whether the All India Trade Union Congress in their recent meeting in New Delhi reviewed the working of the Industrial Truce Resolution;

(b) if so, the main recommendations made at the meeting; and

(c) the action Government propose to take in the light of these recommendations?

The Deputy Minister in the Ministry of Labour and Employment (Shri R. K. Malviya): (a) Government have not received any communication in this respect from All India Trade Union Congress.

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

**Ordnance Depot, Shakurbasti**

2456. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether serious irregularities have been brought to the notice of Defence Ministry about the local purchase of several items in Ordnance Depot, Shakurbasti;

(b) if so, the specific complaints;

(c) whether any enquiry has been instituted; and

(d) if so, with what result?

**The Deputy Minister in the Minister of Defence (Shri D. R. Chavan):** (a) to (d). Following two cases of irregularities in the local purchase of stores by Ordnance Depot, Shakurbasti came to notice:—

(i) *Purchase of iron pans (Karais)*

It was alleged that items below specifications had been purchased. The Depot had purchased 51 iron pans during the period September 1962 to December 1962 at short notice for equipping units.

(ii) *Purchase of web equipment*

It was alleged that preferential treatment was shown to a firm in placing the supply order, and that unserviceable stores were supplied and accepted.

The Special Police Establishment who have been investigating this case have not found evidence to prove the first allegation. Investigation on the second allegation has not yet been completed.

**Abu Simbel Temple in Egypt**

2458. **Shri Hari Vishnu Kamath:** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 816 on the 16th March, 1963 and state how India voted in the resolution moved in the General Conference of the UNESCO in regard to the scheme to repair and save the historic Abu Simbel Temple in Egypt?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** The matter came up twice in the General Conference. Firstly, the Conference considered the report of the Legal Committee which had ruled that the proposal of the Director-General for financing the scheme out of the budgets of the UNESCO over a period of ten years required a two-thirds majority for adoption. On this issue, the Indian delegation abstained from voting. Subsequently, the General Conference voted on the substantive proposal of the Director-General. India voted in favour of the proposal.

**Atomic Power Station in Kerala**

2459. **Shri P. Kunhan:** Will the Prime Minister be pleased to state:

(a) whether the Kerala Government have requested the Centre to set up an atomic power station in Kerala to relieve the power shortage in the State; and

(b) if so, the action taken in this connection?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) No.

(b) Does not arise.

**Accommodation for Defence Personnel in Delhi**

2460. **Shri Daljit Singh:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Government consider Delhi and New Delhi two separate stations for the purpose of allotment of accommodation to the defence personnel;

(b) if not, why persons serving in Defence Organisations and residing in Delhi Cantt. have been asked to shift to Delhi and *vice versa*; and

(c) if so, the steps proposed to be taken in this respect?



**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**  
(a) No, Sir.

(b) This action is taken because under the existing orders Delhi Cantonment is treated as a separate station from Delhi|New Delhi for purposes of allotment of accommodation to Defence personnel.

(c) Does not arise.

**Statutory Price Page Schedule**

**2461. Shri D. C. Sharma:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the Indian Languages Newspapers' Association has urged Government to introduce a statutory price page schedule by amending the Constitution;

(b) if so, whether the question has been considered by Government; and

(c) the reaction of Government thereto?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Government has received a copy of a resolution adopted by the Executive Committee of the Indian Languages Newspapers Association at their meeting in Bombay on the 14th April, 1963 stating, *inter alia*, that Government should introduce a statutory price page schedule by amending the Constitution.

(b) and (c). No action is contemplated at present.

**दिल्ली छावनी बोर्ड के स्कूल**

२४६२. श्री प्रकाशबोर शास्त्री :  
श्री काशी राम गुप्त :

क्या प्रतिरक्षा मंत्रों यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी बोर्ड द्वारा चलाए जाने वाले स्कूलों में मेहतरों, चौकदारों तथा चतुर्थ श्रेणी के अन्य कर्मचारियों को अमां भः ३०-१-३५ रुपये के

वेतन-क्रम में वेतन दिया जा रहा है और दूसरे वेतन आयोग का सिफारिशों के अनुसार उनका वेतन क्रम ७०-१-८५ रुपये नहीं किया गया है ; और

(ख) यदि हां, तो वेतन-क्रमों को संशोधित न करने के क्या कारण हैं ?

**प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चह्वाण) :** (क) और (ख) जी हां । द्वितीय वेतन आयोग का सिफारिश छावनी बोर्डों के कर्मचारियों पर लागू नहीं है । दिल्ली छावनी बोर्ड द्वारा चालित स्कूलों में काम करने वाले चतुर्थ श्रेणी से विवर्ग के वेतन-दर नेशनल इण्डस्ट्रियल डिब्यूनल के निर्णय के अन्तर्गत हैं जिनके अनुसार वह ३०-१-३५ वेतन दर के हां अधिकारी हैं ।

**दिल्ली छावनी में बिजली की कमी**

२४६३. श्री प्रकाशबोर शास्त्री :  
श्री काशी राम गुप्त :

क्या प्रतिरक्षा मंत्रों यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी में रहने वाले अतिथियों के लिये बिजली का कमी है ;

(ख) यदि हां, तो उनका मांग पूरा करने के लिये क्या प्रबन्ध किया जा रहा है ; और

(ग) समस्त प्रार्थियों को कब तक कनेक्शन मंजूर कर दिये जायेंगे ?

**प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चह्वाण) :** (क) जी हां । इसका कारण यह है, कि दिल्ली छावनी का अतिथिक जनता को उतना विद्युच्छाक्ति दत्त जा सकता है, जितनी प्रतिरक्षा आवश्यकताएं पूरा करने के पश्चात् बच पाए ।

(ख) दिल्ली छावनी (मदर बाजार) कोतवाला सब-स्टेशन का वर्तमान क्षमशक्ति

वर्तमान ट्रांसफारमर को तबदिल करके २०० किलोवाट से ३०० किलोवाट तक बढ़ाई जा रहा है।

(ग) आशा है कि यह काम लगभग एक वर्ष में हो जाएगा।

एम० ई० एस० विल्ली छावनी

२४६४. श्री प्रकाशबीर शास्त्री :  
श्री काशी राम गुप्त :

क्या प्रतिरक्षा मंत्रों यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी के एम० ई० एस० को भारतीय बिजली अधिनियम १९१० के अन्तर्गत, जैसा कि वह समय-समय पर संशोधित किया जा चुका है, लाइसेंस प्राप्तकर्ता का समस्त शक्तिया एवं दायित्व प्राप्त हैं ;

(ख) क्या एम० ई० एस० द्वारा उप-भोक्ताओं को बिजली सप्लाई करने के लिये बनाये गये विनियम भारतीय बिजली अधिनियम, १९१० और उसके अन्तर्गत बनाये गये नियमों के अनुरूप है ;

(ग) यदि नहीं, तो इसके क्या कारण हैं ; और

(घ) इस स्थिति को ठीक करने के लिये सरकार क्या कदम उठाने का विचार कर रहा है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चह्वाण) : (क) भारत सरकार का एक विभाग होने के नाते एम० ई० एस० इण्डियन इलेक्ट्रिसिटी एक्ट १९१० के अधिनियम लाइसेंसदार नहीं है, परन्तु इस विधेयक के अनुसार ५१-ए के अधिनियम उसे लाइसेंसदार के समान अधिकार और दायित्व प्राप्त हैं सिवाए उनके कि जो उस अनुभाग का पहला परन्तुक में दिए गए हैं।

(ख) जहाँ जहाँ।

(ग) और (घ). प्रश्न नहीं उठते।

दिल्ली छावनी बोर्ड की वर्क्स कमेटी

२४६५. श्री प्रकाशबीर शास्त्री :  
श्री काशी राम गुप्त :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी बोर्ड ने वर्क्स कमेटी का निर्माण अभी तक नहीं किया है जैसा कि औद्योगिक विवाद अधिनियम की धारा ३(१) के अन्तर्गत आवश्यक है ;

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

(ग) इस मामले में क्या कार्रवाई की गई है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चह्वाण) : (क) इण्डस्ट्रियल डिस्प्युट्स एक्ट के अनुभाग ३(१) की मांग के अनुसार दिल्ली छावनी द्वारा वर्क्स कमेटी बनाई गई थी, और उसकी समयावधि १९६० में समाप्त हो गई थी। कमेटी का पुनर्संगठन नहीं किया गया।

(ख) अम्बाला छावनी बोर्ड के एक कर्मचारी से सम्बद्ध एक मामले में पंजाब हाई कोर्ट ने निर्णय दिया है, कि छावनी बोर्ड के सभी कर्मचारियों को इण्डस्ट्रियल डिस्प्युट्स एक्ट की शर्तों के अधीन 'कामिक' नहीं कहा जा सकता, और यह आवश्यक है कि छावनी बोर्डों के औद्योगिक अथवा अधौद्योगिक कार्यों को उसके ऐसे कार्यों से अलग किया जाए, जिनका उद्योग से कोई सम्बन्ध नहीं है। छावनी बोर्ड के कर्मचारियों का कामिकों के तौर पर वर्गीकरण का प्रश्न विचाराधीन है, क्योंकि वर्क्स कमेटी तभी बन सकती है जब 'कामिकों' की संख्या १०० या अधिक हो।

(ग) छावनी बोर्ड दिल्ली को निदेश दिया गया है कि इस विषय में शीघ्र कार्यवाही करे।

**छावनी नियमों का अनुवाद**

२४६६. { श्री काशी राम गुप्त :  
श्री प्रकाशवीर शास्त्री :

क्या प्रतिरक्षा मंत्री १२ दिसम्बर, १९६० के अतारंकित प्रश्न संख्या १६७८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि देश की विभिन्न छावनीयों के नियमों और उप-नियमों को वहां की प्रादेशिक भाषाओं और हिन्दी में अनूदित किये जाने के सम्बन्ध में इस बीच क्या प्रगति हुई है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चव्हाण) : सभी छावनी बोर्ड अभी अंग्रेजी में ही अपना काम चला रहे हैं। हिन्दी अथवा प्रादेशिक भाषाओं को अपनाने की साध्यता पर छावनी बोर्डों से विचारविमर्श किया गया है, जिन्होंने इसमें अपनी कुछ असुविधाएं व्यक्त की हैं। उनकी जांच की जा रही है।

**दिल्ली छावनी में छावनी फंड क्वार्टर**

२४६७. { श्री काशी राम गुप्त :  
श्री प्रकाशवीर शास्त्री :

क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी में छावनी बोर्ड फंड से कम से कम ६० प्रतिशत क्वार्टरों, की जिनमें अर्सेनिक रह रहे हैं, तुरन्त बड़े पैमाने पर मरम्मत किये जाने की जरूरत है ; और

(ख) यदि हां, तो क्वार्टरों की मरम्मत के लिये सरकार ने क्या कदम उठाये हैं ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चव्हाण) : (क) और (ख). केवल एक क्वार्टर में भारी मरम्मत आवश्यक है, जो अभी की जा सकेगी जब उसे वर्तमान निरायेदार ने खाली किया। शेष क्वार्टर वाजबी हालत में हैं। आवश्यक मरम्मत की जा रही है।

**दिल्ली छावनी में भूमिगत नालियां**

२४६८. { श्री काशी राम गुप्त :  
श्री प्रकाशवीर शास्त्री :

क्या प्रतिरक्षा मंत्री ४ सितम्बर, १९६१ के अतारंकित प्रश्न संख्या ३२६५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली छावनी में भूमिगत नालियों सम्बन्धी योजना तैयार करने में अब तक क्या प्रगति हुई है ;

(ख) लगभग किस तिथि से योजना पर कार्य आरम्भ हो जायेगा ; और

(ग) इस पर कितनी लागत का अनुमान है ?

प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चव्हाण) : (क) और (ख). दिल्ली छावनी में भूगर्भ नालियों के लिए एक योजना बनाई गई है और विचारधीन है। यह प्रश्न भी, कि आपातकाल के कारण योजना को स्थगित कर दिया जाए, विचाराधीन है।

(ग) लगभग १४४ लाख रुपये।

**दिल्ली छावनी का अर्सेनिक क्षेत्र**

२४६९. { श्री काशी राम गुप्त :  
श्री प्रकाशवीर शास्त्री :

क्या प्रतिरक्षा मंत्री २५ अगस्त, १९६१ के तारंकित प्रश्न संख्या ६७९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या सदर बाजार, दिल्ली छावनी में अर्सेनिक क्षेत्र के विस्तर के प्रश्न पर जिसे सरकार ने सिद्धान्त रूप में पहले ही स्वीकार कर लिया है, पुनर्विचार कर लिया गया

(ख) यदि नहीं, तो इस विषय में अन्तिम निर्णय कब तक किये जाने की आशा है ; और

(ग) क्या अर्धनैतिक क्षेत्र में सम्मिलित की जाने वाली भूमि सैनिक योजनाओं के अन्तर्गत है और यदि नहीं, तो इस विषय में बिलम्ब क्यों किया जा रहा है ?

**प्रतिरक्षा मंत्रालय में उपमंत्री (श्री बा० रा० चव्हाण):** (क) से (ग). दिल्ली छावनी के अर्धनैतिक क्षेत्रों के प्रसार का प्रश्न आपत्ती-घोषणा के पश्चात् स्थगित कर दिया गया था। प्रतिरक्षा की बड़ी आवश्यकताओं को सामने रखते हुए, सैनिक अधिकारियों को फरवरी १९६३ में मुझाव पर नए सिरे से विचार करने को कहा गया था। उनकी रिपोर्ट की प्रतीक्षा की जा रही है। उनकी रिपोर्ट की प्राप्ति पर विषय पर पुनः विचार किया जाएगा।

#### Military Officers in Commercial Firms

**2470. Shri D. D. Mantri:** Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 815 on the 10th April, 1963 and state:

(a) the number of Senior Military Officers of Government who have joined commercial firms after getting permission from the Ministry during the last five years and on what terms and conditions;

(b) whether an up-to-date list will be laid on the Table; and

(c) who among these are stationed in Delhi?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**

(a) and (b). The expression "senior Military officers of Government" presumably refers to retired officers who held higher ranks in the Army, Navy and Air Force. On this basis, a Statement in respect of 28 officers giving the required information, to the extent available, is laid on the Table of the House. [Placed in the Library. See No. LT-1247/63].

(c) So far as it known, the following 10 officers are now stationed in Delhi:—

1. Maj. Gen. U. C. Dubey.

2. Brig. D. Chaudhuri.

3. Brig. H. L. Bhandari.

4. Brig. S. S. Malik.

5. Brig. Anant Singh.

6. Brig. M. M. Badshah.

7. Lt.-Col. (A|Brig.) M. R. Budhwar.

8. Col. Rajindra Singh.

9. Lt.-Col. (A|Col.) T. K. Mukerji.

10. Lt.-Col. (A|Col.) J. C. Kapur.

#### Enquiry Committee for import licences in Goa

**2471 Dr. Gaitonde:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that an investigating Committee was appointed by the Goa Administration to enquire into the alleged irregularities in granting import licences;

(b) whether this Committee has submitted its report; and

(c) the findings of this Committee?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):**

(a) A Committee consisting of three officials of the Goa Administration and one non-official was appointed by the Lt. Governor of Goa, Daman and Diu in October 1962 to enquire into alleged irregularities in the grant of import licences in Goa.

(b) Members of the Committee have submitted reports to the Goa Administration.

(c) The Committee has not yet been able to finalise its findings.

**वैज्ञानिक अनुसन्धान सम्बन्धी समन्वय समिति**

२४७२. श्री सिद्धेश्वर प्रसाद : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हाल में वैज्ञानिक गवेषणा में समन्वय के सम्बन्ध में मुझाव देने के लिए डा० भाभा के सभापितात्व एक समिति बनाई है; और

(ख) यदि हां, तो समिति के निर्देश पद क्या हैं और वह कब तक प्रतिवेदन देगी ?

प्रधान मंत्री तथा वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) :

(क) और (ख): जी हां। देश में किये जा रहे वैज्ञानिक कार्य (विशेषकर अनुसंधान योजनाओं) की जांच करने तथा रिपोर्ट देने और कार्य को यथा-संभव कम खर्च से सुचारु रूप में चलाने के लिये इस महीने डा० एच० जे० भाभा के सभापतित्व में एक समिति का निर्माण किया गया है, जिसके सदस्य डा० डी० एस० कोठारी, डा० एस० हुसैन जहीर, श्री एस० एस० खेरा तथा डा० एस० भगवन्तम् हैं। यह समिति देश में सरकार के अग्रीन या सरकार से सहायता पाने वाले विभिन्न संगठनों और संस्थानों में किये जा रहे वैज्ञानिक कार्य की जांच करेगी तथा रिपोर्ट देगी। यह समिति कार्य को अधिक कारगर ढंग से चलाने के लिये गुझाव देगी, तथा साधनों का अधिक प्रभावशाली ढंग से लाभ उठाने और एक ही कार्य को अनावश्यक रूप में दुहरा करने से बचने की दृष्टि से विभिन्न प्रयोगशालाओं और वैज्ञानिक संगठनों के बीच कार्य के समन्वय के संबंध में सरकार को सलाह देगी। समिति द्वारा रिपोर्ट देने के लिये कोई निश्चित अधि नहीं रखी गई है।

#### Fire in Ambala Cantt.

2473. **Shri A. N. Vidyalankar:** Will the Minister of Defence be pleased to state:

(a) whether Government are aware that a disastrous fire broke out in one of the main bazars of Ambala Cantt. on the night of 22nd March, 1963, which destroyed a dozen shops resulting in irreparable and heavy loss of goods and property worth several lakhs;

(b) whether it is a fact that the Cantonment Board, Ambala Cantt. does not possess even the minimum prescribed requirements of fire fighting equipment and staff; and

(c) if so, the steps taken in this connection?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**

(a) Yes, Sir. Ten shops were damaged in this fire. The cause of the fire etc. is being investigated by a Committee of the Cantonment Board. The result of the investigation is awaited.

(b) No, Sir. The Cantonment Board, Ambala maintains an adequate fire brigade according to the prescribed requirements of fire fighting equipment etc. In addition there are 4 other units of fire fighting services available in the Cantonment.

(c) Does not arise.

#### Accounts of Children's Film Society

2474. **Shri Yashpal Singh:** Will the Minister of Information & Broadcasting be pleased to state:

(a) whether it is a fact that the Accountant General, Central Revenues, conducted a special audit of the accounts of Children's Film Society; and

(b) if so, what are the findings and whether the report will be laid on the Table?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Yes, Sir.

(b) Attention is invited to para 93 of the Audit Report (Civil) 1963, which was laid on the Table of the Sabha on the 18th April, 1963.

#### Children's Film Society

2475. **Shri Yashpal Singh:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that the International Centre of Films for Children, Brussels, sanctioned a sum of \$1,000 in 1960 to the Children's Film Society in connection with the holding of International Presentation of Film Programmes for Young People; and

(b) if so, how and when this sum was received and entered in the books of the Society?

**The Deputy Minister in the Ministry of Information and Broadcasting (Shri Sham Nath):** (a) Yes, Sir.

(b) The amount was received by the former General Secretary of the Children's Film Society on 15th December, 1961, in Brussels where he had gone to attend a conference. The amount has not so far been brought into the books of the Society.

**Famine in Sikkim**

2476. { Shri Yashpal Singh:  
Shri Indrajit Gupta:

Will the Prime Minister be pleased to state:

(a) whether there is any truth in Press reports that famine conditions have been prevailing in West Sikkim for the last two months; and

(b) the steps taken by the Government of India to help Sikkim in removing these food shortages?

**The Prime Minister and Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru):** (a) and (b). Apart from Press reports about the famine conditions in West Sikkim, no information is yet available. Reported food shortage or famine conditions have not been confirmed. Government are making enquiries in the matter.

**Cantonment Town Nasirabad**

2477. **Shri A. K. Gopalan:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Nagarik Samiti of Nasirabad (Rajasthan) has made a demand regarding extension of Rent Control Law to the cantonment town of Nasirabad;

(b) if so, whether this question has been under the consideration of Government for the last about two years;

(c) whether any decision has been taken in the matter; and

(d) if so, the details thereof?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):** (a) Yes, Sir; in May, 1962.

(b) to (d). In January, 1961 the Rajasthan High Court held that:—

- (i) the Rajasthan Premises (Control of Rent and Eviction) Act, 1950, as applicable to Nasirabad Cantonment was *ultra vires* of the State legislature;
- (ii) the Delhi and Ajmer Rent Control Act, 1952 was still in force in the Cantonment of Nasirabad.

In March, 1962, the Rajasthan Government desired that to secure uniformity of Rent Control legislation in the entire State, the State Rent Control Act should be extended to the Cantonment of Nasirabad by the Government of India under the enabling provisions of the Cantonments (Extension of Rent Control Laws) Act, 1957. However the State Rent Control Act could be extended to Nasirabad Cantonment only after the repeal of the Delhi and Ajmer Rent Control Act, 1952.

In November, 1962, the State Government intimated that the necessary amendment had been made repealing the Delhi and Ajmer Rent Control Act, 1952 as applicable to Nasirabad Cantonment. Necessary action is now being taken to extend the Rajasthan Premises (Control of Rent & Eviction) Act, 1950 to Nasirabad Cantonment.

**M.E.S. Barrackpore**

2478. **Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that about 30 workers of M.E.S. working under G.E. Barrackpore (West Bengal) have not received their annual increments for the last five years or more;

(b) whether fixation of pay has also not been done in these cases;

(c) if so, the reasons for this delay; and

(d) the steps taken by Government to finalise these cases?

**The Deputy Minister in the Ministry of Defence (Shri D. R. Chavan):**

(a) No, Sir. The position is that it was on the promulgation of the Civilians in Defence Services (Revised Pay) Rules, 1960 on the 15th September, 1960 that the pay of civilian employees in the various Defence establishments was required to be refixed in the revised scales of pay on the basis of which further annual increments would become due.

(b) The pay of the 30 individuals has already been refixed provisionally and provisional payment of advances also made to them on the basis of that pay. In 2 cases, the pay has also been finally refixed while in the remaining 28 cases the administrative authorities are taking action in consultation with the audit authorities.

(c) The following are the reasons for the delay:

- (1) due to the fact that many of the individuals concerned had served in various M.E.S. formations, verification from all these formations was necessary,
- (2) the need to consider the question of removal of the time bar in some cases,
- (3) completion of various formalities regarding refixation of pay and preparation of bills for the resultant arrears,
- (4) disposal of points raised by the audit authorities.

(d) Every effort is being made to finalise all the outstanding cases at an early date.

**डाक्टरों को सेना में कमीशन**

२४७६. श्री श्रीकारलाल जेरेवा : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने अर्थात् डाक्टरों को कमीशन देने की सुविधा का प्रवर्ध किया है;

(ख) यदि हां, तो उन्हें कमीशन देने की क्या शर्तें हैं; और

(ग) उन्हें कितने साव्य सेवा करने पर रजिस्ट्रेशन सर्टिफिकेट दिया जायेगा ?

**प्रतिरक्षा मंत्रालय में उपमंत्री (श्री वा० रा० चव्हाण) :** (क) जी हां। ऐसा होता रहा है।

(ख) अर्थात् डाक्टरों को सेना चिकित्सा-दल में अल्पकालीन नियमित कमीशन, आपाती कमीशन, रिजर्व कमीशन और सीधे स्थायी नियमित कमीशन देने की शर्तें दर्शाने वाला एक विवरण रजि.मा पटल पर रखा जाता है [पुस्तकालय में रखा गया, देखिये संख्या एल० टी० १२५४/६३]।

(ग) चिकित्सा स्नातक जिनके पास अस्थायी रजिस्ट्रेशन प्रमाणपत्र है, आपाती कमीशन तथा अल्पकालीन नियमित कमीशन के अधिकारी हैं—अस्थायी रजिस्ट्रेशन प्रमाणपत्रों को किसी प्रसवीय अस्थानिक हस्पताल में अर्थात् डाक्टरी सेवा की संयुक्त अर्थात् प्रतिरक्षा चिकित्सालयों में १२ मास सेवा के पश्चात् स्थायी रजिस्ट्रेशन प्रमाणपत्रों में परिणत किया जा सकता है।

#### U.D.Cs. in Army Headquarters

2480. { Shri S. M. Banerjee:  
Shri M. K. Kumaran:  
Shri Vasudevan Nair:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that several cases regarding fixation of pay in respect of U.D.Cs. working in Army Headquarters have been pending in the Ministry of Defence (CAO) since 1958 consequent upon their passing typewriting test held by the Union Public Service Commission and exemption from typewriting test under Government orders dated the 5th January, 1959;

(b) whether it is a fact that similar or identical cases have since long been decided in Air Headquarters/ Naval Headquarters;

(c) if so, what are the reasons for non-settlement of these cases in Army Headquarters alone;

(d) whether rules for fixation of pay of the aforesaid employees are not uniformly applicable to the entire Armed Forces Headquarters;

(e) whether a statement will be laid on the Table showing cases which have been pending for over two to five years with the reasons of the delay; and

(f) whether it is a fact that due to non-settlement of cases, the annual increments of the U.D.Cs. have been withheld since 1958-59?

**The Deputy Minister of Defence (Shri D. R. Chavan):** (a) to (f). A statement is laid on the Table of the House. [Placed in the Library, See No. LT-1255/63].

**CORRECTION TO UNSTARRED QUESTION NO. 157, DATED 25TH FEBRUARY, 1963**

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** Corrigendum to the answer to Unstarred Question No. 157 by Shri Hari Vishnu Kamath, Shri M. L. Dwivedi, Shrimati Savitri Nigam and Shri S. S. Samanta on 25th February, 1963 is laid on the Table of the House. [Placed in the Library, See No. LT-853/63].

12.06 hrs.

**RE: MOTION FOR ADJOURNMENT**

**Mr. Speaker:** Let us proceed to the Calling Attention Notice.

**Shri H. N. Mukerjee (Calcutta Central):** Sir, we have given notice of an Adjournment Motion and we have been told that you have been pleased to disallow it but no reasons have been given. The reason why we gave notice of the Adjournment Motion was that there is a report published with

banner headlines regarding the food output in this country having been below target with no progress having taken place in two years. This is the kind of report that appears in the most reputable newspaper and is in complete contradiction to the impression given to us in this House by the Minister of Food and Agriculture who leads us up the garden path so many times. He gets applause in order that the House might register... (Interruption).

**Mr. Speaker:** Order, order.

**Shri H. N. Mukerjee:** ...and he imagines that is applauded. I want to know how this kind of thing could pass muster, and the Minister is not even here.

**The Minister of State in the Ministry of Food and Agriculture (Dr. Ram Subhag Singh):** The Agriculture Ministry is fully represented here. It is not like the Communist Party.

**Mr. Speaker:** Order, order. I have a grievance against the hon. Deputy Leader of the Communist Party that he should have raised it in this manner. He knows it all right that everyday we are following a procedure and I have requested so many times that if he is not satisfied he should at least have come to me, and then, if he feels like that it could be raised even afterwards in the afternoon.

**Shri H. N. Mukerjee:** Is it not courtesy to give at least the slightest intimation and reasons behind the rejection of the Adjournment Motion.

**Mr. Speaker:** I have repeated it so many times. It is not any lack of courtesy that is responsible for not giving the reasons for disallowing any notice. The difficulty is that it is not possible at all to give those reasons at that time when the notices are pouring in till 11 o'clock, just at the nick of time. I just come straight there and the notices continue to pour in. There is no possibility for me at that time to give any reasons at that moment, and that is exactly why....



**Shri H. N. Mukerjee:** I have no intention of reflecting on your usual courtesy shown to all of us here, but we have noticed so often that you are giving the Government an opportunity to put their case before this House as quick as ever that is possible. But on this occasion, we thought at least before you admit or reject the Adjournment Motion you would, as soon as is possible for you to do so, ask the Government to come and tell the House something about it in view of the publication of this matter in banner headlines.

**Mr. Speaker:** I am objecting to the procedure first. I am requesting the hon. Member, the deputy leader of the Communist Party, the largest group here which is always I think responsible, and maintains order and procedure, that at least he ought to have come to me and found out what the position was. I would have given him the reasons also, and if he was not satisfied I could have brought it here or asked the Government to give reasons also or make enquiries about that. If I had satisfied him, probably there might not have arisen any opportunity for him to get up and intervene. If I get 20, 25 or 30 notices and if I have to explain them at that moment, certainly it would be difficult to proceed with things.

But I would like to submit one thing. One speaker had said once, when exactly this question was put to him, namely, what are the reasons for disallowing all the notices, that the reasons might not convince the hon. Member, but the judgment and the decision has to stand. That is the point. And that is the difficulty: if I give the reasons then the argument would begin and therefore I request hon. Members—this is for every hon. Member and not for Shri H. N. Mukerjee alone—that only after any Member has been informed, and if he feels not satisfied, he can come to me immediately afterwards and then we can sit down, discuss, and I will give all the reasons and try to explain and convince him. If he can persuade

me, then I will have no objection in taking it up again on the floor of the House. Then he would not have any dissatisfaction or discontent on that account. I can assure all the hon. Members in that respect. (*Interruption*).

**Shrimati Renu Chakravartty** (Barrackpore): Could it not be held over?

**Shri S. M. Banerjee** (Kanpur): Could you ask the hon. Minister to make statement on this subject? He could make a statement.

**Mr. Speaker:** That is a different thing. But not at this moment.

**Shrimati Renu Chakravartty:** They have been making contradictory statements everyday.

**Shri H. N. Mukerjee:** It is only very rarely that we do give notices of Adjournment. I do not know why you get 20 or 35 notices of Adjournment Motion everyday. I do not understand. But it is only very rarely that we do so, and it is only because of this matter being very important, that I have given notice.

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12.10 hrs.

#### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

##### WATER SUPPLY IN DELHI

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

“The acute shortage of water supply in Delhi and the decision to reduce the hours of water supply.”

**The Minister of Health** (Dr. Sushila Nayar): During the summer months every year, water supply is restricted from 12 noon to 3 p.m. during the day and 10 p.m. to 4 a.m. during the night. Similar restrictions have been imposed this year also with effect from the 1st April, 1963. It is not correct

[Dr. Sushila Nayar]

that further restrictions in the hours of supply are being considered by the Corporation. During summer months, however, as the demand for water goes up and several new connections have been sanctioned by the Corporation during the last few years, the people of certain areas have not been getting sufficient quantity of water because of inadequate pressure. The cause of low pressure is small capacity of the distribution lines. Schemes have been prepared by the Corporation for replacement of these lines by pipes of larger capacity.

As regards Malviya Nagar and Hauz Khas, it may be stated that the erstwhile Ministry of Rehabilitation had laid a 15" dia main from Kalkaji Reservoir to feed Malviya Nagar colony. The Hauz Khas Enclave was developed by the Delhi Land and Finance Company and a tubewell was installed by them to supply water to the residents. The tubewell water was very brackish and the residents were, therefore, pressing the Delhi Municipal Corporation to supply them Municipal water restricted for a few hours only everyday. A connection was, therefore, given to this colony from Malviya Nagar main. Since then there have been complaints during summer months from G.H. & F Blocks of Malviya Nagar as these blocks are at the end of the distribution system and located at a higher elevation. Here also regulation is being done to see that people of all blocks get some water at least during certain hours of the day.

**Dr. L. M. Singhvi:** Year after year, the capital of this country has experienced acute water shortage. We are told that there is a shortage of 8 million gallons a day more this year as compared to last year. I would like to know whether it is a fact and also whether the total pumping and filtering and storage capacity at present is only for 95 million gallons, and that is why they are unable to increase the level of supply. I would also like

to know what the criteria for a rational and equitable distribution of water would be.

**Dr. Sushila Nayar:** The present capacity is 97 million gallons, namely 90 million gallons from Chandrawal water-works, 6 million gallons from the Kalkaji side and 1 million gallons from the tube-wells on the Shahdara side. At the present moment, the pumps are able to cope with only about 92 million gallons, because some of the pumps have to be washed everyday and cleaned because of some algae trouble that has arisen. A special committee of experts has been appointed to see and advise what can be done so that at least the possible capacity of the pumps can be worked without delay.

**Dr. L. M. Singhvi:** There is one question of mine which has not been properly answered. Year after year, this has been happening. Was this matter unforeseen? Could it not have been planned during the last year and during this year? Instead of that every summer we are told that as usual the water supply shortage will be there.

**Dr. Sushila Nayar:** At present, we are able to get about 40 gallons per head per day, and it is proposed to get 50 gallons per head per day in the future. The proposal is that by 1966, we should have 145 million gallons, by 1971, 175 million gallons, and by 1981, 275 million gallons and by 1991, 400 million gallons per day to supply 50 gallons per head per day for the population of Delhi.

As hon. Members are aware, there are a number of problems at present, such as the problem of water not being sufficient in the Jamuna. We have entered into certain agreements with Punjab to release sufficient water for the needs of Delhi. Similarly, our U.P. friends also have agreed to give us some water for Delhi when Ram Ganga scheme is completed. But it will take both of them some time to complete the schemes which will

enable them to have enough water to supply to Delhi.

**श्री यशपाल सिंह (कैराना) :** साउथ एवेन्यु में पीने के पानी की जो सख्त कमी है उस को दूर करने के लिये सरकार क्या कर रही है ?

**अध्यक्ष महोदय :** सारी दिल्ली का इंतजाम हो जायेगा ।

**Shri Kapur Singh (Ludhiana):** May I know whether this admitted concomitance in water supply cuts and the hot weather is only due to circumstances beyond the control of Government, or is there some subtle policy of improving the minds of the people through imposed maceration

**Dr. Sushila Nayar:** I have not quite followed the question. Would the hon. Member repeat it?

**Shri Kapur Singh:** I shall explain myself. My question is this. You have told the House that there are circumstances....

**Mr. Speaker:** The question should be addressed to me.

**Shri Kapur Singh:** My question is this. She has told the House that there are circumstances over which Government have no control, and owing to this, this shortage of water is experienced during every hot weather. I want to know whether in addition to this there may not be some subtle policy of Government grounded in their well-known moral fervour, to improve the minds of the people through imposed *tapas* and *tyag*, that is, maceration.

**Mr. Speaker:** That is the hon. Member's experience? Or is he wanting to get information?

**Shri Kapur Singh:** I want to know whether this also is partly responsible for this phenomenon.

**Mr. Speaker:** That is the fear lurking in his mind. Can the hon. Minister answer it?

**Shri Kapur Singh:** I would like to be satisfied on this point.

**Dr. Sushila Nayar:** I have explained the reason for this shortage, and I have explained the steps that are being taken. I might add that there are about 5,000 public hydrants in the city of Delhi, and about 10 million gallons or more than 10 million gallons are being wasted everyday. So, urgent steps have been taken to repair these public hydrants so that there is no leakage, and in areas where repeatedly the leakage continues to take place, it is proposed to remove those public hydrants after giving due notices to the people.

**Shri Kapur Singh:** She has evaded my question.

**Mr. Speaker:** Probably, she cannot answer.

**श्री यशपाल सिंह :** क्या मैं जान सकता हूँ कि सरकार के इत्तम में यह बात है कि जब तक यमुना के ऊपर निर्भर किया जायेगा तब तक पीने के पानी की कमी रहेगी । इस लिये ट्यूबवेल तैयार करने में सरकार क्यों देर कर रही है और क्या सरकार की योजना ट्यूबवेल के लिये है ?

**डा० सुशीला नायर :** शतादरा के इलाके में कुछ ट्यूब वेल लगा दिये गये हैं और कुछ और लगाने का इत्तदा है । बाकी शहर में करीब ६०० हैंड पम्प लगे हुये हैं । मगर उनका पानी इतना अच्छा नहीं माना जाता । इसलिये आवश्यकता पड़ने पर उस पानी को उबाल कर पीने की विद्वयत की जा रही है । माननीय सदस्य ने और क्या पूछा था, वह मेरा समय में नहीं आया ।

**अध्यक्ष महोदय :** उस को जाने दीजिये ।

12 18 hrs.

RE. SUSPENSION OF MEMBER

**श्री बृजराज सिंह (धरली) :** हमारे जन संघ के दो सदस्यों को भाषा विल पर

[श्री बजरज सिंह]

सस्पेंड किया गया था। इस लिये पहले तो मैं सदन से यह अनुरोध करूंगा कि चूकि भव भाषा विधेयक समाप्त हो चुका है इस लिये उन लोगों को फिर से सदन में आने की आज्ञा दी जाये।

**अध्यक्ष महोदय :** यह बात तो आप ने मुझे लिखी नहीं थी।

**श्री बजरज सिंह :** दूसरा निवेदन यह है कि भव कमेटिज के एलेक्शन हो रहे हैं तो उस में उन को बोट देने का अधिकार है या नहीं।

**Shri Bade (Khargone):** There are two Members who have been suspended from taking part in the proceedings of Parliament. I would like to know whether they have also been suspended from taking any part in the committees, or from taking any part in the elections or in the voting. My submission is that they have got every right to vote in the elections to committees which will exist for one year, and it is the privilege of the Members also to vote. In *May's Parliamentary Practice*, it is laid down that every Parliament should frame rules to denote what the meaning of the term 'Proceedings in Parliament' is... In the order sheet it is not mentioned that he is debarred from taking part in the proceedings of Parliament. He is suspended from the service of the House.

My submission is that these two Members will be deprived of their right to vote. Therefore according to *May's Parliamentary Practice*, page 472:

"Suspension from the service of the House does not, however, exempt a Member from serving on any committee for the consideration of a Private Bill to which he has been appointed before suspension."

I know that is a different case. But there is no parallel to this in *May's*

*Parliamentary Practice*. I have hunted down the whole book and I find there is no such case. Therefore, this Parliament has got a right to frame its own procedure. Mr. Brij Raj Singh is also standing for this committee. So, in the interests of the Members, I appeal to the House to consider this problem.

**Shri Tyagi (Dehra Dun):** These standing committees—the Estimates Committee, the Public Accounts Committee or other such committees—are elected for the whole year. They are elected by the system of single transferable vote. This system was agreed to because the objective was to get all the minorities represented.

**Mr. Speaker:** Should that influence us in our decision on this point?

**Shri Tyagi:** My submission is that these committees are elected by the system of proportional representation, so that all groups, in proportion to their strength, have a right to be represented on those committees. On account of suspension of certain Members from the proceedings of the House, the pattern or the shape of the committees should not be disturbed, because the committees are for the whole year. I would, therefore, suggest that it will be but fair that in the matter of election, they may be permitted to vote, because they have been suspended from participating on the floor of the House alone and not in committees. Even those who are detained are getting released for the purpose of elections.

**Mr. Speaker:** That is a different thing altogether.

**Shri Tyagi:** I think this is a genuine demand and they may be permitted to vote.

**Shri Kapur Singh (Ludhiana):** I support what Mr. Tyagi has said, that these people should be allowed to participate in the voting for the committees, because the effect of the voting will cover the whole year.

**Shri A. K. Gopalan** (Kasergod): I also think that they may be allowed to vote.

**Shri S. M. Banerjee**: (Kanpur): I support....

**Mr. Speaker**: It is one thing that there ought to be sympathy and support that they may be allowed to vote. But I want assistance in deciding the actual issue as to what "suspension from the service of the House" means. That is the assistance that I would seek from the hon. Members in order to enable me to decide the issue.

**Shri S. M. Banerjee**: May I appeal to you, Sir, that Mr. Tyagi has raised this issue that the number of opposition Members is too small. On account of the suspension, these two Members are not taking part in the deliberations of the House. This particular election will take place outside the House and it is going to affect them for the whole year. I am not a lawyer and I do not know the legal position, but I would only request you to permit them to vote.

**Shri Daji** (Indore): I submit that the House has suspended them from the service of the House and not from the rights of membership. Service inside the House and service in view of membership are two different things. We may suspend a Member from the service of the House for the entire period, for 4 years, but yet he continues to be a Member. The moment he is elected, nobody has the right to deprive him of the rights of membership. You have to distinguish between the right of membership and service inside the House. We can suspend a Member from service inside the House, but we cannot suspend his rights of membership.

**Mr. Speaker**: He is adding the words "inside the House".

**Shri Daji**: "Service of the House" is quite different from "service as a member". If the idea was "service as a member", the term would have

been "service as a member" and not "service of the House". When am I in the service of the House? Only when I am in the House. When I am outside, in the lobby, I am not in the service of the House.

**Shri U. M. Trivedi** (Mandsaur): May I make one submission? I feel that sufficient punishment has been inflicted upon them. So, if the House agrees, it is high time....

**Mr. Speaker**: That is a different thing. That shall have to be decided separately.

**Shri U. M. Trivedi**: My point is, even then this question can be considered by this House. If there is a feeling....

**Mr. Speaker**: Only the other day we had one motion before the House.

**Shri U. M. Trivedi**: The question to be decided is a very simple one, whether the right to vote is lost by virtue of the fact that they have been suspended from taking part in the proceedings of the House. If the proceedings of the House have been denied to them, it means that they cannot come inside this House. That is the only thing.

**Mr. Speaker**: Does the hon. Law Minister like to say anything?

**The Minister of Law** (Shri A. K. Sen): If you so desire, Sir. As you have rightly pointed out, and I say so with all respect, if we are asked to give our personal opinion, perhaps guided by our sympathetic considerations, we would not like to deprive him, having regard to the lapse of time which has intervened, of his other functions as a member, but so long as your punishment remains, there is no escape from the conclusion that he is deprived from exercising any function as a member, including voting or exercising other rights, because the punishment is "suspended from the service of the House" instead of "suspended from being pre-

[Shri A. K. Sen]

sent in the House". Service as a member of the House carries all the functions of a Member *qua* Member, and I am extremely sorry that I have to differ from the interpretations submitted by other Members. Therefore, so long as that punishment remains unqualified, he cannot be permitted to exercise any vote.

**Shri Dasappa (Bangalore):** May I have a word?

**Mr. Speaker:** Yes, in two minutes.

**Shri Dasappa:** I think one minute will suffice. In all such matters, it is a question of interpretation. Since the position is not so absolutely clear, I think in such matters it is always better to interpret the terms liberally. When there is a suggestion here that they could participate in voting, I do not think there should be any restriction or limitation put on them.

**Shri Hari Vishnu Kamath (Hoshangabad):** Sir, may I invite your attention to rules 373 and 374 of the Rules of Procedure. Rule 374, sub-rule (2), uses the phrase, employs the term "service of the House". I have been at pains to find out whether this phrase "service of the House" has been anywhere defined in the rules. I find there is a vacuum with regard to that, a lacuna with regard to that. Then, when I turn my attention to rule 2, it defines the House—"House" means the House of the People. Further on, in the same rule, committee is defined separately from the House, "Parliamentary Committee" has been given a separate definition, different from that of the House. Therefore, to my mind, it appears that "service of the House" need not necessarily, need not *ipso facto*, means that service with regard to voting for committee, and all that are also included in the "service of the House". Because, firstly, "service of the House" is nowhere defined to say that ser-

vice of the House includes service with regard to other matters also, besides voting in the committees. A member suspended, I am told, is precluded from entering the Chamber, the lobbies—I do not know about the Central Hall; perhaps not the Central Hall, I believe.....

**Mr. Speaker:** And the galleries also.

**Shri Hari Vishnu Kamath:** Now, the voting takes place in a place which is neither in the House, nor in the lobbies, nor in the galleries; it takes place in some other place. Therefore, this reinforces my opinion that the member concerned should not be debarred from voting for the committee.

**Mr. Speaker:** Shri Anthony.

**Shri Frank Anthony (Nominated—Anglo-Indians):** I have no doubt....

**Shri Sonavane rose—**

**Mr. Speaker:** Every hon. Member should not try to take part in it. It is a legal question.

**Shri Sonavane (Pandharpur):** Every hon. Member has a right to request.....

**Mr. Speaker:** Order, order. Now he will resume his seat.

**Shri Frank Anthony:** I have much sympathy with regard to this request. But my only difficulty is this. If you look at rule 374(3), it says:—

"A member suspended under this rule shall forthwith withdraw from the precincts of the House."

"Precincts of the House has been defined in rule 2 as—

"means and includes the Chamber, the Lobbies, the Galleries and such other places as the Speaker may from time to time specify;"

So, if "precincts of the House" is such a comprehensive term, I wonder whether it would be permissible for them to come anywhere into, what is defined, as the "precincts" where they are not supposed to come. That is the only difficulty. They cannot come within the precincts of the House. I remember, Shri Ananthasayanam Ayyangar once said that "the precincts of the House" covers the House right upto the iron gates. That is the difficulty.

**Shri Tyagi:** As a member of the Committee he can come and attend the Committee.

**Shri Sonavane:** I would submit that it is a very important point that has been raised and I would add that when a Member is suspended from the service of the House it means that he is suspended from taking part in the proceedings of the House. Now, voting is a part of the proceedings of the House. Voting could have taken place in the Chamber itself, but for the sake of convenience it is taking place in one of the Committee Rooms. Therefore all the sting of this punishment would be removed if some right is also conferred on them to take part in the service of the House. Therefore I say that they should not be allowed to take part in voting also.

**Shri Bade:** I want to make only one submission. In *May's Parliamentary Practice* a difference is made between the "precincts of the House" and "suspension from the proceedings of the House". There it is said that "debarred from the precincts of the House" means that he cannot come within the four walls of the House. But if it is "suspended from taking part in the proceedings of the House", it does not mean that he is suspended from coming within the precincts of the House. They have made that difference.

**Mr. Speaker:** Some hon. Members have been reading words that do not exist at all in the rules. They are not

suspended from the proceedings of the House or anything of that kind but they are suspended from the service of the House. These are the words. We should interpret them. There is no precedent—I have tried to find it—even in *May's Parliamentary Practice* nor in our proceedings anything like that has happened so far. Therefore there is no precedent. Some hon. Member took this plea that he can be excluded from the House proper, the Galleries and the Lobbies and that to other places he can come. Shri Frank Anthony has said "from other places if the Speaker so directs". But there has been no direction so far as other precincts are concerned. But we have normally allowed them to come to the Central Hall and other places.

Now, this plea has been taken that because the voting is taking place outside this House, the Galleries and the Lobbies, they are entitled to come. The question exactly to be considered or seen is whether this voting for election to the Committee is a service of the House or not. This is the strict question that is before us. [As Shri Sonavane has said, originally we used to have our elections to the Committees inside the House and it was only as a matter of convenience that we thought that time might not be spent here and that the election might take place in some of those Committee Rooms.] Therefore the permission to sit in the Central Hall or to go about in other places does not necessarily mean that because he is allowed to go there, he can do anything he likes in those places. It is to be considered. Because I was not so clear in my mind on account of absence of any precedent, I had liked to hear hon. Members. Now, is election to committees a service of the House or not?

**Some Hon Members:** Yes.

**Mr. Speaker:** It is in pursuance of a Resolution that is passed by the House itself here.

**Shri Bade:** Could he not attend the Committees? (*Interruption*).

**Mr. Speaker:** Mr. Bade has quoted an instance from the May's *Parliamentary Practice* of the private Bill there. They are different rules so far as those are concerned and then, as he has himself said, he was a Member prior to the suspension. So, there is a distinction there.

**Dr. L. M. Singhvi rose—**

**Mr. Speaker:** Should I not conclude now?

**Shri Tyagi:** He has been suspended from the services of the House for a fixed period. Now, if he is deprived of a right of vote to a permanent Committee, it means to that extent he has been suspended for the whole year for that function at least. (*Interruptions*).

**Shri Sonavane:** It is a natural corollary.

**Dr. L. M. Singhvi (Jodhpur):** In spite of the fact that I have sympathy for the hon. Members who have been suspended, it seems that there is some force in the interpretation that has been given by Mr. Sen and Mr. Anthony. In order to avoid this difficulty, I would like to request you to consider the possibility of permitting them to vote because the House may in its wisdom accord such a permission. (*Interruption*) The House can always review it. Notwithstanding the suspension, the House is permitted to review it. (*Interruption*).

**Mr. Speaker:** We have a question, a definite issue, a concrete problem before us that we are trying to solve and the hon. Members are bringing in extraneous things that have no bearing at all on that matter. Whether we should do it, whether we should have sympathy with them, that is a different thing altogether. I also sympathise with them. But the question is—now elec-

tion is going on at this moment—whether they be allowed to vote or not, whether it is a service of the House or not. Committees have been constituted by this House for particular purposes and working in Committees is also serving the House. Therefore, so far as I can make out—and I am of this opinion positively—working in Committees or voting therefor is also included in the service of the House and, therefore, for the present, unless we change our rules, they are not entitled to vote at this moment.

**Shri Ranga (Chittoor):** May I make one suggestion? We accept your ruling. Now, in the light of that, all that the House can do is to try to amend the rules, earlier decisions, by saying that the service of the House is restricted to, in this case, the proceedings of the House. Can we not amend earlier decisions of punishment? Then, we can proceed to the next step and allow them to take part in the voting.

**Mr. Speaker:** That would be a different question.

**Shri Ranga:** Can we not bring it now?

**Mr. Speaker:** Papers to be laid on the Table.

**Shri Bade rose—**

**Shri Tridib Kumar Chaudhuri (Berhampur):** I want to know whether it is within our right to move that suspension be terminated.

**Mr. Speaker:** I have got a notice for that. I will put it on the order paper and certainly it could be taken up tomorrow. Papers to be laid on the Table.

12.37 hrs.

PAPERS LAID ON THE TABLE

**The Minister of Finance (Shri Morarji Desai):** Sir, I beg to lay on



the Table a copy of the Finance Accounts of the Central Government for the year 1961-62. [Placed in Library See No. LT-1223|63].

May I also lay on the Table another Paper?

**Mr. Speaker:** Yes.

ATTORNEY-GENERAL'S OPINIONS  
ON THE COMPULSORY DEPOSIT  
SCHEME BILL.

**Shri Morarji Desai:** Sir, I beg to lay on the Table a copy of Attorney General's opinion on the Compulsory Deposit Scheme Bill No. 9 of 1963. [Placed in Library, See No. LT-1224/63].

May I also be permitted to say that I have requested Attorney General to be present here at 5 o'clock so that if any clarifications are required, they can be asked.

**Some Hon. Members rose—**

**Mr. Speaker:** There is one thing that I may say in this connection. I received certain questions from Mr. A. P. Jain. He asked me that those questions be forwarded to the Minister as well as to the Attorney General so that he may answer those questions; when he makes a statement. When he comes here, of course, he will make a statement.

**Shri Morarji Desai:** We will send them to him now. I have received them just now.

**Mr. Speaker:** Now that the statement has been laid, if any other hon. Member also wants some questions to be put or to be clarified, he may kindly give them within an hour or so so that those also may be sent to him and when he addresses the House, he might answer those things also. (*Interruption*).

**Some Hon. Members:** We should have copies of this.

**Shri Morarji Desai:** They are ready.

**Mr. Speaker:** For all Members, they are in the Publications Counter. They

can have it just now. They are available.

**Shri Sonavane (Pandharpur):** The opinion of the Attorney-General should be circulated.

12.40 hrs.

STATEMENT BY THE MINISTER  
OF LAW

**The Minister of Law (Shri A. K. Sen):** May I point out, Sir, that Shri A. P. Jain has stated that I relied upon article 31(2A). I said quite the contrary. I said that there was no question of acquisition

12.40½ hrs.

ESTIMATES COMMITTEE

STATEMENTS SHOWING REPLIES TO  
RECOMMENDATIONS

**Shri Dasappa (Bangalore):** I beg to lay on the Table the following statements showing replies to the recommendations of the Estimates Committee which were not furnished by Government in time for inclusion in the relevant Reports:

- (i) Statement showing the replies to the recommendations noted in Chapter V of the Hundred and Seventeenth Report of the Estimates Committee (Second Lok Sabha);
- (ii) Statement showing the replies to the recommendations noted in Chapter IV of the Fourteenth Report of the Estimates Committee (Third Lok Sabha);
- (iii) Statement showing the replies to the recommendations noted in Chapter IV of the Sixteenth Report of the Estimates Committee (Third Lok Sabha);
- (iv) Statement showing the replies to the recommendations noted in Chapter IV of the Seven-

[Shri Dasappa]

teenth Report of the Estimates Committee (Third Lok Sabha);

- (v) Statement showing the replies to the recommendations noted in Chapter IV of the Twenty-Seventh Report of the Estimates Committee (Third Lok Sabha).

#### MINUTES

I beg to lay on the Table a copy of the Minutes of Evidence given before the Sub-Committee on Public Undertakings and minutes of the sittings of the Estimates Committee relating to Thirty-fifth Report on the Ministry of Steel and Heavy Industries—Heavy Electrical (India) Limited, Bhopal.

12.41 hrs.

#### PRESIDENT'S ASSENT TO BILL

**Secretary:** Sir, I lay on the Table the Appropriation (No. 2) Bill, 1963 passed by the Houses of Parliament during the current Session and assented to by the President since a report was last made to the House on the 22nd April, 1963.

12.41½ hrs.

#### COMMITTEE ON PUBLIC ACCOUNTS

##### ELEVENTH REPORT

**Shri Tyagi (Dehra Dun):** I beg to present the Eleventh Report of the Public Accounts Committee on—

- (1) Para 57 of Audit Report (Defence Services), 1960.
- (2) Action taken on the outstanding recommendations of the Committee relating to the Defence Services Accounts.

12.41½ hrs.

#### STATEMENT BY THE MINISTER OF LAW—contd.

**Shri A. K. Sen:** Mr. Speaker, Sir, in the unavoidable absence of my col-

league the Minister of Commerce and Industry, who is indisposed, I rise to make a statement on the report of Shri C. K. Daphtary, Attorney-General and Shri A. V. Viswanatha Sastri, a retired Judge of the Madras High Court on certain aspects of the Report of the Commission of Enquiry appointed by the Government some time ago to go into the affairs of several companies in the Dalmia Jain group.

**Shri S. M. Banerjee (Kanpur):** May I rise on a point of order? Actually, I want to know one thing.....

**Mr. Speaker:** Point of order?

**Shri S. M. Banerjee:** My point of order is this.....

**Mr. Speaker:** On this statement?

**Shri S. M. Banerjee:** Yes.

**Mr. Speaker:** He cannot read the statement?

**Shri S. M. Banerjee:** Before he reads, I want to know.....

**Mr. Speaker:** Let him read it. If something arises.....

**Shri S. M. Banerjee:** I want to know whether it is the report or the observation of the Government.

**Mr. Speaker:** Whatever it is, he will come to know when he reads.

**Shri S. M. Banerjee:** Then, the mischief will be done. We will be deprived of the report.

**Mr. Speaker:** In the middle of the statement, I cannot allow.

**Shri A. K. Sen:** The House will remember that after a study of the report, the Government referred it to these two eminent lawyers to consider the report and to advise the Government as to the steps that could be taken in pursuance of the findings of the Commission. Their final report was received by the Government on the 25th April, 1963. The Government have now examined their report and

are considering suitable action on the suggestions and recommendations contained in it.

The report of Sarvashri Daphtary and Sastri consists of two parts. Part I deals with the various irregularities and malpractices which were commented upon by the Vivian Bose Commission and what further appropriate legal action could be taken by the Government in respect of them. The committee has recommended that further investigation into some of these transactions should be undertaken by the Government before any further legal action in respect of them could be taken. The House will appreciate that it will not be desirable in the public interest to place this part of the report before the House, as it contains an analysis of the evidence in respect of these transactions and its disclosure might prejudice any further proceedings in a court of law which the Government might decide to initiate.

Part II of the report deals with amendment and administration of the Companies Act and is being laid on the Table of the House. [Placed in Library, See No. LT-1231|63].

It may be mentioned in this connection that on the basis of the recommendations and suggestions contained in the Vivian Bose Report, the Department of Company Law Administration has already formulated tentative proposals for the amendment of the Companies Act. The recommendations now made by Sarvashri Daphtary and Sastri will further be considered by the department and a Bill to amend the Companies Act will be brought before the House in due course.

Therefore, I beg to lay the Second Part of the Report on the Table of the House.

**Shri S. M. Banerjee:** When we wanted a discussion in this House, it was said by the hon. Minister for Parliamentary Affairs and other Ministers that this Bose Commission

Report has been referred to the Attorney-General and an eminent jurist Shri Sastri and that was one of the reasons why it was delayed. My submission is only this. In the absence of the full report, not only Part II, but Part I also,—this report is likely to be discussed in this House—in the absence of the report of the Attorney-General, it will be difficult for us to consider and give our judgment on this. My submission is only this. Government is considering that report and as has appeared in the newspaper and as also expressed by the Law Minister, they are initiating some steps. Shri Daphtary has suggested, as just now informed by the Minister, that legally it cannot be proceeded upon unless some more investigations are done. My information is that about other four concerns also, one Inspector has been appointed. We tabled a question in this House and we wanted to know what the thing is. But, the question has been admitted as an unstarred question. I am told that Shri Chopra has also been appointed at the instance of Shanti Prasad Jain. The entire.....

**Mr. Speaker:** He should now come to the question.

**Shri S. M. Banerjee:** I only want that the entire report should be laid. Nothing should remain a secret. It affects the security of the country.

**Mr. Speaker:** That is his suggestion that the entire report should be laid on the Table of the House.

**Shri S. M. Banerjee:** Yes.

**Mr. Speaker:** May I understand now the remarks that he made that if I allowed the Minister to make the statement, the mischief would have been done? what mischief has been done now?

**Shri S. M. Banerjee:** It has not been laid.

**Mr. Speaker:** The hon. Member should see. Just in the middle, when I have called him and he is making the statement, the Member gets up

[Mr. Speaker]

and says, point of order. Then, I tell him that he is now in the midst of the statement. He says, if he is allowed to make the statement, the mischief would have been done. Can he rectify that? I am prepared to rectify the mischief that has been done.

**Shri S. M. Banerjee:** You can rectify by asking him to lay the entire report.

**Mr. Speaker:** How can I ask him? It is for the Government. When we discuss, Members can lay stress on that.

**Shri S. M. Banerjee:** I am really sorry for the remark. I feel that the entire report is not there. I was told yesterday that this House cannot work as a *post Mortem* House.

**Mr. Speaker:** That is his suggestion.

**Shri S. M. Banerjee:** Do I take it that the report will not be laid?

**Mr. Speaker:** He has said that the other portion the Government is not laying.

**Shri S. M. Banerjee:** May I seek your protection? What should we discuss?

**Mr. Speaker:** It is not for me in this case to direct. The Government has certain privileges in this respect too, if they think that it is still to be investigated.

**Shri Frank Anthony** (Nominated-Anglo-Indians): I had said that. I am embarrassed that I had appeared in my professional capacity. Whether a man is a greatest un-hung criminal, if a matter is under investigation, elementary fairplay requires that nothing should be done to prejudice his guilt. That is the simple thing.

**Shri S. M. Banerjee:** If the report is not before the House, discussion becomes unnecessary until proper investigation is done.

**Mr. Speaker:** Mr. Banerjee would realise that it is the established practice and laid down in the rules that if something is *sub judice*, then, we do not discuss it here. That is clear. So far as that part of the question is concerned, it is for the Government. If they are not laying down, hon. Members can discuss all these things when the discussion takes place.

**Shri Tridib Kumar Chaudhuri** (Barhampur): The point is a small point. If the Chair holds that the whole matter is *sub judice* . . .

**Mr. Speaker:** I have not held it.

**Shri S. M. Banerjee:** Is it the contention of the Law Minister that the matter is *sub judice*?

**Mr. Speaker:** We will see. Hon. Members when they discuss this report, they can raise, this point also.

**Shri Morarka** (Jhunjhunu): The hon. Law Minister just now said that the Government is contemplating further action in accordance with the recommendations of the Attorney-General. This part of the Attorney-General's report discusses the evidence in detail. May I know, by insisting on placing the report on the Table of the House, whom Shri Banerjee wants to help? That is precisely the point. Government is contemplating further action. The Government does not consider it proper to disclose that evidence before the public just now. Apart from the question of privilege of Government, why should he insist that all that evidence should be disclosed before the public just now?

**Mr. Speaker:** That is know only to him. I cannot read his mind. How can I judge what is in his mind?

**Dr. L. M. Singhvi** (Jodhpur): My submission would be this. If this is so, then it would be only right for you to permit a preliminary discussion on the matter now, and the final discussion can take place, in accordance with what Shri Frank Anthony has

said just now, after the issues have been well defined.

12:51 hrs.

**BENGAL FINANCE (SALES TAX)  
(DELHI AMENDMENT) BILL**

**The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha):** In behalf of Shri Morarji Desai, I beg to move:

"That the Bill further to amend the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, be taken into consideration."

At a meeting of the Chief Ministers of States held in January, 1963, it was more or less agreed that the tax on certain luxury goods mentioned in Schedule I of the Act which are now taxed in almost all the States including Delhi, at a uniform rate of 7 per cent, should be raised to 10 per cent. Most of the State Governments have already taken steps to implement this decision, while others are expected to do so shortly. The amendment proposed in sub-clause (i) of clause 2 of the Bill seeks to implement the said decision in the Union Territory of Delhi.

It was also found the general rate of sales tax in Delhi is comparatively lower than that obtaining in the neighbouring or adjoining States. It may not be possible to bring about absolute parity in sales tax rates between Delhi and the neighbouring States, in view of the trade peculiarities of Delhi which has no hinterland of its own, and has developed into a big distribution centre. It is, however, desirable that the existing disparity should be reduced as far as possible in order to safeguard the revenue and trade interests of the adjoining States and also enhance the revenue of the Union Territory of Delhi. The matter has been carefully examined in the light of the observations I have made earlier, and after taking into account

the existing rates of sales tax in the neighbouring States and the consequences of Delhi having lower rates of sales tax, it is proposed to increase the general rate of sales tax in Delhi from 4 per cent to 5 per cent.

Sub-clause (ii) of clause 2 of the Bill seeks to give effect to this proposal. The proposed change will considerably reduce the existing disparity between Delhi and the adjoining States in the matter of sales tax rates. The above changes, as I said, would also help in getting the much-needed additional revenue to the extent of Rs. 1.15 crores in a full year. In 1963-64, however, because the additional revenue will accrue only for two quarters of the year, the revenue actually earned would be about Rs. 57.5 lakhs.

Having regard to the present need for additional resources and the desirability of effecting as much uniformity as possible in the rates of sales tax in Delhi and the adjoining States, this proposal has been brought forward before the House. I feel that the House would agree to the changes in the rates of tax proposed, because they are quite nominal, and I trust that the House will accept the amendments proposed in the Bill. With these words, I move.

**Mr. Speaker:** Motion moved:

"That the Bill further to amend the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, be taken into consideration".

**Shri Prabhat Kar (Hooghly):** So far as this Bill is concerned, it relates to sales tax, but as everybody knows, today, the term 'sales tax' is a misnomer. It is really a tax on the consumer, in the sense that the tax is being paid by the consumers. Whether it is multipoint sales tax or single-point sales tax, or double-point sales tax and so on, all the time, the tax that is imposed is being paid by the consumers.

[Shri Prabhat Kar]

I know, as has been pointed out by the Deputy Minister, that there was a discussion with the Chief Ministers on this matter, and with a view to increasing the revenues, the sales tax rates have been increased in other States, and so, it is now proposed in this Bill to increase the sales tax rates in Delhi so as to bring them on a par with those prevailing in the adjoining States. That is what I have been able to understand from the Statement of Objects and Reasons and also from the speech made by the Deputy Minister.

It is a well known fact that Delhi is now the costliest place in the whole country. For example, I can tell you how things have moved. Ever since the upgrading of the Delhi city to a class A city, which resulted in an increase in the emoluments of the Central Government employees, the prices have gone up. With the increase in the rates of sales tax, the prices will go up still further.

It may be argued by the hon. Minister that it is only in respect of certain luxury goods that the sales tax is being increased. But, as we know, whenever there is the imposition of any tax on a particular commodity, it has its repercussions on the prices of other commodities, and the prices of the other commodities also go up. So, naturally the increase of the sales tax which is now proposed will give an impetus to the businessmen to raise the prices of other commodities, which will further worsen the plight of the common man who is already suffering on account of the increased taxation during this year.

Therefore, I would only request the hon. Minister to see that this sales tax is not turned into a consumer's tax, and let not the consumers be asked to pay more, because the sales tax is a tax which has to be collected at the point where the sales take place in the factory or at the level of the industrial unit.

I think that the hon. Minister has said that the proposed increase will yield a revenue to the tune of about Rs. 53 lakhs.

**Shrimati Tarkeshwari Sinha:** Both these proposals will result in an additional revenue of about Rs. 1.15 crores per year.

**Shri Prabhat Kar:** Naturally, that much of amount will have to be paid by the consumers, and to that extent, the prices of the commodities will go up. Therefore, I do not agree to this Bill, and, I would, therefore, request the hon. Minister to reconsider it.

**Shri S. M. Banerjee (Kanpur):** From the Statement of Objects and Reasons, we find that:

"...it was agreed at the last meeting of the Chief Ministers of States that the rate of Sales Tax on certain luxury goods, which are now taxable in almost all the States at a uniform rate of 7 per cent may be raised to 10 per cent."

If the taxes are increased on luxury goods, I do not mind, and in the interests of the country, and in the interests of having more resources for the country, I have no objection to it. But my objection is only this, namely why a particular point which has been agitating the minds of the people in the various States has not been discussed by the Chief Ministers at their meeting. My point is that in some of the States, the sales tax is a multi-point sales tax, and in some others, it is a single point tax. I want to know from the hon. Deputy Minister who is piloting the Bill, whether this matter was ever discussed at the meeting of the Chief Ministers.

. For instance, in Delhi, it may be a single-point tax, while in UP it may be a double-point tax, and somewhere else, it may be a multipoint tax and so on, in respect of various commodities, with the result that this is not a sales tax but this is actually a pur-

chase tax, that is to say, the man who purchases has to pay this tax.

I would like to know whether this particular aspect of the sales tax was discussed, at the meeting of the Chief Ministers.

The second point that I want to raise is this. In Delhi, so far, the sales tax has been less, and now it is being increased to a uniform rate so as to be on a par with that in other States. You will kindly agree with me that the people of Delhi have always suffered because they have no legislature. No Member from Delhi, elected from Delhi, is also present here today. Of course, only Shri Brahm Prakash is there, but I find that he is also going out.

**Mr. Speaker:** There are Members from Delhi who want to speak, and I have received chits from them.

**Shri S. M. Banerjee:** I would only like to know whether this particular question was discussed, and whether prior consultations were held with the representatives of Delhi, and with the various political parties of Delhi, because ultimately this House is going to pass a Bill which applies only to Delhi in the matter of sales tax, where the prices of commodities have already gone up, and where I am afraid the prices will go up still further if the sales tax is increased.

As such, I would request the Deputy Minister to answer these two points in the course of her reply, firstly, whether this aspect of sales tax, namely that it is actually a purchase tax was discussed at the meeting of the Chief Ministers, and secondly, whether proper consultations were held and it was agreed that this Bill should be brought forward.

13 hrs.

**Shri Heda (Nizamabad):** I join the two preceding speakers who made the point that the sales tax has to be borne by the consumer, and from this

angle, it is never a desirable thing. The worst part of it is that many times the consumer pays the sales tax, but it does not necessarily go to the coffers of Government. It is appropriated in the process. Then a new thing starts. The shopkeeper says to the customer, 'Do not ask for the receipt; then I shall not charge you sales tax.' In his interest, the consumer also agrees and thus he saves the sales tax and the trader his income-tax. This creates a further problem.

But I am very glad that this Bill has brought sales tax on par with adjoining States. Otherwise, it was the complaint of the nearabout markets of Punjab, Rajasthan and West UP that because Delhi was having a lower rate of sales tax, it was taking hold of those markets. Instances were not lacking when goods from Calcutta would come to Delhi first and then go back to Agra. In this way, an extra burden is also put on the transport and communications system. By increasing the sales tax and bringing it on par with adjoining States, that burden is saved. For all these reasons, I support the Bill.

There is one more point. That is about arrears. I understand that among all the States, arrears of sales tax are far higher in Delhi than anywhere else—the proportion is far higher. I could not lay my hands on the exact figures, but these arrears are increasing year after year. It would not be very impossible for one to think that soon those firms, which are in arrears, would either have been liquidated or would have otherwise gone out of existence and new bogus firms would come to take over their assets and liabilities; then it will be nearly impossible for Government to recover those arrears. Sales tax is a thing which should be recovered immediately month by month, year by year and should not be allowed to remain pending for a long time.

**Shri Shiv Charan Gupta (Delhi Sadar):** The amending Bill under consideration is the outcome of our requirement to augment resources to

[Shri Shiv Charan Gupta]

meet the expenditure on developmental programmes. It does involve hardship to the people of Delhi, but it is inevitable.

I have to mention one or two points. You will remember that in 1957, the Government of India merged sales tax on cotton, sugar and tobacco into excise. The revenue has increased from Rs. 32.50 crores in 1956-57 to about Rs. 42.43 crores in 1962-63. I have not understood why this procedure has not been followed regarding other items because, according to me, this will give additional resources to the State and will help them in meeting their increasing requirements for funds. Further, it will stop leakage and simplify the taxation structure, give relief to traders and also reduce expenditure on collection. Whatever estimate has been made by experts, they feel that if this procedure is followed, then not only will revenue increase but it will result in an additional benefit by simplifying the taxation structure. Therefore, I request Government to consider this matter.

There is no doubt that the States are allergic to this proposal. At the time of the late Pandit G. B. Pant, former Home Minister, and the late Maulana Azad, they put pressure on the States and got it done. I would urge on Government, the Finance Minister and the Prime Minister, to look into this question and deal with it effectively so that this long-felt demand is met.

The other point I have to mention is about the sales tax tribunal. The income from sales tax has gone up from Rs. 1.20 crores to Rs. 7 crores. At present, the judicial function with regard to the sales tax law is also discharged by the chief executive, that is, the Chief Commissioner in Delhi is the final tribunal as far as sales tax is

concerned. When the volume has increased to such a great extent, it is necessary that a sales tax tribunal should be established and judiciary separated from the executive.

Now I come to my third point. Some years ago, there was a Taxation Advisory Committee in Delhi in which representatives of the people, the trade and the consumers were associated. It used to go into the question of how the sales tax law is functioning and what are the difficulties. After the popular set-up in Delhi was abolished, this Committee was also abolished. Our experience in Delhi is that this Committee functioned in a very nice manner; the Government had created a liaison between the people, the traders and the Government, and many of the ills of the sales tax law and its implementation were removed. Therefore, I would request Government to consider this question also.

In the statement of objects and reasons, it has been mentioned that Government have considered it necessary to bring forward this Bill to bring sales tax in Delhi on a par with that in the adjoining States of Punjab and Rajasthan. I would urge upon Government to go into this question, because according to my information, it is not a fact. In many cases, Delhi is at a disadvantage. What happens is that decisions are taken. The Government of India honour them promptly and bring forward laws for the purpose, whereas the other States do not act so promptly with the result that traders in Delhi are put to a disadvantage. I say this because Delhi's economy depends mainly on its distributive trade. Delhi is a small State. It has no hinterland. If all these things are taken into account, the trade is likely to be affected and the economy of Delhi is likely to be jeopardised. Therefore, I urge upon Government to look into this question. I would also plead with the adjoining States not to put Delhi at a disadvantage in this



respect; otherwise, things will worsen in Delhi.

I hope Government will look into these matters.

**Shrimati Tarkeshwari Sinha:** A few points have been raised about sales tax. Shri Prabhat Kar and Shri Banerjee asked why at the Chief Ministers' conference, a proposal for more uniformity in the structure of sales tax was taken up. We have been discussing this matter time and again with various State Governments. We have also been pointing out to them that if they changed the structure of sales tax to bring it more in conformity and also into a pattern whereby easier collection is ensured, probably they would be better beneficiaries of the tax; it would be easier to collect and there would be avoidance of evasion of sales tax as well as income tax. With this specific purpose in view, at a conference of the Chief Ministers with the Finance Minister, a proposal was put forward to appoint a committee. A committee was appointed with the late Dr. B. C. Roy as Chairman to discuss the problem of sales tax with various State Governments and bring about uniformity. Various representations had been received by Government requesting them to approach the State Governments and request them to convert sales tax into excise duty so that from the revenue point of view there would be better collection and it would also avoid the evasion that was taking place, in sales tax and income-tax also.

The committee met the representatives of the various States, and tried their level best to pursue this matter with the States, but unfortunately some of the States were not agreeable to the last, and therefore the Committee were unable to make uniform recommendations about sales tax being converted into excise. It is beyond the competence of the Union Government to press or force the State Governments to adopt certain procedures, because it is in their right and juris-

diction to levy the sales tax in whatever manner they like. That is the limitation from which we suffer. In spite of being aware of the hardships, we have not been able to proceed much further.

**Shri S. M. Banerjee:** Can you not advise them to have uniformity?

**Shrimati Tarkeshwari Sinha:** We have been advising them, meeting them and discussing with them, and as I said a little while earlier—perhaps the hon. Member and not hear me—a Committee was appointed under the chairmanship of a person of the stature of Dr. B. C. Roy to convince them about this point of view. That committee suffered from the same limitation; it could only make recommendations, it could not make the State Governments accept such recommendations.

The second point raised was about the possible effects of the sales tax in Delhi. Hon. Members know that because of the peculiar situation of Delhi, most of the Delhi goods are going into the hinterland in other States. It is a big distributive centre, but it has no hinterland of its own. Therefore, the ultimate effect of this tax is also felt by the adjoining States. So, the adjoining States were very much particular that the Delhi rate structure should be more or less, if not completely, on a par with that in the adjoining States. They have been impressing upon the Government of India to keep this point in view. They were also requested to raise sales tax on some of the luxury goods which have been listed from 7 to 10 per cent for two reasons; to avoid more consumption of these items, and to increase if possible an easier source of revenue, because it does not really affect the commonman's demands so much. All the State Governments agreed, and were prepared to raise it from 7 to 10 per cent. So, Delhi could not be left alone because it directly affects them.

That answers the point raised by the hon. Member at my back. Speci-

[Shrimati Tarkeshwari Sinha]

ically because it covers those areas which do not come into the hinterland, we cannot keep the Delhi rate structure completely different from the rate structure of the adjoining States.

Another point raised was that shop-keeper does not make out a bill, which means sales tax is avoided. To a certain extent, in stray individual cases it may be true, but we have put safeguards also to prevent this. The dealer has not only to make a bill of sale to the individual, he has also to keep an account of his purchases. When he makes an account of his own purchases, he can be caught if he does not have a proper accounting of the sales tax. In spite of that, some people are so ingenious as to avoid all the wings of the law. It is very difficult to keep a check on them.

**Shri Prabhat Kar:** Gear up your organisation.

**Shrimati Tarkeshwari Sinha:** We are trying to improve our organisation. Because of that we have been able to reduce the arrears of income-tax to a considerable extent, and we are trying to see that this organisation of sales tax is also improved, but as this organisation really covers the jurisdiction of the State administration, there are certain limitations also in this regard.

So far as multi-point sales tax is concerned, I know it is a difficult problem for the consumers and also for the purchasers who have to pay it. But it is also under the jurisdiction of the State Governments. It is for them to levy a single-point or multi-point tax, and we cannot go very far in this matter.

I am grateful for the general support given to this Bill.

**Shri Shiv Charan Gupta:** It is not merely the rate of taxation. We want to have uniformity as there are certain things also involved, for example exemptions. If the hon. Deputy Minister sees the list of Delhi Punjab and Rajasthan, she would be convinced

that there is no uniformity of rates.

**Shrimati Tarkeshwari Sinha:** The Delhi. All these problems were considered, and after they were discussed, a common formula was devised, and on that basis this Bill has come before the House.

**Mr. Speaker:** The question is:

"That the Bill further to amend the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, be taken into consideration."

*The motion was adopted.*

**Mr. Speaker:** There are no amendments

The question is:

"That Clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 1 and 2, the Enacting Formula and the Title were added to the Bill.*

**Shrimati Tarkeshwari Sinha:** I beg to move:

"That the Bill be passed".

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

13.18 hrs.

#### DEMANDS FOR EXCESS GRANTS (GENERAL). 1960-61

**Mr. Speaker:** The House will now take up discussion and voting on the Demands for Excess Grants in respect of the Budget (General) for 1960-61.

**DEMAND NO. 17—NAGA HILLS—  
TUENSANG AREA****Mr. Speaker:** Motion moved:

"That a sum of Rs. 7,09,126 be granted to the President to make good an excess on the Grant in respect of 'Naga Hills-Tuensang Area' for the year ending the 31st day of March, 1961."

**DEMAND NO. 24—TAXES ON INCOME,  
ETC.****Mr. Speaker:** Motion moved:

"That a sum of Rs. 1,15,528 be granted to the President to make good an excess on the Grant in respect of 'Taxes on Income, etc.' for the year ending the 31st day of March, 1961."

**DEMAND NO. 46—CABINET****Mr. Speaker:** Motion moved:

"That a sum of Rs. 2,05,819 be granted to the President to make good an excess on the Grant in respect of 'Cabinet' for the year ending the 31st day of March, 1961."

**DEMAND NO. 56—MANIPUR****Mr. Speaker:** Motion moved:

"That a sum of Rs. 3,06,869 be granted to the President to make good an excess on the Grant in respect of 'Manipur' for the year ending the 31st day of March, 1961."

**DEMAND NO. 66—MINISTRY OF LABOUR  
AND EMPLOYMENT****Mr. Speaker:** Motion moved:

"That a sum of Rs. 53,222 be granted to the President to make good an excess on the Grant in respect of 'Ministry of Labour and Employment' for the year ending the 31st day of March, 1961."

**DEMAND NO. 82—MISCELLANEOUS DE-  
PARTMENTS AND OTHER EXPENDITURE****UNDER THE MINISTRY OF STEEL,  
MINES AND FUEL****Mr. Speaker:** Motion moved:

"That a sum of Rs. 1,72,00,220 be granted to the President to make good an excess on the Grant in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Steel, Mines and Fuel, for the year ending the 31st day of March, 1961'."

**DEMAND NO. 85—POSTS & TELEGRAPHS-  
DIVIDEND TO GENERAL REVENUES' AND-  
APPROPRIATIONS TO RESERVE FUNDS****Mr. Speaker:** Motion moved:

"That a sum of Rs. 77,40,659 be granted to the President to make good an excess on the Grant in respect of 'Posts & Telegraphs Dividend to General Revenues and Appropriations to Reserve Funds' for the year ending the 31st day of March, 1961'."

**DEMAND NO. 87—LIGHTHOUSES AND-  
LIGHTSHIPS****Mr. Speaker:** Motion moved:

"That a sum of Rs. 7,62,314 be granted to the President to make good an excess on the Grant in respect of 'Lighthouses and Lightships' for the year ending the 31st day of March, 1961'."

**DEMAND NO. 92—COMMUNICATIONS-  
(INCLUDING NATIONAL HIGHWAYS)****Mr. Speaker:** Motion moved:

"That a sum of Rs. 10,73,266 be granted to the President to make good an excess on the Grant in respect of 'Communications (Including National Highways)' for the year ending the 31st day of March, 1961'."

**DEMAND NO. 96—OTHER CIVIL WORKS-****Mr. Speaker:** Motion moved:

"That a sum of Rs. 1,64,10,450 be granted to the President to make

[Mr. Speaker]

good an excess on the Grant in respect of 'Other Civil Works' for the year ending the 31st day of March, 1961".

**DEMAND No. 133—CAPITAL OUTLAY ON ROADS**

**Mr. Speaker:** Motion moved:

"That a sum of Rs. 2,48,91,799 be granted to the President to make good an excess on the Grant in respect of 'Capital Outlay on Roads' for the year ending the 31st day of March, 1961".

**Shri Yashpal Singh (Kairana):** I beg to move:

That the Demand for an excess Grant of a sum of Rs. 2,05,819 in respect of 'Cabinet' be reduced by Rs. 100.

[Desirability of reducing the travelling expenses of Ministers (1)]

**Mr. Speaker:** These Demands and cut motion are now before the House.

**Shri Warrior (Trichur):** I shall first deal with Demand No. 92 relating to communications, including national highways. I wish to bring to the notice of Government the very sad state of affairs....

**Mr. Speaker:** Why should he start with sadness?

**Shri S. M. Banerjee:** It will end in happiness.

**Shri Warrior:** The affairs are so sad that it must be brought to the attention of Government.

13.19 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

In many places load surveys are conducted and we expect that some attention would be paid to improve the character of the roads. For instance, if the load survey justifies concrete roads, at least after some years

the roads must be concretised. The survey is conducted every year, but the effect of it is never seen by the people especially in those parts of the country where the monsoon is very heavy and the roads are not maintained properly. There is so much difficulty for heavy traffic in the region of west coast.

Not only that. The maintenance of these roads and the improvements to be effected are entrusted to the State Governments, but the State Governments are not properly encouraged, and attempts are not made to avoid delays in sanctioning the requisitions from the State Governments. When we question them, the State Governments, and the department especially, bring out these excuses. It is said that the Central Government take a long time to sanction the estimates and that after the sanction the amounts are not paid in proper time. These are avoidable delays and the estimates must be sanctioned earlier. Clarifications, explanations and queries should not be the cause of delay.

I will now refer to the state of affairs in backward areas such as Kerala: I refer to the Kasargod-Mangalore road. Between Cape Comorin and Kasargod 4-5 bridges are to be sanctioned by the Government. I understand that the estimates were submitted as early as 1957. After clarification, explanation and queries the final estimates had been sanctioned in 1960. One bridge was finalised and the other four bridges were shelved. This main traffic route or national highway is held up in this part for want of proper sanction in time. Even their maintenance is very bad. In certain part they become canals during monsoon time. Unless State Governments are given help and encouragement and sanction in proper time, they could not be maintained properly.

There is another item Demand No. 46 about which I did not want to

speaking at first. It does not reflect to the credit of the Minister and that is why I say this. The note here explains that the excess which occurred mainly under the heading 'tour expenses' was due to more touring than anticipated by Ministers and Deputy Ministers towards the close of the year. It is rather intriguing. I do not know what prompted them to tour more in the close of the year.... (An Hon. Member: Elections). Ministers are people who should know how much grants are there. Before anybody else, they should have curtailed their demands; they should have shown the way to economise but on the contrary they are having more tours. I do not think this very much reflects to the credit of the Ministers, much less to the Deputy Ministers.... (Interruptions.) This can be avoided. The seriousness of the emergency is not seen in these small affairs; it is tried to be shown in much bigger things. But here also attention is necessary and this expenditure could have been avoided.

**Shri S. M. Banerjee** (Kanpur): I shall confine my speech to Demand Nos. 17, 46, 82 and 87. Demand No. 17 refers to adjustment of the debts in respect of the Police Battalions deputed by the State Government of Madras, Uttar Pradesh, Bombay and Madhya Pradesh to Nagaland. Recently certain sad incidents took place in Nagaland and irrespective of group affiliations Members expressed their grave concern about that. I feel that adequate steps have not been taken to safeguard the property and lives of the loyal people who are being exploited by the Naga hostiles. Apart from placing some battalions there, what positive steps have been taken to safeguard them? Through calling attention motions and adjournment motions, I have pointed out my apprehensions about the whole thing and I asked the hon. Prime Minister whether it was a fact, as has appeared in the newspapers, that certain automatic weapons have been supplied to the Naga hostiles by

Pakistan. It was not merely the Press news; it was a statement of a very responsible person who is the head of the Nagaland today. I would like to have a definite reply whether adequate steps have been taken to safeguard the life and property of these people and secondly, whether any investigation has been made further into the press reports.

I now come to Demand No. 46. The note here says that the excess which occurred mainly under the sub-Head 'A-3—Tour expenses' was due to more touring than anticipated by Ministers and Deputy Ministers towards the close of the year. The final estimates were determined on the basis of the trend of expenditure in the past, and the excess came to light only after the close of the year when no action was possible to provide additional funds to cover it. That is what this note says. I do not grudge the hon. Ministers or their deputies or Parliamentary secretaries touring the country for the success of the Plan and for implementing the assurance they give inside and outside the House. But a feeling is growing in the country about the extravagance of the Ministers. I do not want to impute any motives to anyone but I have only to say that during the emergency Ministers must also avoid unnecessary expenditure. In this House the question of electric and water charges came up for discussion and the view was expressed here that extravagance should have been avoided and an assurance was given that attempts would be made to see that the Bill does not exceed Rs. 250. Is it a fact that when the Ministers go on tour they are paid mileage at 6 or 8 annas per mile? The car is the property of Government; the chauffeur is provided by Government.... (Interruptions.)

**Shri B. R. Bhagat**: Central Ministers do not charge six annas per mile. If they use private cars, they do so.

**Shri S. M. Banerjee**: If they go in private cars and if they do not charge the Government for petrol, they

[Shri S. M. Banerjee]

charge six annas or so. I am happy to learn this. If we want people to adopt simplicity and if we say in this House that they should tighten their belts for the security of the country, people in the top should set good examples. They should give every iota of their energy, every belonging of theirs, in the interests of the country, to safeguard every inch of this land. I would request the hon. Ministers to see that they also reduce their expenditure.

Coming to Demand No. 82 about the retention price of steel, it is clearly said: "The proceeds of the surcharge representing the difference between the selling price and the retention price of iron and steel and miscellaneous receipts recoverable from the producers under the Iron and Steel Control Order, 1956." Whenever we raise the question about the retention price, we are given answers which normally do not satisfy me at least—I do not know whether other Members are satisfied. About the retention price, I definitely have a feeling that the private sector which is controlling the major portion of our steel production at present is exercising a pull, because all our three plants have not overcome the teething trouble. Of course, some of the plants are producing very well and they are also expanding. But about the retention price, there is a tremendous pull and pressure by the private sector, especially by the TISCO and IISCO, to increase the retention price. Unless the selling price of iron and steel in this country is reduced, it will be very difficult. The elementary theory is that when production increases, the cost of production is bound to decrease. That is how and why we say, let us increase production to a pitch where the cost of production will come down. Naturally, when the cost of production is reduced, the benefit goes to the consumer and to the ordinary industrialist also. The country needs steel at a cheaper rate. The only solution, according to me, is we

should have another plant or you must nationalise the existing ones in the private sector. I know the Government is somewhat allergic to nationalisation. I do not want to raise that point now, but then, what about having our fourth plant?

I avail myself of this opportunity, with your permission, to put a question to the hon. Minister about our fourth steel plant. The news appearing in the various newspapers in the country, from Washington, from New York and from everywhere, shows that there is some hanky-panky about giving aid to the Bokaro plant by the USA. In all papers, it is given in banner headlines. One newspaper, for instance, says: "A.I.D. announcement on Bokara—Fears discounted in New Delhi," and adds:

"Authoritative sources here today refused to take a gloomy view of the despatches from Washington about the overnight announcement on the Bokaro Steel Plant by the U.S. Agency for International Development, A.I.D.

Two points in the announcement stress on the need for further investigation of the availability of raw materials and the statement that no deadline had been fixed for a decision on U.S. participation in the project—created the impression of a setback.

But those in New Delhi most competent to speak on the subject emphasized that such fears were misconceived."

I only wish that this information is correct—that the apprehensions in the people's mind and the fears lurking in our minds are misconceived. I would request the hon. Minister to make a statement.

**Mr. Deputy-Speaker:** The hon. Member's time is up.

**Shri S. M. Banerjee:** I shall finish in a minute. We were raising ques-

tions in this House. We are of course indebted to the US for giving arms aid and other forms of aid. We say we feel more indebted if this aid comes to us. But I want a definite assurance from the hon. Minister, whether the aid comes to us or it does not come to us, that we shall go ahead with the fourth steel plant, because our solution only lies in having the fourth steel plant so that there is a fair competition between the private sector and the public sector, and ultimately the consumer could be benefited.

With these words, I request the hon. Minister to answer the questions I have raised, and especially these two questions, namely, about the fourth steel plant and the retention price of steel, and the security given to the people of Nagaland.

**श्री यशपाल सिंह :** उपाध्यक्ष महोदय,

इस समय जब कि हर जगह खर्च में कमी की जा रही है, मिनिस्ट्रों के टी० ए० का भत्ता बढ़ता जा रहा है। समूह के ज्वार भाटे की तरह से उन्होंने अपने खर्च को बढ़ाया है। १९५७ में उन के टूर के ऊपर ५,५७,४४६ रु० खर्च हुआ, सन् १९५८ में ६,४९,११४ रु० खर्च हुये, सन् १९५९ में ६,४३,८६३ रु० और सन् १९६० में हमारे लोकप्रिय मिनिस्ट्रों के टी० ए० का खर्च ९,५८,११० रु० हो गया। इसका मतलब यह हुआ कि ८० फी सदी इन्फ्लेशन हुआ उनके भत्ते में। गाँधी जी के नाम पर वोट माँगते हैं, लेकिन गाँधी जी के नाम पर, सर्फाइस और त्याग के नाम पर, रिजनिवेशन के नाम पर, पैट्रिय टिज्म के नाम पर रुपये को पानी की तरह बहाते हैं। मेरा सख्ता ऐतराज यह है कि अगर इस तरह से रुपये को बर्बाद किया जायेगा तो देश में न डिफेंस हो सकेगा, न डेवलपमेंट हो सकेगा। आज देश का रुपया सब मिनिस्टर लोग खा जाते हैं।

आप क्याल कीजिये कि ३७,८०,००० रु० की जो नई माँग माँग रहे हैं, उसमें ३० 484 (Ai) LSD—15

फी सदी मिनिस्ट्रों के भत्तों के ऊपर खर्च हो जायेगा। मैं यहाँ पर अपनी बात नहीं कहता, सरकार की कहानी सरकार की जबानी ही पेश करता हूँ। पी० ए० सी० की जो रिपोर्ट है उसमें कहा गया है :

“The Committee are not convinced with the explanation offered. The tours of the Ministers must have been notified well in advance. Had the Ministry exercised a close watch over the expenditure on account of tours, consulting the tour programmes from time to time, the resultant excess could have been avoided. It is not understood why a surrender of Rs. 47,900 was made on 31st March, 1961, while on the other hand the expenditure had actually been incurred in excess of the grant.”

एक तरफ सरकार ४७ करोड़ रु० वापस कर रही है लोगों को दिखलाने के लिये, दूसरी तरफ २,०५,८१९ रु० उसमें ज्यादा खर्च कर रही है। इस ढंग के आडम्बर से क्या फायदा है। अगर देश की सेवा करनी है तो जिस तरह से मन्त्रालय जी विल्किंस पेंस में लंगोटी लगा कर जा सकते थे वही आदर्श इन मिनिस्ट्रों को भी कायम करना चाहिये। जिस इंडियन कल्चर की दुहाई दी जाती है वह इंडियन कल्चर यह कहता है कि वजीर आजम जिस को कहते हैं उसका आदर्श चाणक्य के शब्दों में यह है :

“उपलशकलमेत् भेदकं गोमयानाम्  
वदभिः उनहूतानां बहिषास्तोम एष”

वजीर आजम ऐसा होता है कि उसके छप्पर पर थोड़े से उपले सूखते रहते हैं और पत्थर के टुकड़े रखे रहते हैं। आप गीत गाते हैं भारतीय संस्कृति के, वोट माँगते हैं मन्त्रालय गाँधी और त्याग के नाम पर और रुपये को इस तरह से उड़ाते हैं जिग तरफ कि विलयत का भी कोई मिनिस्टर नहीं उड़ाता है।

[श्री यशपाल सिंह]

हमारा अर्थ तो यह है कि एक दफा खर्चाफा हजरत उमर की ढाल में घी डाल दिया गया। दीन और ईमान को मानने वाले का अर्थ तो यह है कि जब उनके सामने घी आया तो उन्होंने पूछा कि बाकी मुसलमानों को घी मिला है या नहीं? जवाब मिला कि बाकी मुसलमानों को नहीं मिला। हजरत उमर ने ने कहा कि मेरी थाली से घी निकाल दो, वह ढाल टूटा दो, जब तक मालिक को घी नहीं मिलेगा तब तक ग़ुलाम कैसे खायेगा? लेकिन यहाँ उल्टा रिवाज है, जनता चाहे भूखी रहे, जनता मरती रहे, जनता चाहे सदियों और गमियों में परेशान रहे, जनता के बच्चों के पास चाहे कितानें न हों, जनता के बच्चों के पास पढ़ने के लिये फीस चाहे न हो, लेकिन मिनिस्टर लोग एक पैसा भी कम करने के लिये तैयार नहीं हैं, जब कि किसान श्रमदान देता है, जब कि हरिजन श्रमदान देता है, किसान और मजदूर अपना काम छोड़ कर श्रमदान देते हैं, जब ५० पी० के किसानों की हालत यह है कि जो कुछ उस के यहाँ पैदा होता है, अगर १०० रु० की पैदावार होती है, तो ५० रु० फाइनेंस मिनिस्ट्री ले लेती है, २५ रु० सी० बी० गुप्ता, जो कि वहाँ के वर्जर आला है, वह ले लेते हैं। जिस की १०० रु० आमदनी है उस के पास २५ रु० बचता है। जो काश्तकार है वह अपनी आमदनी का ७५ फीसदी सरकार को दे देता है, लेकिन मिनिस्टर लोग अपना भत्ता छोड़ने के लिये तैयार नहीं हैं। इसलिये मेरी दख्खान्त है कि उनके भत्ते कम किये जायें, जिस तरह से आज पार्लियामेंट के मेम्बर अपने पोसेज से सफर करते हैं उसी तरह से मिनिस्टर लोग भी सफर करें। काम जो कुछ हो रहा है वह आप के सामने है। काम तो नहीं रहा है और रुपया उड़ाया जा रहा है। मेरी दख्खान्त यह है कि अगर इस मांग को मंजूर किया जाय तो जो इसमें इंडोरी की मांगें हैं उन पर अमल न किया जाय बल्कि मिनिस्टरों से कहा जाय कि उन चीजों पर

खर्च ज्यादा न करें। अगर खर्च करेंगे तो देश और ज्यादा कंगाली और भरीबी की तरफ बढ़ेगा। यह वह देश है जिनमें लाखों बीघे जमीन इस लिये पड़ी रह गई है कि बीज का इंतजाम नहीं है, यह वह देश है जिनमें करोड़ आदमी ऐसे हैं जिनको एक दक्त खाना मिलता है, यह वह देश है जिनमें दिल्ली के अन्दर १ लाख से ज्यादा आदमी ऐसे हैं जिनके पास रैन बसरा करने के लिये जगह नहीं है, और यहां के मंत्री रुपया उड़ा रहे हैं। इसलिये मेरी दख्खान्त यह है कि यह टी० ए० और डी० ए० खत्म किया जाय।

**Shri V. B. Gandhi** (Bombay Central-South): Sir, I shall not take much time and I shall briefly deal with two of the items. These Demands for Excess Grants have already been recommended for regularisation by the Public Accounts Committee and as such what really remains for us to do is to just go through the ritual of approving these grants. Still I think it is not just a ritual, but it is a very important parliamentary function that we go a little more under the surface in regard to these Demands for Grants and try to understand what exactly is asked for.

I will come directly to Demand No. 82—Miscellaneous Departments and Expenditure under the Ministry of Steel, Mines and Fuel—Amount expended in excess of the grant for the year ended 31st March, 1961. Here they have a special kind of procedure in the matter of keeping account of these transactions in this Ministry. It is said here:

“...receipts recoverable, from the producers under the Iron and Steel Control Order, 1956 are first credited to the Consolidated Fund of India as revenue receipts and an equivalent amount is transferred to the iron and steel equalisation fund by obtaining a vote under this grant.”



I am not competent enough to express any opinion or make any comment on this part of the narration. I would only say that so long as we continue this policy of helping and subsidising our steel imports and the steel industry, such payments and such fluctuations in the amount paid to marginal producers are inevitable and are to be expected. We know that only recently we changed in fact, we raised the retention price of steel. An increase of Rs. 4.85 per ton in the average retention price of steel for the five-year period 1955 to 1960 was once granted. Then, the average retention price was also increased provisionally by about Rs. 45 per ton with effect from 1st April, 1960. We certainly have no intention of changing our policy in the matter of subsidising and helping the marginal producers. Therefore, I do support this demand for grant.

There is one more demand about which I would like to say a few words. It is about the Posts and Telegraphs' dividend to general revenues. You know they are following the example of the railways in the P. & T. Department. They also pay a dividend to the general revenue calculated at the rate applicable to the railways from time to time. The balance of the net surplus of the revenues is transferred to the reserve fund of the P. & T. Department. The actuals for the year resulted in an increase in the net surplus of Rs. 77.41 lakhs, the whole of which was appropriated to the reserve fund, thus causing an equivalent excess under this grant. The actual adjustment was carried out after the close of the year, when no action to provide additional fund was possible. This is a new arrangement and it should be watched with interest. Also, its effects on the balances to the credit of this P. & T. Department may also be watched.

**श्री सरजू पांडेय (रंगड़ा) :** उपाध्यक्ष महोदय, मैं मुख्य रूप से डिमांड्स नम्बर ४६, ६६ और १२५ पर बोलना चाहता हूँ।

पहली दो डिमांड्स में यात्रा भत्ते आदि के खर्च की बात है। इसके ऊपर सद से पहले माननीय सदस्यों ने ध्यान दिलाया है। मैं आपके जरिये माननीय मंत्री महोदय से निवेदन करना चाहता हूँ कि जवकि देश में संकटकालीन स्थिति उत्पन्न है, और जनता के ऊपर करों का बड़ा भारी बोझा लादा जा रहा है, ऐसी दशा में मंत्रियों के यात्रा भत्ते में इस तरह से रुपया बहाना मैं उचित नहीं समझता। आप देखें कि हम लोग बड़े बड़े आदर्शों की बातें करते हैं और जनता से कहते हैं कि वे देश के लिये कुर्बानी करें, और दूसरी तरफ जनता की गाड़ो कमाई को इस प्रकार खर्च किया जाता है। मैं नहीं समझता कि मंत्रियों को इतने दौरे करने की आवश्यकता है। इलेक्शन में जाते हैं और बतलाते हैं कि हम सरकारी काम में गये थे। दूसरे कामों में जाते हैं। मैं इस समय कोई खास कैस आपके सामने नहीं रखना चाहता, जरूरत हो तो रख भी सकता हूँ। जाती मामलों में पैसा खर्च करके भी सरकार से वसूल किया जाता है। मैं समझता हूँ कि सरकार को इस पर सोचना चाहिये ताकि ये खर्च कम किये जा सकें।

इसी तरह से मंत्रालयों के खर्च की इस में मांग है। ये मंत्रालय गुरसा के मुँह की तरह बढ़ते जाते हैं। जितने अफसर बढ़ते जाते हैं, जितने अधिक आदमी रखे जाते हैं उतना ही काम कम होता है। जनता को उनसे परेशानी होती है, उसका काम नहीं होता। मगर डिपार्टमेंट पर डिपार्टमेंट और दफतर पर दफतर खुलते जाते हैं। गांवों में आप जायें तो ऐसा मालूम होता है जैसे कि एक एक आदमी के पीछे एक एक अफसर हो। सेक्रेटरी, ग्राम सेवक, मच्छर मारने वाले, मुर्गी पालने वाले आदि इतने अफसर हैं कि उनके कारण मुसीबत हो जाती है। समझ में नहीं आता कि किस प्रकार ये अफसरों की पलटन खड़ी होती जाती है। इस तरह से बिला बजह खर्च बढ़ जाते हैं और काम कुछ भी

### [श्री सरजू पांडेय]

नहीं होता है। सैक्रेटरी-ग्रंडर सैक्रेटरी और दूसरे बड़े बड़े आफिसर्स बहुत फिजूलखर्ची करते हैं। मैं समझता हूँ कि उनको जितना आराम पहुंचाने की कोशिश की जाती है, ताकि काम बड़े, उतना ही वे कम करते हैं। ऐसा मालूम होता है कि वे काम न करने की कसम खाये बैठे हैं। मैं चाहता हूँ कि यह खर्चा कम किया जाये।

जहां तक डिमांड नं० १२५ का संबंध है, मैं ठेकेदारी प्रथा के बारे में कुछ कहना चाहता हूँ। आज ठेकेदार हमारे मुल्क को पूरी तरह से लूट रहे हैं। मुझे बहुत विस्वस्त रूप से पता चला है कि नीफा में वास्तव में कोई सड़क या पुल नहीं बना, मोटरो के लायक कोई सड़क नहीं बनी, लेकिन पेमेंट हो गया और ठेकेदारों ने वहां पर पैसा खाया।

पिछले दिनों हमारे यहां एसेम्बली में ठेकेदारों के बारे में सवाल किया गया था। वहां पर ४२ गांव ऐसे हैं, जिनको ऊंचा नहीं किया गया, वहां पर कोई मिट्टी नहीं पड़ी, लेकिन विलेज रेजिग स्कीम के अन्तर्गत पेमेंट हो गया। जब वहां पर मिनिस्टर शाहब से पूछा गया कि ४२ गांव कहां हैं, तो इसका कोई सन्तोषजनक उत्तर नहीं दिया गया।

**श्री ब० र० भगत :** क्या ये गांव नागालैंड में हैं ?

**श्री सरजू पांडेय :** वहां पर तो रोडज बनी ही नहीं हैं। हां, कागज पर जरूर बनी हैं।

मैं मित्राल दे रहा हूँ कि हमारे जिले में सरकार के कथनानुसार ४२ गांव ऊंचे किये गये, लेकिन एकचुप्रती वे गांव थे ही नहीं और पेमेंट हो गया। वहां पर कोई गांव है ही नहीं। एक दो गांव नहीं, मैं आप को उत्तर प्रदेश के बारे में बताता हूँ कि पांच गांव ऐसे में जो एग्जिस्ट ही नहीं करते थे। वे गांव

मोजूद ही नहीं हैं, लेकिन फिर भी पेमेंट हो गया।

इस प्रकार से ठेकेदारों को पैसा दिया जाता है और इंजीनियर तथा ओवरर्सियर आदि सब कमीशन खाते हैं। जमीन पर कोई बीज नहीं बनती है और पेमेंट हो जाता है।

इसलिये अगर मंत्री महोदय ठेकेदारी प्रथा को खत्म कर दें, तो बहुत अच्छा होगा। ठेकेदारों की वजह से हमारे मुल्क का बहुत सा पैसा बर्बाद हो जाता है और कोई काम नहीं होता है। मैं निवेदन करूंगा कि ठेकेदारी प्रथा को खत्म किया जाये और सारा काम सरकार के द्वारा किया जाये। इसके अलावा मंत्रियों, उपमंत्रियों और दफतरों का खर्च घटाया जाये।

**श्री बड़े (खारगोन) :** माननीय उपाध्यक्ष महोदय, डिमांड फार एक्सेस ग्रांट्स में लिखा है कि १९६०-६१ के लिये यह एमाउंट मांगा गया है। इससे प्रतीत होता है कि सरकार ने खर्च तो कर दिया, लेकिन कम्प्यूलर एंड आडिटर जेनेरल के आबजेकशन के कारण सरकार इसमें एग्जिस्ट-मेंट करना चाहती है। मेरी समझ में नहीं आता कि शासन के पास इतना एैफिशेंट स्टाफ होते हुए भी वह हमेशा इस प्रकार की गलतियां क्यों करता है। उसका एक ही कारण प्रतीत होता है कि मंत्री महोदय जो दौरे करते हैं, वे एट दि एंड आफ दि ईयर, साल खत्म होने के समय, करते हैं। सेंट्रल गवर्नमेंट के एप्रोप्रिएशन एकाउंट्स में पेज ७७, ग्रांट ४७ के नीचे लिखा है :

"The grant has been exceeded by Rs. 87,278; the excess requires regularisation. The excess occurred mainly under the head 'Tour expenses'.

2. During the year 1960-61 also, there was an excess of Rs. 2,05,819

over the grant, which was explained as due to more expenditure on touring towards the close of the year than anticipated.

3. The surrender of Rs. 21,400 which was made in March, 1962, did not prove justified in view of the excess over the grant."

यह गलती १९६०-६१ में हुई और इसीलिये आज हाउस का इतना समय लिया जा रहा है और शासन यह डिमांड मांगने के लिये आया है वही गलती १९६१-६२ में भी रिपोर्ट की गई है। एट दि एंड आफ दि ईअर टूर किये गए हैं और बताने के लिए कुछ एमाउण्ट सरेंडर कर दिया गया और फिर एक्सेस एमाउण्ट मांगा गया। मैं इस प्रथा के विरुद्ध हूँ। अगर एफिशेंट स्टाफ के होते हुए भी ऐसी गलतियाँ बार-बार का जाती हैं, तो इससे ज्यादा दुख का कोई बात नहीं हो सकती है।

डिमांड नं० १७ मध्य प्रदेश से पुलिस बेटेलियन के भेजे जाने के बारे में है और इसी लिए मैं इसमें ज्यादा इन्ट्रेस्टिड हूँ। डिमांड नं० ५६ मणिपुर के बारे में है। नागा हिल्स में क्राइमज इतने ज्यादा बढ़ गये हैं कि मणिपुर में लोगों के लिए शान्त नागरिक जीवन व्यतीत करना बड़ा मुश्किल हो गया है। इतना खर्च करने के बाद भी शासन वहाँ के लोगों के जीवन का सिक्यूरिटी का व्यवस्था करने में सफल भूत नहीं हुआ है। मणिपुर का एनुअल एडमिनिस्ट्रेशन रिपोर्ट में कहा गया है :

"Ukhrul and Tamenglong Sub-Divisions and the Mao Maram Circle were continued to be notified as disturbed areas under the Armed Forces (Assam and Manipur) Special Powers Act."

उस रिपोर्ट में क्राइमज के बारे में एक स्टेटमेंट दिया हुआ है, जिससे मालूम होता है कि जहाँ तक डेकायटाज का सम्बन्ध है, १९६१-६२ में ४२ कैसिज रिपोर्ट किये गए, जिनमें से केवल ८ का इन्वेस्टिगेशन हुआ और कोर्ट में

प्रासिक्यूसन केवल एक का हुआ। इसी प्रकार किडनीपिंग के ११० कैसिज रिपोर्ट किये गए, जिनमें से ५६ कैसिज का इन्वेस्टिगेशन हुआ और केवल ७ कैसिज का प्रासिक्यूसन हुआ। उस स्टेटमेंट से यह भी ज्ञात होता है कि वहाँ पर कुल क्राइमज १७७२ रिपोर्ट किये गए, जिनमें से १०२७ का इन्वेस्टिगेशन हुआ और केवल ५१० का प्रासिक्यूसन हुआ। एक माननीय सदस्य के कथनानुसार, जो नागालैंड के पास मणिपुर में रहते हैं, और अखबारों में प्रकाशित समाचारों से मालूम होता है कि नागालैंड में डिस्ट्रिब्यूशन बढ़ रही है। इससे प्रतीत होता है कि शासन को वहाँ पर ला एण्ड आर्डर स्थापित करने में सक्सेस नहीं मिली है। इस रिपोर्ट में बताया गया है कि नागा गुंडाज से १५ ब्रिटिश राइफल्स और १८ जैप राइफल्स प्राप्त की गई। इससे प्रकट है कि उन लोगों को बाहर से राइफल्स पहुंचाई जाती हैं। अगर इतना खर्च करने के बाद भी वहाँ पर कोई सिक्यूरिटी नहीं है और डेकायटीज, किडनीपिंग और मर्डर हो रहे हैं, तो शासन को वहाँ का व्यवस्था अपने हाथ में लेनी चाहिए और वहाँ के गांवों के लोगों को शस्त्र देने चाहिए।

डिमांड नं० ८५ पोस्ट्स एंड टेलीग्राफ्स के बारे में है। आज टेलीफोन की बहुत मांग है, लेकिन पोस्ट्स एंड टेलीग्राफ्स डिपार्टमेंट की व्यवस्था ऐसा है कि एप्लाई, एप्लाई, नो रेप्लाई। वह एक अजगर डिपार्टमेंट है। समझ में नहीं आता कि कहां पत्र भेजे जाते हैं। सेंधवा में, जहां मैं रहता हूँ, मनी-आर्डर फार्म नहीं मिलते हैं। मैंने इसके बारे में पोस्ट-मास्टर जनरल को वायर किया, लेकिन उसका कोई जवाब नहीं आया और अब भी वहाँ पर मनी-आर्डर फार्म का डेफिसिट है। ग्रासपास के गांवों से फार्म ला कर मनी-आर्डर करना पड़ता है।

जहाँ तक टेलीफोन का सम्बन्ध है, सेंधवा में तो टेलीफोन है, लेकिन ग्रास-पास के गांवों की जनता बहुत समय से टेलीफोन

[श्री बड़े]

मांग रहा है। इसके लिए बहुत एप्लिकेशन्स भेजा गई हैं, लेकिन बिजिनेस सेंटर होने पर भा वहां टेलीफोन नहीं उरलब्ध किये गए हैं। इसका वजह यह है कि पोस्ट आफिस का सफिल नागपुर में है। एस्टीमेट्स कमेटी ने अपनी १९६२-६३ का रिपोर्ट में पेज ५ पर यह सिफारिश की है और ये स्ट्रक्चर्ड पास किये हैं :

"The Committee in paras 11 and 12 of their 112th Report on Telecommunications has commented on the unrealistic manner in which planning had been done with regard to the requirements of telephones during the First and Second Five Year Plans resulting in the accumulation of unsatisfied demand of the order of 1,20,000 telephones at the commencement of the Second Plan and 2,00,000 telephones at the end of that Plan.

While the Committee appreciate the practical difficulties in expanding the telephone facilities in the First Five Year Plan, as set out by Government in their reply, they feel that with the accumulated experience of the past 12 years, it should now be possible for the Posts and Telegraphs Department to gear their machinery to meet the requirements of this vital facility."

15 hrs.

अब मैं नेशनल हाइवेज के बारे में थोड़ा सा कहना चाहता हूँ। हमारे यहां से आगरा बम्बई रोड गुजरता है। नर्बदा नदी बीच में उसके पड़ती है। १८५६ में उस पर एक पुल बनाया गया है। बरसात के दिनों में प्रायः यह देखा गया है कि वह पुल आठ आठ रोज तक लगातार बन्द रहता है। उस नदी में सरकारी बोट्स चलती थीं, वे भी एक बार जब वोट डूब गई, और लोगों ने सरकार को हेमैजिज के नोटिस दिये, बन्द कर दी गई।

नर्बदा नदी पर ऐसा पुल बांधा जाना चाहिये जो कि बारहों महाने काम दे सके और ऐसा न हो कि ट्रैफिक इस तरह से बन्द करना पड़े। जब पुल को बन्द कर दिया जाता है तो इसका नतीजा यह होता है कि इंदौर साइड के लोग इन्दौर में पड़े रहते हैं और दूसरी तरफ बम्बई के दूसरी तरफ पड़े रहते हैं और ट्रैफिक रुका रहता है। वहां पर टाल टैक्स भा लिया जाया करता था सवा रुपया या दो रुपया के हिसाब से लेकिन एक क्वेश्चन मैंने इसके बारे में किया था और उसके जवाब में मुझे बताया गया है कि वह बन्द हो गया है। जब ट्रैफिक वहां पर रुक जाता है तो कई बार ऐसा भी होता है कि पोस्ट आफिस का काम भी रुक जाता है और टेलीग्राम और वायर सिस्टम से हॉ कांटेक्ट स्थापित रह पाता है। इस पुल को बनाने की आपने कोई व्यवस्था नहीं की है। १९६०-६१ के लिए जो आप खर्च कर गए हैं, उसकी मंजूरी यहां मांगने आये हैं। मैं कहना चाहता हूँ आप इस मॉके पर बतायें कि नेशनल हाइवेज के बारे में आपने क्या किया है। आप टैक्स लेते हैं लेकिन पुल आज भी ऐसा नहीं बना पाये हैं कि जो बन्द हो जाता है बरसात के दिनों में वह बन्द न हो पाये। जब वह बन्द हो जाता है तो जो मालवाक ट्रक्स पंजाब से इंदौर, बम्बई और बम्बई इंदौर से दिल्ली आते जाते हैं, वे सब वैसे के वैसे पड़े रहते हैं। मैं चाहता हूँ कि शासन इस तरफ ध्यान दे।

जहां तक टेलीफोन की डिमांड का सम्बन्ध है, तीसरे प्लान में आपने जो लक्ष्य रखा है, वह किस तरह से पूरा होगा, इसको आप हमें समझायें। यह खर्चा तो आप कर गए That is only lamenting over spilt milk जो दूध गिर गया, उस पर रोने से फायदा नहीं हो सकता है। खर्चा आप कर गए हैं। उस पर अब टीका टिप्पणी करनी बेकार है। यह टीका टिप्पणी इसी दृष्टिकोण से की जा रही है कि आगे से आप ठीक काम करें।

**The Deputy Minister in the Ministry of Finance (Shri B. R. Bhagat):** Mr. Deputy-Speaker, Sir, a number of points have been raised about the Demands for Excess Grants, but before I go into them, I must try to remove the misconception that repeatedly occurs in the minds of hon. Members, namely, that there is large-scale wastage or excess over which there is no control. As it is pointed out in the introductory remarks, this excess occurs because of the special accounting procedure in which at times it is difficult to know whether in the sum provided for in the Budget there is going to be a shortfall or whether it is going to be exceeded. It comes to light only when all the accounts, receipts and everything is completed and that is completed much after the accounting year. Therefore inevitably—I want to emphasise this point—in the present accounting system it is bound to happen unless all payments are made through cheques and it is tabulated so that we will immediately know, as soon as an amount is spent, that excess is taking place. For that we need complete separation of accounts from audit and all those things. That has been considered and tried in one or two departments but has not been extended mainly for the reason of cost and other things. All I am saying is that to say that excesses or shortages should be completely eliminated in the present accounting or budgeting system, that is, hundred per cent, is asking too much . . . (*Interruption*).

**Shri Bade:** These are the remarks of the Auditor-General.

**Shri B. R. Bhagat:** I will answer all the questions. Therefore when we come to this position, inevitably either we will come to the House for Supplementary Grants or we will come to the House for regulation of the excess. What the Government should see—we are trying—and the House also and Committees, like the Estimates Committee and the Public

Accounts Committee—the Public Accounts Committee is mainly concerned with these Demands—should see that such excesses are minimum. Repeatedly I have been giving the figures. The amount of the excess, if you see the whole year's Budget, is only Rs. 6.95 crores.

**Shri Bade:** Rs. 2 lakhs.

**Shri B. R. Bhagat:** When you see that the Budget is for hundreds and thousands of crores of rupees, it is a very small percentage. It is very much less than 1 per cent. Therefore when they say that the Government is having no control or that wastage is taking place, hon. Members have not exercised due care that they usually do.

They have said one or two things about the Demands relating to Nagaland.

**Shri Bade:** These remarks are of the Auditor-General that instead of surrendering the amount, they should not show excesses in this way. They are repeating the same things. They are the remarks of the Auditor-General.

**Shri B. R. Bhagat:** All that is being done. But, as I said, unless there is complete separation of the accounting and audit procedure and some other reforms, it is inevitable. This matter has been gone into by the Auditor-General also and the House Committee. This could not be implemented because it would require more personnel, much more cost and will lead to more expenditure. It has been given up for the time being.

A point was made that the Naga hostiles are equipped with automatic and modern weapons and that from where they are getting them. It was said that probably they are getting them from Pakistani sources.

**Shri D. C. Sharma** (Gurdaspur):  
And from China.

**Shri B. R. Bhagat:** As is known, modern weapons can be bought or got from anywhere. So, we cannot precisely say the source from which they

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have got them. It would not be wise or prudent for us to say without going into the matter fully. The Government at present is going into it. Once it comes to a definite conclusion about the source of these weapons, certainly it will come to the House and tell the House, but just now the Government is not in a position to say precisely and definitely about the source of these weapons.

Then, it was said that there are no roads and that money was paid. I am surprised that this sort of general remarks have been made. It is true that the speed of the work may not be upto the expectations of hon. Members or of the Government. I am told that not only roads are being built but every effort is being made to extend the road-building programme. But hon. Members should appreciate that because of the particular climate of NEFA, the period for construction is very short and often times we have to confine all our activities to that period.

Then, about the retention price it was said that it has been determined so as to help the private sector. It was asked as to how the cost in the private sector is going up. It was also said that we should better nationalise them or should have another plant. But the fact of the matter is, leave aside all the ideologies, it is a pure fact that the old plants are much cheaper....

**Shri S. M. Banerjee:** I said that.

**Shri B. R. Bhagat:** .... than the new plants because of the enormous capital cost involved in it. For the time being they are costly. The per ton cost of the public sector plants is higher than the per ton cost of the steel projects in the private sector, not because one is in the private sector and the other is in the private sector. If you put up a steel mill today, you have to spend Rs. 200 crores whereas 10, 12 or 20 years ago when the Tata's or Indian Iron were set up the capital cost was

much less. Therefore their per ton cost is less. Therefore it is no use introducing any ideology and saying that Government does not want to nationalise them. Certainly, Government does not want to nationalise just for the sake of nationalisation because that is not in the public interest or national interest. The fact remains that the entire policy of giving retention prices and all this is being considered from the national interest point of view. Although, the House is very well aware, there was a demand from the private producers, like, the Tatas and Indian Iron, for a higher retention price and although the higher retention price would have shown that the public sector plants are making less loss, still in the interest of not allowing the price of a primary commodity like steel to go up, Government came to this conclusion, after a good deal of consideration and the retention price came to a lower figure than what was expected by the market or by the private producers. That shows that in determining the price of a primary commodity like steel or cement or coal or in any other matter the considerations are: the national interest, the consumer interest and the cost of end-products. This is very well borne out by the fact that the hon. Minister for Steel and Heavy Industries explained the same while replying to the debate. What is the conclusion about it? It is absolutely crystal clear about the objectives of a policy of the prices of commodities like steel, cement etc.

Then I come to the point which was much made of, that is, the question of Ministers' tours.

**Shri S. M. Banerjee:** Before he goes to the next point may I know—I also raised it today—something about the Bokaro Steel Plant about which the news has been appearing? Can you throw some light on that? Only today I raised it.

**Shri B. R. Bhagat:** I have also read it. That is not relevant at this stage. The Minister is just back from Ger-

many and he will certainly at the appropriate moment enlighten the House and the hon. Members about that.

**Shri S. M. Banerjee:** Thanks.

**Shri B. R. Bhagat:** Coming to the question of Ministers' tours, the hon. Member has tried to make a sort of speech which is usually delivered at the elections time and he said that the Ministers' tours are wasteful. I do not know. He has quoted figures from year to year showing that the cost has been rising. He forgets that the tours are not undertaken for the pleasure of the Minister or for making any profit, any money out of them. I do not know. The hon. Member knows that most of these amounts are merely adjustments. If the Minister goes on a tour to some place, whether it is the railway charge or the plane charge, it is adjusted. It is merely book accounts. Nothing comes to him.

Secondly the hon. Member referred about the cars. I do not know about the States. But here, if you analyse the figures, you will find the car haulage, the road mileage, is very little because to most of the places they go by air or by train because of the very nature of their duties. But wherever they use the staff car, there is no question of any adjustment to themselves. There is absolutely no question of petrol or anything. The rule provides that once a public vehicle is used, there cannot be any appropriation made to the personal account of the Ministers. Similarly, even about DA, in most of the place the Ministers stay as State guests of the State Governments and whenever they stay there as State guests—most of the Central Ministers stay as State guests of various State Governments—they only get one-fourth of their DA which mostly goes in paying for the tips, servants or other hire charges. So it is not as if it is of any benefit to the Ministers concerned.

Then, the question remains why expenses may be going up. The only

answer is that probably today the number of Ministers at the Centre is larger than what it was before.

**Shri S. M. Banerjee:** At the end of the year.

**Shri B. R. Bhagat:** Secondly, it might be because of this. Now, when the Parliament is in session, for example, the budget session, we know how much difficult it is to get away from Delhi. So, sometimes it might be for some other convenience or something—it is just a chance—that in a particular year, at the end of the year, the tour programme may be more. There is nothing more nothing less. To say that it is wasteful expenditure is not correct. The hon. Member said that the Ministers should go in sack-cloth and ashes. I do not know, if they want the Ministers to live as saints or as normal human beings. I do not know. But point is....

**An Hon. Member:** Just like yogies

**Shri D. C. Sharma:** He said, you should live like *sadhus*.

**Shri B. R. Bhagat:** I think the Parliament would not expect us to live like *sadhus*. Parliament would expect us to live like normal human beings and that care should be taken to see that whatever they do even in their tours should not be wasteful. Recently, we have checked the additional staff of Ministers going with them whenever they go out. This is minimised.

Then, there is a circular by the Prime Minister that Ministers, as usual, should avoid taking saloons. I do not think any Minister—maybe, my colleague the Railway Minister, because he has to stay out of stations in connection with his special duties may be taking a saloon,—takes a saloon. All care is taken to see that all avoidable expenses in connection with tours are minimised. But the fact remains that they are responsibilities assigned to the Ministers which the Parliament has cast upon them and their charges

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are all over the country and they have to go on tours in the country. Now, it is said, it is an emergency. I do not know what the concept of emergency is. In emergency whether the Ministers should sit in their offices and do file work or go more and more to the people in connection with their work, that is for the House to appreciate. I think, whatever tours are undertaken, they are undertaken in the discharge of their duties. Every care is taken to see that all avoidable expenses are minimised. But the fact remains that the work is increasing, whether in connection with the development, whether in connection with defence or any other matter. The responsibility of the Ministers is increasing. If the tours increase in the discharge of their duties, I think, it should not be taken as a wasteful expenditure, and the earlier that conception is removed the better.

**Mr. Deputy Speaker:** There is a cut motion by Shri Yashpal Singh. Am I to put it to the vote of the House? Do you withdraw it?

**Shri Yashpal Singh:** I do not withdraw it.

The cut motion was put and negatived.

**Mr. Deputy-Speaker:** The question is:

"That the respective excess sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President to make good the amounts spent during the year ended 31st day of March, 1961, in respect of the following demands entered in the second column thereof:

Demands Nos. 17, 24, 46, 56, 66, 82, 85, 87, 92, 96 and 133".

#### DEMANDS FOR EXCESS GRANTS (RAILWAYS), 1960-61

**Mr. Deputy-Speaker:** We now take up discussion and voting on the Demands for Excess Grants in respect of the Budget (Railways) for 1960-61.

Motion moved:

"That a sum of Rs. 13,58,90,160 be granted to the President to make good an excess on the Grant in respect of Appropriation to Development Fund for the year ending the 31st day of March, 1961."

The time allotted is half an hour.

**Shri S. M. Banerjee (Kanpur):** May I suggest that the Demands for 1960-61 and for 1963-64 may be taken up together so that the hon. Members may speak on both the demands and then let the Minister reply. It will save time also.

**Mr. Deputy Speaker:** These are separate. One is excess demands and the other is supplementary demands.

**The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):** Sir, the excess demands for 1960-61 are in respect of one 'voted grant' and six 'charged appropriations' and are presented in the light of the recommendations of the Public Accounts Committee (Third Lok Sabha) who, as a result of the review of the Appropriation Accounts for the year as also the Note on these excesses submitted to them duly vetted by the Comptroller and Auditor General, observed as under in para 12 of their Report—Vol. I:

"The Committee recommend that the excesses mentioned in para 10 (of the Report) be regularised by Parliament in the manner prescribed in Article 115 of the Constitution."



The excess is to the tune of Rs. 13 crores and odd. The following are the main items. As I submitted, there is only one grant which is in excess of the grant passed by Parliament. During 1960-61, therefore, the expenditure had exceeded the grants voted by Parliament only in one instance, as compared to three excesses over voted grants during 1959-60.

\*In dealing with this excess, allowance has to be made for the fact that the Railway surplus represents the net effect of the various factors entering into and effecting the Railway budget over which a precise control is not feasible. This excess of Rs. 13 crores and odd is a technical excess, as grant No. 20 is not an expenditure grant as such but an adjustment of the actual net surplus. At the time of original Budget, this surplus was anticipated at Rs. 18.43 crores, and this was proposed to be appropriated wholly to the Development Fund. The actual surplus at the close of the year was Rs. 32.01 crores and this amount formed the actual appropriation to the Development Fund. The increase of Rs. 13.59 crores over the Budget anticipations resulted chiefly from the various factors, effect of economies and so on.

There are a few Charged Appropriations which are slightly in excess. They are small: for instance Rs. 497; excess of Rs. 169,525. Rs. 570. There, again, there are certain items which are either for the purpose of satisfying a decrease which were not anticipated or for excess demand made by civil authorities as compensation for land acquired for the construction of railways, and so on.

I move.

**Mr. Deputy-Speaker:** The motion is before the House.

**Shri Warior (Trichur):** Sir, I wish to bring to the notice of the House only one point about this regularisation of accounts according to the suggestions made or findings

of the P.A.C. The effect of cases coming like this is that certain items are spent without getting prior sanction of Parliament. That means, that is not included in the original budget or at least, it is included in the budget in certain categories which are not properly shown. Actually they must have been shown in some others. If it had been in the proper order, Members could have understood what it means. When it is clubbed together, in certain other items, we cannot discern whether it is properly budgeted or not or whether the expenses expected should be sanctioned or not. After some time, when the P.A.C. or the Auditor General goes into these accounts, they find there are certain objectionable ways of dealing with these things. Suppose an item is not sanctioned according to the budget, by Parliament but the Ministry is spending it and then it comes to the House saying that it has not been sanctioned, but it has become so emergent or some necessary thing had cropped up and we had to spend it or it is in excess. We have to sanction that. Will it be proper accounting. I wish to submit that this will be not the way or could be the way. from the point of view of Parliament. This is an item which ought to have been under scrutiny of Parliament in the beginning itself. Instead of that, when it is clubbed in some other way, we cannot take it out of context and see whether it is proper or not. In these items, 5, 13 and 14 in these three at least, we see that it had been so late for the Public Accounts Committee. Until the Public Accounts Committee scrutinised these and found out the irregularities, the Ministry was not able to get hold of these things. Though no excess or variation has been indicated in the Appropriation accounts, the Public Accounts Committee have recommended regularisation of an amount of Rs. 14,257 under charged portion. How was this spent? Actually, if it had been spent without being first granted and then sanctioned by Parliament, I do not think that is a regular practice

[Shri Warior]

with any Ministry, much less the Railway Ministry. They ought to have done it in the proper course. Then only Parliament can understand that these expenses are absolutely necessary and it must be sanctioned. Instead misclassification was noticed only after the close of the accounts for the year at which stage there was no possibility of making provision therefor. Why this mis-classification had happened, an explanation is called for, I think, in this respect. Because, in this Budget, there are so many things which are coming up every time. We see that the Ministries spend diversify amounts which are intended for some other purpose. Then, finally, they come to Parliament saying that this is an excess. Actually, it is not an excess in the way that they have spent something which had not come to Parliament. Actually, it has been entered somewhere else and it has been spent. All this is a sort of quibbling. This must be avoided and proper accounting must be resorted to. The Ministry must insist upon budgeting and voting in the proper order.

**Shri Himatsingka (Godda):** Sir, I support the demand made by the Railway Minister. In supporting, I want to invite his attention to two or three small matters of importance. One is that though there has been an improvement in the supply of wagons, there is still difficulty in the movement of certain kinds of traffic like timber. Because, for shortage of open wagons, ordinary traffic offered from Calcutta to the south for Cochin and other places have to wait for weeks. Even then, there is difficulty of getting wagons.

There are certain areas which are important, which are not connected with railways like Godda. It is an important place in the Santhal parganas. Railway is about 30 miles away. Previously, buses used to run and they used to bring parcels and small things from railway stations

like Pirpainti and other places which connect that place. Now, these routes have been nationalised and the government buses do not carry these parcels. Therefore, I would suggest that in places like Godda and others which require the services of railways for bringing their goods, there should be out-agencies opened for which reliable contractors should be found. I think there will be no difficulty in having reliable contractors at these places, who will be willing to take up the work on the terms that are applicable to such cases. Therefore, I would suggest that applications received for out-agencies from Godda and other places similarly situated should be very favourably considered and action should be taken immediately.

Another matter to which I want to invite attention is this. Even in important stations, I find there is wastage of water which has to be pumped. Taps are open all the 24 hours and water is flowing at Patna. They have to pump the water which is flowing continuously. One can think of these things in small places where there is not much attention. In places like Patna, where the stations are not properly looked after, they should be looked into properly. The Minister should pull up the officers to do their duty properly.

**Mr. Deputy-Speaker:** Shri A. C. Guha.

**Shri A. C. Guha (Barasat):** I wanted to speak on the Supplementary demands: not on this.

**श्री सरजू पाण्डेय :** उपाध्यक्ष महोदय, मैं डिमांड नम्बर १३ पर कुछ कहना चाहता हूँ। इसमें २५ हजार रुपए की मांग की गयी है जिससे कि रेलवे कर्मचारियों के लिए अस्पतालों, पानी, स्कूलों, और पढ़ने आदि की व्यवस्था करने की बात है। मैं समझता हूँ कि यह मांग तो वाजिब है। लेकिन मेरी शिकायत है कि खास तौर से छोटे रेलवे कर्मचारियों की व्यवस्था बहुत खराब है और वह भी बास

तौर से नार्थ ईस्टर्न रेलवे पर। बहुत से स्टेशनों पर उनके लिए जो मकान हैं वे नाकाफी हैं अब और उच्च जगहें बहुत कम हैं। बहुत से स्कूलों में टीचर नहीं है। और जो अस्पताल हैं उनमें उनका ठीक से इलाज नहीं होता। आपको सैकड़ों ऐम रेलवे कर्मचारी मिलेंगे जो तरह तरह के रोगों के शिकार हैं, खास तौर से तपेदिक के, मगर उन अस्पतालों में उनकी दवा नहीं होती और कभी कभी तो वे बड़े परेशान होते हैं और दूसरे अस्पतालों में भागते फिरते हैं। खास तौर से लखनऊ में, चार बाग में रेलवे कर्मचारियों के क्वार्टर्स में पानी की अवस्था बहुत खराब है। पार्क के लिए रुपया मंजूर है मगर पार्क नहीं बनाया गया। छोटे छोटे कर्मचारियों से क्वार्टर का किराया तो चार्ज किया जाता है लेकिन उनको मकान नहीं मिलता।

इसी तरह ने आप छोटे स्टेशनों पर जाएं तो आप उनकी हालत देख सकते हैं। अगर आपको इलाहाबाद से कटिहार जाने का मौका हो तो आप देखेंगे कि स्टेशनों पर कर्मचारियों की बड़ी बुरी अवस्था है, उनके लिए न मकानों की व्यवस्था है, न पानी की, न स्कूलों की न अस्पताल ठीक से काम करते हैं। इसलिए मेरा निवेदन है कि जो भी पैसा मिलता है उसका ठीक से इस्तेमाल हो। मेरा यह कहना है कि रेलवेज में छोटे कर्मचारियों की अवस्था बहुत ही खराब है। जो लोग सारी रेलवेज को चलाने के जिम्मेदार हैं, उन की अवस्था बहुत बुरी है। मन्त्री महोदय उन की तरफ ध्यान दें और जो पैसा यहां से दिया जाता है, उसको सही मायनों में इस्तेमाल करने की व्यवस्था करें।

**Shri Subbaraman (Madurai):** In supporting the Demands before the House, I would like to place before the hon. Minister certain difficulties experienced by M.Ps. in getting third-class tickets for their assistants and servants for going back home. The tickets are not available earlier than 10 days before the day of travel; and

on the morning of the day when the tickets are issued if we plan to the booking office we are asked to send our men to get the tickets. Immediately we send our assistant or other person to the station, but even when he goes there immediately he is informed that the tickets are all exhausted. If such things happen even to M.Ps. I do not know how ordinary people will suffer for getting their tickets. We are here for the session fairly for a long time and we have to go to our places in time to attend certain functions. If we do not get tickets even ten days earlier, and positively, it creates a lot of difficulties. I have talked about this matter to the hon. Minister also. I would request him kindly to attend to this so that we, Members of this House, can get tickets positively at least on the morning of the day on which tickets are issued.

**Shri Priya Gupta (Katihar):** In supporting the Demands for Excess Grants relating to 1960-61, I wish to say something on the items of hospitals, dispensaries etc. We have seen recently that in Gonda railway hospital there are seven posts of doctors sanctioned. Now there are only one A.M.O. in charge in place of one D.M.O., and only one Assistant Surgeon. I do not know why. Sometimes even if some good doctors come they have to go away due to some clique at Gonda. I do not know what is the matter there. This may kindly be looked into. And there is always a queue of the railway men at the windows of the dispensaries, during the off-period and even during the working period. I suggest that the workload of the compounders and of the doctors may kindly be assessed and their strength increased to that extent appropriately.

In respect of water supply at Katihar (NFRy) the double-storeyed buildings have been built and taps have been provided, but the overhead tanks have not been made and the pipe connections could not be got in spite of our repeated attempts and

[Shri Priya Gupta]

sending telegrams to the Railway Board, General Manager etc. I do not know if some local purchase could not be done for getting the pipes and taps, short-circuiting the official paraphernalia etc. to make water available.

As regards the water supply at Siliguri Junction the mouth of the suction of the water pump is just after the place where the entire drainage of the colony falls into the rivulet, and there is no filtration plant. I do not understand how this can be worth drinking according to doctor's report. This cannot be done.

As regards marketing facilities at Maligaon, NFRy. headquarters, the markets have not yet been provided properly. Similarly the marketing facilities at Katihar new OT colonies, which are far away from the bazar, should also be considered.

In respect of the facilities and amenities in the workshops under the Factories Act the amenities in the Bagdogra workshop, Gorakhpur bridge workshop and Gorakhpur singal workshops require to be improved.

As regards staff quarters, more attention is required for the building of staff quarters. There are many running staff who have got no railway quarters.

We have been demanding one thing. There is a system of giving rest to the Asst. Stationmasters and points-men. At the small stations, there is no accommodation for the staff who come to relieve and for the staff who get relieved. At least one room each should be provided for the Class III and Class IV staff in each of the stations where these people can go and take rest. For, sleeping in the office and then going and taking up duty is a strain on them and is not fair for doing operational work entailing safety of train running.

In regard to sports, I want to say a word. We do not know, but at

Gonda there has been constructed a big tank for which the Deputy Railway Minister, Shri Shahnawaz Khan, has given the definition of swimming pool. But here in the actual expenditure charged it has been described as a tank for helping in the flushing of the drains. The tank is at a higher level, forty or sixty feet by twenty feet. And they have said that it is to be used for the flushing drainage system. The idea is that the divisional system will be coming, and on this presumption the DEN's office is to be converted into an officers' rest-house or officers' club. The tanks have been constructed near that in the name of flushing system and will be actually used as swimming pools. I do not know what is the brain there. But this contradiction between what the Deputy Railway Minister has said and what is given here in the estimates and charged accounts may be looked into. And I do not know how this could be an amenity to the staff when there has been definite curtailment in the hospitals amenities and in the budgets of the CMO's.

I would like to submit one point to the hon. Minister here, and that is how the operation staff have been interfered with by sub-inspector of police. The thing is known to the Deputy Railway Minister also. In Gurgaon station on the 2nd of April, 1963 and ASM and an announcer were on duty. A sub-inspector posing himself to be an anti-corruption inspector came there just at the moment when two trains were crossing, that is 219 Up and 2 BDR. There was also heavy mela traffic on that day. The ASM was exhausted due to the night duty where he had to pass so many goods trains. The sub-inspector came over there in front of the ASM's room and said: I am not getting any accommodation in the upper-class waiting room, will you check up? The ASM said: Definitely, I will check, let me despatch the trains, then I will go and check. The sub-inspector then

said: Oh, you mean that? Then he asked his sepoy in plain dress who very badly slapped and assaulted the ASM and the other staff. The ASM, the booking clerk and the announcer have been unnecessarily entangled in a case the other way round. These people are interfering in the operation work of the ASM and other staff. I desire that the hon. Minister may kindly intervene in the matter and see that these things do not occur again. It may also be taken a note of that on that particular day the number of upper-class ticket-holders was more than the sitting accommodation in the upper-class waiting-room. So there is also the question of the actual ticket-holders using it and those other than the ticket-holders not using it. Secondly, when there is "no admission".

**Mr. Deputy-Speaker:** It has nothing to do with the Excess Grants.

**Shri Priya Gupta:** It comes under Operation. How could sub-Inspected of Police inter AS M's room marked "No Admission". I request that there should be more, vigilant attention paid to these things, and the Railway Ministry may kindly intervene in this matter. I know they are doing since the Railway Ministry has received a memorandum from there.

**श्री ब्रज बिहारी मेहरोत्रा (बिलहौर) :**

उपाध्यक्ष महोदय, मैं इन मार्गों का समर्थन करता हूँ और निवेदन करना चाहता हूँ कि स्टेशन मास्टर के पास और गार्ड के डिब्बे में जो फ्रस्ट एड के ब्रम्स रखे जाते हैं, वे प्रायः काम में नहीं आते हैं, क्योंकि उन को आवश्यक ट्रेनिंग नहीं दी जाती है। मेरा सुझाव है कि स्टेशन मास्टरों और गार्डों को फ्रस्ट एड की ट्रेनिंग दी जाये और इस के लिए रिफ्रेशर कोर्स चलाया जाये, ताकि लोगों को छोटी मोटी चोट आने पर फ्रस्ट एड दी जा सके।

मेट्रल रेलवे में कानपुर से झांसी जो लाइन जाती है, उस पर एक स्टेशन चौग है, जो जंगल में स्थित है। वहाँ पर बिजली देने के बारे

में चेयरमैन रेलवे बोर्ड द्वारा वादा किया गया था। मैं निवेदन करूँगा कि वहाँ पर बिजली की व्यवस्था की जाये, ताकि वहाँ पर वाटर वर्क्स बिजली से काम कर सके और स्टेशन और स्टेशन मास्टर आदि के घर में बिजली लगने पर उस जंगल में उन की सुरक्षा भी हो सके।

साथ ही लगा हुआ पुखरायां स्टेशन है। वहाँ पर रेलवे का एक मुभाफिरखाना बना हुआ है, लेकिन उस मुभाफिरखाने में पानी का इंतजाम नहीं है। कुआँ वहाँ से दूर है। पुखरायां में म्यूनिरिपल वाटर वर्क्स है लेकिन इस मुभाफिरखाने में पानी दस्तयाब नहीं है। इससे लोगों को बड़ी तकलीफ होती है। मैं प्रार्थना करता हूँ कि यहाँ पर नल लगा कर पानी का इंतजाम कर दिया जाए तो बहुत अच्छा होगा।

तीसरी बात मैं यह कहना चाहता हूँ कि कानपुर टंडला के बीच में मंडौली नाम की जगह पर जो लेबल क्रॉसिंग नम्बर ९० है, वहाँ पर एक प्लैंग या सब स्टेशन बनाना का आश्वासन दिया गया था। लेकिन वह आज तक भी नहीं बन पाया है। इससे लोगों को बड़ी तकलीफ होती है। मैं प्रार्थना करता हूँ कि वहाँ पर सब-स्टेशन बनाने में जल्दी की जाए ताकि बरसात के पहले वह बन पाए।

मैं आशा करता हूँ कि माननीय मंत्री जी मेरी इन बातों पर ध्यान देंगे। इन शब्दों के साथ मैं मार्गों का समर्थन करता हूँ।

**श्री ज्वा० प्र० ज्योतिषी (सागर) :**

ये जो अतिरिक्त मांगें यहाँ पर प्रस्तुत की गई हैं, उनका समर्थन करते हुए एक दो बातें मैं करना चाहता हूँ कि और आशा करता हूँ कि माननीय मंत्री जी उनकी ओर ध्यान देंगे।

बीना कोटा सैक्शन के ऊपर गेट नम्बर ८ के नजदीक बहुत समय से इन्धन की मांग की जा रही है कि वहाँ स्टेशन की आवश्यकता है। साथ ही वहाँ पर यात्रियों के खड़े होने का

## [श्री ज्वा० प्र० ज्योतिषी]

कोई इंतजाम नहीं है जिनकी वजह से बरसात और गर्मी के दिनों में यात्रियों को बेहद तकलीफ होती है। मैं चाहता हूँ कि अगर स्टेशन बनाने में देर हो तो कम से कम शौड की व्यवस्था तो वहाँ एकदम कर दी जाए।

दूसरी बात मैं यह कहना चाहता हूँ कि अभी अभी बीना में क्लास ३ और क्लास ४ के कर्मचारियों की सभा हुई थी और मुझ भी उस सभा में शामिल किया गया था। उस सभा में कहा गया कि मकानों के किराये बहुत बढ़ा दिये गये हैं जिससे उनको बड़ी दिक्कत हो रही है। वर्तमान समय में जब कि महंगाई बढ़ती जा रही है, मकानों के किराये बढ़ाना मैं उचित नहीं समझता हूँ। एक अर्थ से उन लोगों को थोड़े किराये देने पड़ते थे लेकिन अब वे बढ़ा दिये गये हैं। मैं इनको उचित नहीं समझता हूँ। मैं चाहता हूँ कि शासन इस ओर ध्यान दे और उनके मकानों के किराये कम करने की कृपा करे।

एक बात मुझे बड़े दुःख के साथ कहनी पड़ रही है और वह सागर स्टेशन के बारे में है। रेलवे क्रॉसिंग पर ब्रिज बनाने की बात को केन्द्रिय सरकार ने पाँच साल हुए मंजूर कर लिया था और उसके लिए वह हर साल बजट में व्यवस्था करते आ रहे हैं, लेकिन आज तक वह उस पैस का उपयोग नहीं कर सकी है। प्रान्तीय सरकार से कहा गया था कि वह अपना एलाटमेंट करे जो कि उसने नहीं किया था। मुझ खुशी है कि इस वर्ष उसने अपना कोटा निर्धारित कर दिया है। मैं निवदन करूँगा कि जो निश्चय किया गया था, उस पर अब जल्दी से अमल होना चाहिये और कार्य प्रारम्भ कर दिया जाना चाहिये। इसके कारण वहाँ लोगों को यातायात के मामले में बड़ी अशुविधा होती है। यह बहुत आवश्यक है। शहर एक तरफ बसा हुआ है और स्टेशन दूसरी तरफ। यह भी बहुत जरूरी है कि स्टेशन से माल गोदाम तक के लिए एक लांहे का ओवर-ब्रिज डाल दिया

जाए जिनसे यात्रियों को और भी ज्यादा सुविधा हो सके।

## श्री श्रीकारलाल बेरवा (कोटा):

उपाध्यक्ष महोदय, रेलवे की डिमांड के ऊपर बोलते समय मैं एक दो बातों की तरफ संक्षेप में आपका ध्यान दिलाना चाहूँगा। लाखेर। में शहर एक तरफ है और स्टेशन दूसरी तरफ। इसलिए वहाँ पर अगर ओवर ब्रिज बनाना जरूरी और यदि आपके लिए यह सम्भव नहीं है तो कम से कम आप फुट ब्रिज बनाने का कृपा तो करें ताकि लोगों की जो समस्या है वह हल हो सके। आप का ट्रेंज जहाँ चाहें ठहर जाती है, मिनट दो मिनट के लिए आप जहाँ चाहें उनको ठहरा देते हैं। लेकिन आप इंद्रगढ़ या लाखेर। में जनता को नहीं ठहराते हैं और इसका वजह से यात्रियों को कम से कम चौदह घंटे तक स्टेशन पर पड़े रहना पड़ता है और तब जा कर उनको दूसरी गाड़ी मिलती है। वहाँ पर अगर आप जनता को दो मिनट के लिए ठहरा दें तो बहुत लाभ यात्रियों को हो सकता है।

कोटा राजस्थान के जो क्वार्टरजं बने हुए हैं रेलवे के, उनके बारे में मैं कहना चाहता हूँ कि उनका वितरण ठीक ढंग से नहीं होता है और जिनकी सिफारिश होती है, उनको तो दे दिये जाते हैं और जिनकी सिफारिश नहीं होता है, उनको वे मिलते नहीं हैं। मैं चाहता हूँ कि यह जो आधार है इन क्वार्टरों को एलाट करने का यह नहीं रहना चाहिये और सहा आधार पर इनका वितरण होना चाहिये।

अब मैं रेलवे एक्सडेंट्स के बारे में थोड़ा सा कहना चाहता हूँ। आपने स्कूल बगैरह खोल रखे हैं। वे नाममात्र के स्कूल हैं, दिखावे के स्कूल हैं। आप उनको इधर उधर भाखड़ा डैम या कोटा डैम दिखाने के लिए ले जाते हैं और इस तरह से उनका टाइम पास करके उनको छुट्टी दे देते हैं। इससे कोई लाभ नहीं हो सकता है। अगर स्कूल आपने रखना है तो उसका तरफ अच्छे तरह से ध्यान दिया जाना

चाहिये और उन को अच्छी ट्रेनिंग देने का आप प्रबन्ध करें। यहाँ पर यह कहा गया था कि ड्राइवरों और गाड़ों वगैरह को सिर्फ २१३ घंटे तक महीने में काम करना पड़ता है। ब्यावर के अन्दर मुझे ड्राइवरों और गाड़ों ने बताया है कि उनको पांच पांच और छः छः सौ घंटे काम करना पड़ता है। आप चाहें तो तीन चार स्टेशनों का रिकार्ड उठा कर देख सकते हैं। बेचारा गाड़ अगर मालगाड़ी के डिब्बे के अन्दर बैठा बैठा सो जाता है तो ऐसी हालत में उसका क्या कसूर है। यही वजह है कि एकसीडेंट इतने हो रहे हैं। ड्राइवर भी जब लगातार इस तरह से ड्यूटी पर रहता है तो वह भी उधने लग जाता है। मैं ने एक बार एक से पूछा कि क्या तुम शराब पीते हो, उसने जवाब दिया कि पीते तो जरूर हैं, लेकिन ड्यूटी के बाद पीते हैं। क्या करें इतने थक जाते हैं कि हमें उठाने वाला कोई नहीं होता है। मैं इन एकसीडेंट्स से बचने के लिए आपके सामने एक सुझाव रखना चाहता हूँ। आप दो ड्राइवरों के पीछे एक और ड्राइवर रख दीजिये और इसी तरह से दो गाड़ों के पीछे एक गाड़ और रख दीजिये, तो इन एकसीडेंट्स की संख्या बहुत कम हो सकती है और आपका खर्चा भी अधिक नहीं होगा। आप आज भी उनको डेढ़ रुपया प्रति घंटा के हिसाब से शायद ओवर-टाइम एलाउंस देते हैं। यह जो ओवर टाइम आप देते हैं, इतने में या इस में कुछ और डाल कर आप एक आदमी ज्यादा रख सकते हैं। अभी पिछले दिनों आपने नौकरियों की ४०० जगह के लिए दरखास्तें मंगाई थीं और आपके पास सत्तरह हजार एप्लीकेशंस आ गई थीं जिन में से ग्यारह हजार मेट्रिक बी० ए० और एम० ए० थे। इन ग्यारह हजार को आप क्यों नहीं रख लेते हैं, पुराने कर्मचारियों को क्यों नहीं लेते हैं। अगर ऐसा किया जाए तो एकसीडेंट होने बन्द हो सकते हैं। और पढ़े हुये लड़के को काम भी मिल सकता है और बेकारी भी कम हो सकती है आपका काम भी अच्छा हो सकता है।

**Shri S. V. Ramaswamy:** Hon. Members have urged many points regard-

ing the shortcomings of the railways—the shortage of accommodation schools, hospitals, quarters, taps, water supply, covered shed and so on and so forth. They are good in themselves, but I respectfully submit that they are not strictly relevant to the Demands for Excess Grants (Railways). Nevertheless, all these shortcomings will be taken note of; and they will be duly considered, and every attempt will be made to redress them.

I may submit to hon. Members that presently we are having the meetings of the consultative committees of the Members of each zone, where all these points can be placed before the General Manager concerned when he goes there, so that they can talk over these matters and dispose of them.

**Shri Hari Vishnu Kamath (Hoshan-gabad):** They should meet more frequently.

**Shri S. V. Ramaswamy:** We could have met, but the emergency came, and, therefore, we could not meet. We were going to have a meeting in December, but because of the emergency, we could not do so. That was the special reason why we did not meet. Normally, we meet twice a year.

One point that Shri Warior urged was why, in spite of all the accounting procedures, there were mistakes. I may repeat that there is only one big item of excess of about Rs. 13.59 crores. That is only a technical excess. We have got surplus much in excess of what we anticipated. Therefore, it was an appropriation to a different account. After all, this is only a book adjustment, and there is no expenditure over and above what was voted upon by Parliament.

With regard to the other items, as I have submitted, there are certain court decrees and awards by the civil courts with regard to the compensation to be paid for acquisition of land. These things could not be anticipated. Of course, one thing might be said that there are two or three items

[Shri S. V. Ramaswamy]

which, while covering the above payment made in satisfaction of court decrees, were erroneously, booked under 'voted' expenditure instead of as charged expenditure. These mistakes have been brought to the notice of the Railway Administrations concerned.

After all, these small mistakes should be seen in the proper perspective. In a budget of over Rs. 1000 crores, the mistakes discovered by the Comptroller and Auditor-General are only to the tune of less than Rs. 2.2 lakhs. In terms of percentage, it works out to an infinitesimal or fractional thing, in a budget of about Rs. 1000 crores.

With regard to the other points that have been raised, perhaps, they could be dealt with in the course of the discussion on the Supplementary Demands for Grants.

Therefore, I submit that the Demands for Excess Grants may be voted upon.

**Mr. Deputy-Speaker:** There is no cut motion. So, I shall put the Demand to vote.

The question is:

"That a sum of Rs. 13,58,90,160 be granted to the President to make good an excess on the Grant in respect of Appropriation to Development Fund for the year ending the 31st day of March, 1961."

*The motion was adopted.*

14.50 hrs.

**APPROPRIATION (RAILWAYS) No. 3 Bill, 1963\***

**The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):** On behalf of Shri Swaran Singh, I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of

moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1961, in excess of the amounts granted for those services and for that year.

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1961, in excess of the amounts granted for those services and for that year".

*The motion was adopted.*

**Shri S. V. Ramaswamy:** I introduce† the Bill.

I beg to move:‡

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1961, in excess of the amounts granted for those services and for that year, be taken into consideration".

**Mr. Deputy-Speaker:** The question is.

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1961, in excess of the amounts granted for

\*Published in the Gazette of India Extraordinary Part II-Section 2, dated 29-4-63

†Introduced/moved with the recommendation of the President.



those services and for that year, be taken into consideration”.

*The motion was adopted.*

**Mr. Deputy-Speaker:** The question is:

“That clauses 1 to 3, the Schedule, the Enacting Formula and the Title stand part of the Bill”.

*The motion was adopted.*

*Clauses 1 to 3, the Schedule, the Enacting Formula and the Title were added to the Bill.*

**Shri S. V. Ramaswamy:** I move:

“That the Bill be passed”.

**Mr. Deputy-Speaker:** The question is:

“That the Bill be passed”.

*The motion was adopted.*

14.52 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS (RAILWAYS), 1963-64

**Mr. Deputy-Speaker:** Discussion and voting on the Supplementary Demands for Grants in respect of the Budget (Railways) for 1963-64. Motion Moved:

DEMAND NO. 2—MISCELLANEOUS EXPENDITURE

**Mr. Deputy-Speaker:** Motion moved:

“That a supplementary sum not exceeding Rs. 10,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of ‘Miscellaneous Expenditure’.”

DEMAND NO. 4—ORDINARY WORKING EXPENSE; ADMINISTRATION

**Mr. Deputy-Speaker:** Motion moved:

“That a supplementary sum not exceeding Rs. 1,000 be granted to the President to defray the

charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of ‘Ordinary Working Expenses-Administration’.”

DEMAND NO. 7—ORDINARY WORKING EXPENSES—OPERATION (FUEL)

**Mr. Deputy-Speaker:** Motion moved:

“That a supplementary sum not exceeding Rs. 2,33,30,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of ‘Ordinary Working Expenses-Operation (Fuel)’.”

DEMAND NO. 14—CONSTRUCTION OF NEW LINES

**Mr. Deputy-Speaker:** Motion moved:

“That a supplementary sum not exceeding Rs. 20,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of ‘Construction of New Lines’.”

The supplementary Demands are now before the House.

**The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):** I may briefly say by way of introduction that the supplementary Demands Nos. 2 (Surveys) and No. 14 (Construction of New Lines) are both—in connection with the projected of New Lines) are both—in connection with the projected broad gauge line from near Siliguri to Assam. This was decided by Government after the regular Railway Budget for 1963-64 had been voted.

Apart from these, the Supplementary Demands cover (1) the effect, on ordinary working expenses, of two post-budget revisions in coal

[Shri S. V. Ramaswamy]

prices (Demand No. 7), and (2) a token provision under Demand No. 4, General Administration, to bring specifically to Parliament's notice the transfer, to railway estimates of the expenditure on the main railway line to Goa excluding the line in the Goa Port areas. This is in pursuance of the decision recently reached, for the transfer of the control and operation of this line, from the Ministry of Transport (Goa Port Administration) to the Southern Railway Administration. Following the Goa operations, the control of this railway hitherto has been under the Ministry of Transport (Goa Port), as an interim arrangement, and the transfer of expenditure on this account to the railway estimates reflects the effect of the transfer of control from the 1st of May 1963 now agreed upon.

**Shri D. C. Sharma** (Gurdaspur): I think the whole House will welcome at least two of these Demands, though the Government has taken longer than usual—it always takes a very long time—to arrive at this decision which is in keeping with the defence needs of our country and also in keeping with the policy of Government in inter-connecting the various States of India.

First of all, I want to say a few words on Demand No. 4. Now, I do not understand why they are asking only for Rs. 1,000. Of course, it is a token grant. But my feeling is that this shows how defective the budgeting system of the railways is—in fact how defective the budgeting system of the Government of India is. I have been reading about the railway system in Great Britain and I find that they have now overhauled their railway system under the leadership of Dr. Beeching. He has done a great deal to give a new face lift to the British railways. I feel that something like that has got to be done for our railways also. But that is a different question.

It is a good idea that they are going to integrate Goa with the Southern Railway. I would have very much liked Goa to have an independent railway unit. It should have had a unit of its own and it should not have been merged with this region or that. It should have kept up its identity, its personality. But anyhow, if they want to integrate it with the Southern Railway, I will swallow it, though I will do so with a great deal of difficulty.

**Shri Nath Pai** (Rajapur): Swallow Goa or the railway?

**Shri D. C. Sharma**: I feel Government should have given us a complete blueprint of the arrangements they were going to make with reference to Goa. It is no use asking us to sanction a token grant of Rs. 1,000. The best thing would have been to give us a complete picture so that we could have given some good, heartening news to our new friends in Goa. This has not been done. I feel this is a lacuna. Anyhow, I welcome this Demand because it is going to be a source of strength to our country.

Another Demand I welcome is that concerning the conversion of the existing metre gauge line from Siliguri to Assam. Assam has become a very sensitive area now and the areas outlying Assam are also very very troubled, and we have to look after them. Again I put one question to the Railway Ministry: why are they always dealing with big things in a piecemeal fashion? Why are they always handling big problems which involve our national defence and the integrity of our country in a way which I should call a pettyfogging way? I do not understand why they are doing like this. I wish, so far as Assam is concerned, the Government of India had given us a complete picture of the transport system of that State in terms of railways, inland water navigation and national highways. There was some mention about it in the Excess Demands of the Gene-

ral Budget today. This kind of thing is not very good for us, nor for the people of Assam. The Railway Minister should be so good as to tell us what strategic lines of communication they have. I hope that now or at some other time they will educate Members of Parliament about the transport needs of Assam and of the outlying areas and what they are going to do. It is no use coming to us with these small instalments again and again.

15 hrs.

There is another thing. I have spoken about it at other times also, but I cannot help saying that this makes me very unhappy whenever I come across it. We are always having awards of arbitrators, and we are always having some items arising out of court decrees so far as railways are concerned. They are perpetual, recurring items, whether we deal with supplementary budgets or excess budgets or regular budgets. I have said this often and I repeat that there is something wrong with the legal department of the railways, because the number of court cases has gone up out of all proportion to the number of items the railways deal with. At the same time, contractors always get the railways into trouble. We are having co-operative labour construction societies in other departments and trying to do away with these contractors because they are not giving a good account of themselves in free India. I want to know two things from the Railway Minister: how he is going to strengthen the legal department of the railways so that the court cases, whose number is rising day by day, may be reduced, and what the railways are doing to introduce the principle of co-operation so far as their construction and vending activities are concerned. I think the time has come when the railways should take stock of the position in these two fields, because unless they do that, I think the railways will become a very big cobweb, a very big network of disputes, court cases, awards and decrees.

They will have to spend a great deal of their energy on this besides time and money.

I welcome these Demands, and I hope the Minister will be able to give us the proper perspective about these Demands.

**Dr. Ranen Sen** (Calcutta East): A sum of Rs. 20 lakhs is being asked for to cover specifically the construction of a new broadgauge railway line from Raminagar to Assam. It is good that for defence a new broad gauge line is being constructed, and we wholeheartedly support it. But I would draw the attention of the Ministry to one very important thing.

The importance of Assam during the past few years has been tremendous, and it is likely to grow, not only from the point of view of defence, but also from the point of view of having a better link, a more durable link, with the rest of India. With the development of Assam, the backward tracts of Assam are also likely to develop more and more. Therefore, there is need to have a broad gauge line from Bengal to Assam.

We experience a lot of difficulties if we travel from Calcutta to Assam. There is the question of Pakistani territory intervening. Some time back there was a talk, at least that was the newspaper report, of running a standard broad gauge railway from Calcutta to Siliguri through the territory of Pakistan with their consent. Later that idea was forsaken, probably due to the intransigent attitude of Pakistan. I am not quite sure. That idea first came to the mind of the Ministers of the West Bengal Government, because primarily Bengal is the State which is mostly suffering due to this difficult railway journey from Calcutta to the Assam areas. After travelling for some time on broad gauge, one has to shift to metre gauge, which goes via Siliguri to Assam. That becomes difficult for the passengers, and transhipment of goods is also difficult. So, there is need to

[Dr. Ranen Sen]

have a broad gauge line connecting northern Bengal with Assam.

The new broad gauge line which is under construction from Raninagar to Assam....

**Shri U. M. Trivedi** (Mandsaur): To Assam?

**Shri Ranan Sen:** There is nothing wrong. It is printed here. Perhaps he has not read it.

**Shri U. M. Trivedi:** I have read it. Why Assam?

**Shri Ranen Sen:** Anyway, it is there.

Vast tracts of land will have to be taken over by the Railway Ministry. It has been the very sad experience of the people that whenever land is taken over by any department of the Government, proper compensation is not paid to the people concerned in proper time. This is the standing complaint. I take this opportunity of referring to a particular case, though it is not strictly relevant here. Certain plots of land were taken over by the Defence Department 20 years back during the Second World War, but up till now, despite repeated petitions, perhaps hundreds of them, by the owners of these plots of land, they have neither got any reply, nor the land back nor any compensation. This has been the unfortunate experience in regard to all the departments of the Government, whether the land was acquired for the D.V.C. or for Railways or for Defence. While taking over land for the purpose of constructing railways, the Railway Ministry should consider sympathetically the needs of the people whose land is being taken away so that they are properly and timely compensated.

**Shri A. C. Guha** (Barasat): It looks rather odd that before the Budget session is over or even before all the procedures for passing this year's Budget are over the Railway Ministry has to come before the House with a

supplementary budget. They should try to avoid this. I may say that the Railway Ministry have no fault about item No. 7; it is unavoidable. Items 2, 4 and 20 are to be welcomed generally. I shall first deal with item No. 7. On the 1st of March this year the price of coal was increased by 80 nP. per tonne and on the 1st April again, by 49 nP. It has been in recent times the practice to revise the price of coal repeatedly three or four times in a year. I know the Railway Ministry is not responsible for that. But I think the Government as a whole should take a sensible view of this matter. Coal is a basic necessity and any increase in its price would increase the cost of production of all industrial commodities. So frequent variations in the price of coal should be avoided. This is a bad practice. Thinking perhaps that it would give greater incentive for production, the Ministry of Mines and Fuel have been repeatedly submitting to the demands of the private collieries to increase the price. Last year or the year before the price of coal was revised three times. This year, it was revised twice within almost one month. This would mean an increase in the operational cost of the railways apparently and a loss to the railway revenue.

I shall now refer to item No. 4. I was surprised at what Prof. Sharma suggested: Goa railways should not be integrated but should be kept a separate railway. Perhaps he did not care to realise what is the size of Goa and how many miles of railways Goa can have. Anyway, I am glad that Goa railway is to be integrated with the Southern Railway and I hope that this will be a step towards the administrative integration of Goa, Daman and Diu with the adjoining territories. I can understand Pondicherry having special claims because of French culture. I do not think that the people of Goa would have any fascination for Portuguese culture which is 3-4 centuries behind our time.

Now, items 2 and 20 are really for one project, a broad-gauge link to Assam, connecting Calcutta and Bihar with Assam. During the budget discussion, practically all Members from Bengal and Bihar and Assam demanded a broad-gauge railway connection to Assam. Calcutta-Siliguri has now a broad-gauge and from Siliguri to Assam it may not be so very difficult. I must compliment the Railway Minister that so soon after the demands made in this House he has been convinced perhaps by his personal visit to Assam, of the necessity of undertaking the broad-gauge railway to Assam. I may here refer to an old incident. In the olden days there was a very good railway link of Assam with Calcutta. The Assam Mail was one of the best trains running in that part of India. Partition upset it. Our trains could not go beyond Gitaldaha in Cooch-Bihar now because a small strip of land about 4-5 square miles of Pakistan intervenes in Bhurungamari in Rangpur district. If that small strip of land remained with India, it would have kept the Assam Rail link almost intact from Gitaldaha to Golukganj. During the Radcliffe discussion this point was mentioned but the idea then was that the thana or police station should be the unit and that no police station should be partitioned. But when a portion of Berubari was given to Pakistan in 1958, not only the thana but even a union was partitioned. During the discussions with Pakistan in 1958 a small strip of land was ceded to Pakistan. In fact Pakistan had no claim whatever to that strip of land belonging to Tripura; it was called Bhagalpur. Still it was ceded to Pakistan so that Pakistan's railway connection might be facilitated. While showing this generosity to Pakistan, I do not know why our Government should not have had the foresight of demanding this small strip of land in Bhurungamari. This strip of 3-4 square miles would have sufficed to give a direct rail link to Assam. Our Railway Minister who is even now negotiating with Pakistan on Kashmir and other allied matters also will,

I hope, try to raise this point so that we can have direct rail connection with Assam.

I think the Railway Ministry should have given us a clear idea as to the terrain and territories through which this Railway line, the new broad-gauge line will run. Anyhow, I hope the Railway Minister will try to raise this point in his 6th round of talks with the Pakistan Government. Demand No. 2 is also connected with the broad-gauge line and it refers to surveys, etc. and the establishment of the railway wing of the office of the Comptroller and Auditor General.

In this connection, I would like to emphasize the importance of Farakka. Unless the Farakka barrage is completed the broad gauge railway line to Assam cannot be a safe line. Otherwise, it will have to be a ferry line and no strategic importance can be served by a ferry line. So Farakka should be completed at an early date.

During the budget discussion also I had mentioned that the Northeast Frontier Railway is more a strategic railway than an ordinary railway for the purpose of communication. Here in the pamphlet also the words used is "strategic broad gauge line". I hope that some portion of the losses suffered by this railway will be borne by the Defence Ministry. Otherwise, from the accounting point of view also, it would not be quite proper. Previously, before partition, the then Defence Department of the Government of India was bearing a certain portion of the losses incurred by all these railway lines which were considered strategic lines. I hope that procedure will be followed now also so that the railways accounts may be put on a proper form and the railway finance also are strengthened. This is really a defence expenditure; it is not a communication expenditure or mere railway expenditure. So, a portion of the losses incurred by this railway should be borne by the Defence Ministry.

**Shri Priya Gupta (Katihar):** Mr. Deputy-Speaker, Sir, I rise to support the supplementary demand for grants for 1963-64. It is very good that the strategic State like Assam, which borders on Pakistan, China and NEFA and other areas has been connected with the rest of India by a broad gauge. I would submit one thing. Now, the broad gauge is being laid from Siliguri to Jagighoppa. But let the Railway marine service be also extended from Jagighoppa to opposite bank with short Railway line connected to Pandu area so that the opposite banks could be linked.

**Mr. Deputy-Speaker:** We are now concerned only with the railways.

**Shri Priya Gupta:** This is a question of the construction of a broad gauge line to Assam. I would only suggest improvements, and I think I am correct and that this point comes within the scope of the discussion. Now, when the Government have also decided to declare Pandu as an inland port, that will also be an additional factor for the link that I have suggested.

Now, wherever the railway bridges are constructed over the torrential rivers and rivulets in North Bengal and Assam, there should be an attempt on the part of the railways to get into touch with the Ministry of Communications so that the road bridges could also be constructed simultaneously, and thus we could have rail-cum-road bridges and avoid double expenditure and also for alternative road communication to Assam. These rivers dry up in the summer season but in rainy seasons, they become torrential and they cannot be crossed; erosions also take place. So, I suggest that there should be rail and road bridges also wherever necessary.

Now, I shall mention our experience in Katihar. The distance between the original Katihar station on the metre gauge and the new BG station at Katihar is more than four furlongs.

Especially, at dead of night, say, 1-30 a.m., the passengers are being harassed by the rickshawallahs and coolies. There should be a link between the broad gauge and the metre gauge there. I do not know what for the construction is being delayed. I know that the planning and other officers are there considering the construction of a link there. Administrations of the N.F. Railway and the N.E. Railway are yet to decide whether there should be a diamond crossing or a fly-over crossing to connect B.G. and M.G. station at Katihar, so that the passengers may not be put to enormous trouble which they are now undergoing.

Then, I submit that for the broad gauge, the required strength of Station Masters and Assistant Station Masters should be ascertained. We have submitted our representations and suggestions to the Railway Board saying that in most of the railways the proper strength of Station Masters and Assistant Station Masters is not available, and that every attempt should be made in this direction to give proper strength. Now whenever new stations are being put into commission, the Station Masters and Assistant Station Masters fall short of the required number, as is now happening. Most of the railways are short of Assistant Station Masters and Station Masters. They are also being overworked in respect of operation of the railways. This must also be attended to.

Then there is the question of payment of compensation for the land. As my senior colleagues have already pointed out, it is a question affecting the public. The people have not been paid as yet in many places in regard to the broad gauge line from Siliguri to Khajuriaghat. Not a farthing has been paid. This must be taken note of, and it should be seen that no delays are allowed any further. With these words, I support the demands for grants especially in relation to the lines concerning Assam and Bihar, and North Bengal.

**Shri V. B. Gandhi** (Bombay Central South): Mr. Deputy-Speaker, Sir, I shall begin with the consideration of the provision of Rs. 1,000 which is made under Demand No. 4, towards the expenses of the railway system in Goa. It is time that something was done for Goa. It is intended that the railway system in Goa minus the port area is going to be transferred to the Southern Railway administration. This is a very desirable step, and I welcome it. Goa is fast assuming importance, in fact, greater importance, than we realised, in many ways. Goa is not only important strategically, to us but what is more vital to us is that Goa has a great port where external trade must increase and flourish in the matter of minerals, in ores, in manganese, in ferro-manganese and such other items of international trade. From that point of view, I welcome anything that can be done for the development of Goa.

Another point with which I will briefly deal is about Demand No. 7—Operation (Fuel)—which is to cover the effect of post-budget developments by way of an increase in the price of coal from 1st March, 1963 and from 1st April, 1963. The approximate amount sought in this case is Rs. 2.33 crores, and this is being done as it is explained here: “that the railway budget had already been sanctioned and presented before”. This is a matter of rather vital importance in some ways to our entire economic system. Besides, when we are talking about the increase in the price of coal and other products, we have not come to the end of the story, because in the last but one paragraph of the introductory Remarks, we read thus:

“The effect of increase in excise duties, etc., on the Railway’s expenses—(e.g., the increase in the price of ‘diesel oil’ consequent on the increase in excise duties)—have not been evaluated at this stage, and will be covered by further Supplementary Demands, if necessary, later in the year when

a closer estimate will be possible.”

We now understand what it means. That is to say, we have to expect further supplementary demands for grants to meet the increased costs on account of fuel, diesel oil and such other things. I am one of those who feel rather sensitive on the point of what is actually happening to our economy in the matter of its being a high-cost economy. It is a very serious problem and in some way, I think, the railways have been partly responsible, because the railway service or transport service forms an essential element in the production of a large variety of goods and services and as forming an essential element of cost in such a large range of goods and services, they naturally tend to increase the price. They give the first push, the first impetus to the onward movement of prices.

I had said this at the time of the last budget, 1962-63 budget. I have repeated this again during the budget debate on the 1963-64 budget. I do not believe there was justification really even in the last budget for securing a position where there would be a surplus in the railway budget last year. Year before last, just for the sake of securing a small revenue of Rs. 21.23 crores or something, they increased the freight rates. All these increases are elements of cost in a large number of products, covering the whole economic spectrum. It affects the entire economy and in that way it is of very vital importance. From that point of view, problems of this kind should be considered.

**Shri U. M. Trivedi:** Mr. Deputy-Speaker, Sir, these supplementary demands naturally focus one’s attention on this big amount of Rs. 2.62 crores, which is being asked for now. When I read the note on this particular demand, I could not reconcile myself to this proposition that “this demand has arisen because of the enhancement of the price of coal by 80 nP. per tonne from 1st March, 1963 and again by

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49 nP. per tonne from 1st April, 1963. Are we all sitting merely as ignorant people, not knowing what exactly the price of coal should be? Practically coal is a controlled commodity and the Government must be in the know of affairs that the price of coal is going to increase. Government itself have a hand in the increase or decrease of the coal price. Having this information before itself, how is it that the Ministry failed to utilise its knowledge at the time of the general budget? This budget was discussed in the month of February and very soon, on the 1st March the price was increased by 80 nP. What was this not brought to the notice of the House and why should this supplementary demand arise? This indicates gross carelessness on the part of those who have prepared the budget and surely calls for serious comment for the lack of knowledge that has been shown by the Ministry in this case.

Then, I come to this question of coal cinders and coal ashes. It is probably not within the knowledge of the big Ministers who conduct the affairs of the railways that from place to place, from zone to zone, from division to division, the disposal of cinders is carried out in a different manner. At some places, the cinders fetch very high value, but at some places not even one maund of cinder is being sold except that some pilfering is being carried out and utilisation of the cinders takes place, without any payment. Huge quantities of cinders and ashes are being just dubbed and some expenditure also is incurred in moving these things. But at other places, a huge amount is collected from the contractors who have agreed to purchase the cinders. Why a uniform policy has not come into existence all over the railways, all over the various divisions of the same zone, passes my comprehension. The amount of income that is to be derived from the coal ashes is to be much more on the face of it than what has been shown in this supplementary demand.

Another thing that strikes me is, why has this come into the supplementary demand? We must have known for long that coal ashes are there. These are by-products. Is it that the Ministry forgot entirely about the existence of coal ashes or is it that the coal ashes have suddenly shot up in price on account of the shooting up of the price of coal?

The other explanation that is given is equally ridiculous, I should say. Whenever supplementary demands are made, the explanations must be full and proper. This supplementary demand comes before the House just within 1 month probably of the passing of the railway budget. A day earlier we are not able to know it. A day earlier we are not able to formulate it and no proper explanation is given as to why it was that we missed the bus in making our estimates, how it is that the price of coal could not be controlled and what is the background on the basis of which the price of coal shot up on 1st March, 1963 and again within one month on 1st April, 1963, to the extent of Rs. 1.29 nP. per tonne. How was such a huge increase allowed? It will cost the railways so much and it must be costing the other industries also so much. All their calculations must have been upset on account of this. What are the reasons why the price of coal has shot up to this extent? I should say that it is inevitable that we will have to vote for this supplementary demand, but at the same time, it is reasonable that the Ministry ought to explain why there was this delay in the estimate. I do not know why the estimate went wrong to such an extent.

Then, my attention was drawn to one sentence which rather struck me as peculiar, and that is the reference to the railway line from Raninagar to Assam. I have looked into the map of India and I do not find any station called Assam. I have not come across any railway station by the name Assam. That is why I objected when



my hon. friend was speaking. What is this? Why do you want to hide it? Why is the position not made clear? When the name Raninagar is given, why can't the name of the other station, the terminating point, not indicated? This should have been made very clear. Whenever Government approaches this House, or comes before this House, all facts and figures which are necessary to study the implications of the suggestions that are being put forward before the House must be made so clear so that any hon. Member who just wishes to offer fair and proper criticism of the suggestion may be in the know of things. The map here is not complete. It says simply from Raninagar to Assam. Then, why not say from Bengal to Assam and be done with it? Then nobody will know anything. There can be no reason for secrecy in this matter.

**An Hon. Member:** Public interest.

**Shri U. M. Trivedi:** That is quite true.

**Mr. Deputy-Speaker:** They have given the mileage.

**Shri U. M. Trivedi:** But in what direction? East, north, west or south? Of course, the mileage in kilometre is given.

**Shri S. V. Ramaswamy:** Assam is towards the east.

**Shri U. M. Trivedi:** The other point is about the construction of a broad-gauge line. It is said that keeping in view the emergency and the defence requirements of the country, this was taken up subject to the budget. It is a welcome thing. But, this question of emergency arose in this country in October, 1962. Were they sleeping all the time? This is yet another indication that they were sleeping. In spite of the emergency, they just slept over it. Perhaps, the figures were going up and down and they never came to a conclusion. It was only after the whole budget discussion was over that, perhaps, some member might have seen about it that this ought to

be done and, therefore, this work is being taken up.

Then, I would like to draw attention to another aspect, and that is this. Those who have studied the railway administration up to 1947 will find, and most of us have studied them, that there is a saying that the metre earns and the broad eats. That is how the railway administration was going on. Whatever was earned by the metre gauge was swallowed by the broad gauge. Things seem to have changed now. It appears that broad gauge has started earning also. I do not know the reason for this change, but it seems that the metre gauge is now losing and the broad gauge is earning. I feel that the whole aspect of this matter requires immediate study. Y.P. engines of the metre gauge are capable of running at the same speed as W.P. engines of the broad gauge. The unfortunate position is that we are just like those *Marwaris* who thought that by washing their hands with *mitti* seven times will become pure and not by washing their hands with soap. The railway administration is steeped in conservatism with the result that once it has made up its mind that broad gauge is earning, it will have a programme of converting all metre gauge lines into broad gauge, because broad gauge is earning and metre gauge is not, without studying the implications of what the metre gauge is capable of doing.

So far as the defence requirements of the country are concerned, there is not a single Member in this House who will oppose any expenditure. Yet, it is meet and proper that the whole aspect of changing over from metre-gauge to broad-gauge must be studied in all its aspects. What are the reasons for the loss? Is there anything wrong with the lines, or the sleeper or the engine? How is it that load is not pulled properly? What are the reasons for the metre-gauge lagging behind and what are the reasons for the broad-gauge now earning? Why is it that we have been calculating in a particular manner and now we have started calculating

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in another manner? All these aspects must be gone into to come to a conclusion whether or not we are entering into a profitable investment. Therefore, personally speaking, except for the fact that it might be required for the defence requirements, I would certainly oppose the conversion of the existing metre-gauge line from Siliguri to Haldibari, or wherever there is change from one gauge to another. It will give no particular advantage to change over 61 or 31 miles, whatever point you take, because at that particular point you will have to change to metre-gauge or broad-gauge, as the case may be.

Then I will draw attention to another pertinent point. The ignorance of the Railway Ministry should cease at some point. The railway administration is run by divisions and zones. There is a zone known as Western Railways, whose headquarters is situated at Bombay. Just like people sitting at Delhi do not know that India extends to various places beyond Rewari, those who are in Bombay think that everything is in Bombay. A new railway line was constructed from Indore to Jjjain via Dewas on the ground that rapid movement of broad-gauge trains should take place to the industrial town of Indore. When the plan was prepared originally, somebody had indicated in red ink when the construction was to take place. Now, in the map that is being published in the year of grace 1962 and the beginning of 1963, this line which is a broad-gauge line is still indicated as a metre-gauge line, and this is being swallowed by the Railway Board and by the General Manager of the concerned railway. The Railway Board or the General Manager must have issued the map. The map was prepared by the Surveyor-General of India. This information should have been supplied that a broad-gauge line is in existence there and not a metre-gauge line.

**Shri Bade (Khargone):** But it moves like a metre-gauge train.

**Shri U. M. Trivedi:** It moves slower than the metre-gauge train. It just creeps. Therefore, I will say that the railways should wake up and not sleep.

**Shri C. K. Bhattacharyya (Raiganj):** Mr. Deputy-Speaker, I stand to join my hon. friend, Shri Guha, in requesting the Railway Minister to take up that part of the railways in Bhurungamari, that is, the old line which we had between two stations, between Gitaldar on the west and Golakganj on the east. I have seen through the line. It consists of two stations; not more than two stations. It is a very small stretch of line, but if it is conceded to us, all our difficulties about communications with Assam will be abated to a great extent. I do not know why at the time of exchange of the line we had in Tripura, which we conceded to Pakistan, the above line was not asked for during the Nehru-Noon agreement. But, even if it was not done then, it should be done now in the interests of the country, in the interests of the Ministry itself.

In connection with this broad gauge line which is now being extended further towards the east I would draw the attention of the Ministry to the fact that while this broad gauge line is being extended, the offshoot of this line, about 30 miles in length, from Barsoi to Radhikapur that is on the East Pakistan border, is being left on the way. If that is not converted along with this main work now, it will have to be taken up some time some years afterwards and the whole lot of planning will have to be done for this particular line. In fact, when this broad gauge line was opened at Khajuriaghat, the then hon. Minister of Railways, Shri Jagjivan Ram, declared then and there that this offshoot of 30 miles will also be converted into broad gauge. But that has not been done uptill now. Therefore along with the extension work that they are doing now the conversion of this small metre gauge line should

also be taken up because that is the only line that leads to the Pakistan border.

My next point is regarding passenger service on the broad gauge line from Khajuriaghat to Siliguri. I believe, up till now passenger service on this has not been introduced and—I believe, I am right—only goods trains are being run. The local people are in dire need of passenger trains being run on this line. They are constantly agitating that the Ministry should open this line for passenger traffic. I understand that during the emergency the military were carried over this line. If the military could be carried over this line, why should it not be found possible to open this line to ordinary passenger traffic?

Then I would deal with the point about the difference between metre gauge and broad gauge. I believe, the rule now-a-days is to convert the whole of metre gauge into broad gauge. In fact, the metre gauge line was the standard line and the broad gauge was experimented first in India and Africa because the broad gauge lines tended to accidents. There is no broad gauge line even now in the United Kingdom. They do not have it because the chances of accidents occurring on the broad gauge line are greater than on the metre gauge line. Now that it has been experimented in India and Africa, the United Kingdom is thinking of introducing the broad gauge line there. So, this broad gauge line should now be extended wherever it is possible and not, as Shri Trivedi suggested, that the metre gauge line should be allowed to stay and the broad gauge line should not be extended further.

**Shri S. V. Ramaswamy:** Mr. Deputy-Speaker, Sir, it is gratifying to know that there is a general welcome on the part of hon. Members, here to the two Demands for taking over the Goa Railway and for extending the broad gauge to Assam. There was only a lone discordant note from Professor D. C. Sharma. He said, "Why not

keep it as it is?' Perhaps, he is not aware of the fact that the Goa line is only about 50 miles. I do not know how 50 miles can constitute a zone or a separate entity by itself. Even otherwise what was the position? Previously, in 1956 there was the disruption of relationship between Portugal and India, that is, the Goanese Administration. Till then this length of railway belonged to an English company, called, the Western India Portuguese Railway Company Limited (WIP) incorporated in England.

**An Hon. Member:** Please speak louder.

**Shri S. M. Banerjee (Kanpur):** Please talk like a broad gauge.

**Shri S. V. Ramaswamy:** Broad gauge would not be loud; it would be broad.

Even before the relationship between Portugal and India came to an end in 1956 the Portuguese Railway was owned by a British firm, by name, WIP, incorporated in England. But it was actually run by the Southern Railway. Going further back it was M. & S. M. Railway, the then company. At the time of the disruption of relationship the Portuguese Government in Goa ran the railway from Collam to Marmagao. The Port Administration extended its jurisdiction right upto Collam. That position is untenable now. So far as ports in India go, they confine themselves to railways within the port area and not inland. That position has now been accepted, with the result that the old Portuguese line from Collam to Vasco de Gama will be merged in the Southern Railway, and the line from Vasco de Gama to Marmagao will be controlled by the Port authorities. That is the position and I am glad that this has been generally welcomed.

Professor Sharma again wanted to know why a whole picture is not laid before the House. The decision was taken only recently that this portion of the ex-Portuguese Railway should be taken over by the Southern Railway. What fuller picture can be given at this stage passes understand-

[Shri S. V. Ramaswamy]

ing. As would be seen from the paper reports, there were so many talks of improving the Goa Port, whether the capacity should be increased, or whether there should also be a Naval station, whether the line should be converted into a broad gauge etc. These are all problems which are agitating people's mind and are being discussed and canvassed. We do not yet have a complete picture. But in the mean time what we are doing is to take over this portion of the line and merge it with the Southern Railway. It is for this limited purpose that this Demand is being made.

With regard to the extension of broad gauge to Assam, again Professor Sharma wanted to know why Siliguri to Haldibari is being converted into broad gauge. Going into the history of the railways, it was originally a broad gauge. After Partition we converted it from broad gauge to metre gauge. It is a reverse process in that case, and that was as a consequence of Partition. Now we are extending broad gauge to Assam. I shall give later why we are using the word "Assam" and not any particular point; this has been raised by my hon. friend, Shri Trivedi. Paninagar is a station on the Haldibari-Siliguri line. It takes off from there. That point is specific. When we take off from there for a broad gauge, it is worth-while reconverting this small length into broad gauge because that contains the station from which broad gauge will take off. That is the simple reason. After all, the estimate seems to come to about Rs.  $\frac{1}{2}$  crore, not more, even for this conversion because the embankment, substructure, grading, earth-work—everything is for the old broad gauge standard and all that we have to do is to remove the rails and put broad gauge standard rails. That is the purpose for which we have mentioned that the Siliguri-Haldibari line will be converted.

My hon. friend again wanted a complete picture. It is very difficult to

have a complete picture because this decision was arrived at only recently. The hon. Railway Minister has been in that area earlier. The hon. Minister of Economic and Defence Co-ordination, Shri T. T. Krishnamachari, had been there, had discussions with the Chief Minister, Shri Chaliha, with the military authorities, and so on and so forth, and the decision has been arrived at.

As regards the point where the broad gauge line will terminate, we do not know yet because the survey has been ordered and it would all depend upon the final location survey for which also the Grant is being demanded now. As regards the extension of the broad gauge, the House is aware that the entire line from Calcutta to Siliguri will be working as broad gauge. From Calcutta to Farakka there is a broad gauge available. From Farakka there is a ferry across Khajuriaghat, and from there we have converted the entire line upto Siliguri to broad gauge.

**Dr. Rajen Sen:** And from Siliguri again metre gauge.

**Shri S. V. Ramaswamy:** It is a historic fact. You cannot suddenly convert everything overnight. It is not magic. We do not have Aladdin's lamp, by rubbing which we can convert lines into broad gauge. Things have got to be done over a phased programme. Anyhow, that line has been extended upto Siliguri and for running a through train from Calcutta to Siliguri, all that you need is perhaps a railway bridge over Farakka in which case we can run it without the assistance of a ferry.

**16 hrs.**

Then, both my hon. friends Mr. Guha and Mr. Bhattacharyya have been mentioning that a little bit of land from Pakistan could be obtained so that the line may be run even now to Assam. Well, that is beyond the scope of the Railway Ministry. Per-

haps it will have to be addressed to the External Affairs Ministry who are in-charge of the negotiations. Whether in the present temper and the atmosphere of the relationships between the two countries that would be possible or not, is beyond me to say. It is for others who can take up this matter and resolve it.

Dr. Ranen Sen mentioned about the compensation payable for land. There are standing instructions that the Railways should not delay in the matter of giving compensation. As the House is well aware, land is acquired for the Railways by State civil authorities. They have got to give their award. But one thing is certain, that as soon as the award is given, we do not hesitate in depositing the compensation. There is no delay on our part in depositing the money, even in advance, if necessary. The State civil authorities might take some time in disbursing the amounts to various land-owners from whom the land has been taken by them. So far as we are concerned, there is no delay in the matter of depositing the amount of money that has been awarded. Why should there be any delay? My hon. friend can certainly draw our attention to specific cases, if any and I am sure, we shall take necessary action to see that the moneys are disbursed in time.

I do not think I need add anything further. My hon. friend Mr. Trivedi, as usual, was criticising the Railways for sleeping, for slackness and all other things. What is it that we could do in the matter of these demands? Take, for instance, the demand for excess charges on coal. It is Rs. 2'33 crores. It is said, "You had knowledge about it and why did you not provide for it in the budget itself?". I might have knowledge of so many things. But till the matter fructifies, till an order is passed, whether it should be 80 nP or 40 nP or 49 nP, what is it that we can do? Therefore, one has to wait and see what the orders are. I am glad about one thing

which both Mr. Ghu<sup>a</sup> and another hon. Member have said, that this frequent increase, twice, thrice in a year should be avoided, if possible. It is for the other Ministry also . . .

**Shri A. C. Guha:** Has his Ministry impressed that point upon the relevant Ministry?

**Shri S. V. Ramaswamy:** I suppose the Government works as a composite unit. They must have had talks on these matters. For reasons best known to the Ministry of Mines and Fuel, they supported this increase. It is inherent in the situation that these difficulties should come and we should resolve these difficulties. That is why, after the imposition of these increased prices, we have come to this House with this demand, to appraise the House that such increases have taken place within a month of each other.

The other point that was raised is, "Why did you not anticipate and provide for more and more moneys so that instead of coming up to this House for supplementary grants, you could meet these demands out of the moneys you had appropriated earlier?". This proposition is contrary to what the Public Accounts Committee has laid down. The Public Accounts Committee has clearly laid down that the initial demand should be conservative; and as and when further moneys are spent, we should come up to Parliament by way of supplementary demands and apprise Parliament of the various increased amounts that are required and request Parliament to sanction them. It is in accordance with the directive of the Public Accounts Committee that we are bringing in these supplementary demands. I am afraid there is nothing wrong in doing this. As a matter of fact, hon. Members should welcome this procedure because it gives them an ample opportunity to keep in touch with the developments in the course of the year and also to find out if the Railways have erred in anything, have committed any error in budgeting and also to bring the view-

[Shri S. V. Ramaswamy] points of the House to bear upon the administration. I am afraid, it would not be correct to criticise us for bringing up the supplementary demands.

I submit, I have met all the major points. With regard to other matter, whether on general grounds metre gauge should be there or whether broad gauge should not be increased etc. they are points, that do not arise here.

**Shri A. C. Guha:** Have the Government considered the point that out of the losses and expenditures incurred on strategic railways, a portion of it should be borne by the Defence department?

**Shri S. V. Ramaswamy:** Yes, Sir. That is the intention.

**Mr. Deputy-Speaker:** There are no cut motions.

The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1964, in respect of the following demands entered in the second column thereof—

Demand Nos. 2, 4, 7 and 14."

*The motion was adopted.*

16.06 hrs.

APPROPRIATION (RAILWAYS) NO. 4 BILL, 1963\*

**The Deputy Minister in the Ministry of Railways (Shri S. V. Ramaswamy):** Sir, on behalf of Shri Swaran Singh, I beg to move for leave to introduce a Bill to authorise pay-

ment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1963-64 for the purposes of Railways.

**Mr. Deputy-Speaker:** The question is:

"That the leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of Consolidated Fund of India for the service of the financial year 1963-64 for the purposes of Railways."

*The motion was adopted.*

**Shri S. V. Ramaswamy:** Sir, I introduce† the Bill.

Sir, on behalf of Shri Swaran Singh I beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1963-64 for the purposes of Railways be taken into consideration."

**Mr. Deputy-Speaker:** The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1963-64 for the purposes of Railways be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** We shall now take up clause by clause consideration of the Bill. The question is:

"That clauses 1, 2, 3, the Schedule, the Title and the Enacting Formula stand part of the Bill."

\*Published in the Gazette of India Extraordinary, Part II—Section 2, dated 29-4-1963.

†Introduced/moved with the recommendation of the President.

The motion was adopted.

Clauses 1, 2, 3, the Schedule, the Title and the Enacting Formula were added to the Bill.

**Shri S. V. Ramaswamy:** Sir, I move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

The motion was adopted.

16.09 hrs.

### CONSTITUTION (FIFTEENTH AMENDMENT) BILL

**The Minister of Law (Shri A. K. Sen):** I beg to move:

"That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration."

It will be recalled that this Bill was referred to a Joint Select Committee and the report of the Joint Select Committee is now before the House. The Joint Select Committee introduced certain amendments of substance. There are other amendments which are of a purely verbal nature. For instance, in clause 1, the figure "1963." has been substituted. But matters which are of substance would appear in clause 4, sub-clause (b) where the Joint Select Committee has, the Government consenting, introduced in clause 4, sub-clause (b) with regard to the determination of the age of a judge of the High Court these words, namely,

"... shall be decided by the President after consultation with the Chief Justice of India and the decision of the President shall be final."

It will be recalled that while moving the Bill for reference to a Joint Com-

mittee, I did say that the Government had never acted in this matter except in consultation with and on the advice of the Chief Justice of India and that it was not intended to do otherwise in the future. I think Mr. Kamath said in the Joint Committee that if that was so, there should be no objection to inserting a constitutional safeguard.

**Shri S. S. More (Poona):** May I know whether the President will hold an enquiry into the question?

**Shri A. K. Sen:** The President certainly does. In the past the enquiry has always been done by the Chief Justice of India on the materials which are placed from all sources, and the President has invariably accepted the advice of the Chief Justice of India.

**Shri Hari Vishnu Kamath (Hoshangabad):** On a point of order, may I submit, . . .

**Mr. Deputy-Speaker:** Not now.

**Shri Hari Vishnu Kamath:** Because he has referred to me, it is not quite fair for a Minister to refer to what a Member said in the Select Committee unless he gives a complete picture of what happened in the Select Committee.

**Shri A. K. Sen:** I have said nothing to which objection can be taken. All that I said is, because it was felt by many including Mr. Kamath that if that was so, the Government should not object to that undertaking being converted into a constitutional safeguard, I said that the Government consented to this. If there is any objection to it, . . .

**Shri Hari Vishnu Kamath:** There is no objection. It should be a complete picture. My amendment to that is different.

**Shri A. K. Sen:** It was farthest from me not to give a complete picture. What I said was by way of an explanation why we had agreed and

[Shri A. K. Sen]

in fact, we introduced this amendment, while we did not do so at an earlier stage. As I explained on the previous occasion, we did not think it necessary to provide such a safeguard when there was an assurance to Parliament by the Government. But, since a safeguard of a constitutional nature was required by many Members, we have done so, I think, to satisfy every one including some Judges who have remarked in a recent case as if some Under Secretary of the Home Ministry or the Law Ministry has been deciding for the President, completely forgetting that the President never acts in such an irresponsible way and has never done so. Any way, this should completely settle all controversy on the subject in future. We hope there will be no such dispute in future. Fortunately, there have been very few. In all cases except one, Judges have accepted the advice of the Chief Justice and of the President. It is only in one unfortunate case that the matter was taken to court. Therefore, it is our earnest hope that such cases would not occur in future and that even if it does, the decision will be really on the advice of the Chief Justice of India as has been the case in the past invariably.

The next amendment of substance is in clause 5 where the compensatory allowance admissible to a Judge who has been transferred from one High Court to another has been made available even for those who have already been transferred prior to the commencement of this amendment. The other amendment of substance is in clause 8 where it is made clear that the High Court within whose jurisdiction the cause of action or any part of it—that is the amendment—has arisen would have jurisdiction for the issue of the necessary writs. The words "or any part thereof" have been inserted because, it might again lead to a good deal of difficulty in future if the expression 'cause of action' is treated as entire cause of action and therefore

it would be difficult to find one High Court where the cause of action would have arisen. Therefore, borrowing the words of section 20 of the Civil Procedure Code as also clause 10 or 12 of the Letters-Patent of the Madras, Bombay and Calcutta High Courts, we have inserted for the sake of caution the words 'wholly or in part' in clause 8.

Then, the other matter of substance in which amendment has been made in the joint Committee at the initiative of Government is in clause 10 where we have brought within the ambit of article 311 all cases of reduction in rank. It will be remembered that when the Bill was originally moved, we had a good deal of controversy on the subject, because we had deleted from the protection of article 311 disciplinary proceedings relating to reduction in rank. After giving the matter earnest consideration, Government thought that since they did not want reduction in rank to be treated separately from other cases of disciplinary proceedings, and since our rules already provide for the same procedure to be followed, we might as well retain the constitutional safeguard with regard to this form of disciplinary proceedings as well. We have, therefore, restored this, and it will appear that throughout clause 10, article 311 will now include reduction in rank in all the clauses. What remains to be said and what is still being considered, and I must say, considered sincerely by many civil servants is the question whether as regards the actual penalty to be imposed after inquiry, the civil servants would continue to have the right to make representations about the proposed penalty or the action sought to be taken upon such inquiry.

**Shri S. M. Banerjee (Kanpur):** Is there any provision? Is the hon. Minister going to bring that provision within the Bill itself?

**Shri A. K. Sen:** There is a provision in the rules themselves. As hon.



Members will remember, I said, while moving the original motion for reference of the Bill to the Joint Committee, and I repeated that before the Joint Committee, that Government did not intend to vary rule 25 which gave a right of representation to all civil servants about the proposed penalty after inquiry. The point that was urged, and I must say that it is a point worth consideration, was that though it is true that rule 25 remained, and it is true that the assurance had been given on behalf of Government, yet, in future, such an assurance might not be honoured by a different Government, and that rule 25 being a statutory rule could be changed more easily than a constitutional provision to the same effect. What I said on that occasion I want to repeat again in order to make clear why this change has been introduced, because we do not intend in any way whatsoever to take away the right of making a proper representation and giving proper and adequate hearing and reasonable opportunity to any civil servant against whom disciplinary proceedings are initiated. Therefore, we have said in the proposed clause (2) of article 311 that these penalties would not be imposed except after an inquiry in which he has been informed of the charges against him and been given a reasonable opportunity of being heard in respect of those charges, leaving the question of representation about penalty to be regulated by the rules. Hon. Members would recall what I said earlier, namely that because of the words which now occur in the Constitution, interpretations have been put frequently that even after an inquiry on the charges, after the penalty is proposed on inquiry, the civil servant still has a constitutional right to have further evidence being adduced in order to show that the penalty proposed is not the proper one and that a reasonable opportunity to show cause against the action proposed would include normally a right to produce further relevant evidence.

**Shri S. M. Banerjee:** That is not the present procedure. He has no right.

**Shri A. K. Sen:** If it is a clarification, it would not hurt anyone, and that is needed to make it quite clear that the same proceedings are not duplicated. The hon. Member is not correct when he says that it is not the law. In fact, it has been urged in courts of law; in two cases we have at present, one witness is already not available and the other witness is away from India. So that if a demand is made at this stage of making a representation regarding the penalty proposed, it may lead to very great difficulties. But as I said, when many persons represent, something has to be done. Various branches of the civil service had come to me and I told them that if any amendment was proposed which made it quite clear that the right of representation with regard to the penalty alone would be retained without the right of adducing further evidence after the inquiry was completed, the Government would be prepared to reconsider it even at this stage. I understand some paper reported that I had said that I would accept such an amendment. It is not so. In fact, some draft was handed over to me which possibly needed improvement; but as I said, if any amendment was moved which would say that the civil servant would only have the right of representation on the evidence already produced and adduced before the inquiry, the representation being confined solely to the question of the penalty proposed, Government would be prepared to reconsider the matter, and possibly introduce such a provision which would mean what virtually remains the law today in the statutory rules that even after the inquiry, the civil servant would still have a right to say that instead of being dismissed, he should be only reduced in rank or that instead of being reduced in rank, he should be penalised only by stoppage of increment—things of that sort. That means, he should be able to represent for a lesser punishment than what was actually proposed. I say we are still prepared to consider that. I do not know if any such amendment has been tabled.

**Shri S. M. Banerjee:** There are.

**Shri A. K. Sen:** Not on that. I have seen his amendment.

**Shri S. M. Banerjee:** The other one.

**Shri Hari Vishnu Kamath:** Amendments will come tomorrow also.

**Shri A. K. Sen:** I shall not insist upon any particular time-limit. I am myself thinking of something which might be introduced tomorrow, provided we make it quite clear that the right of representation with regard to the penalty is retained without the right of insisting upon duplication of the proceedings and adducing of fresh evidence.

This really disposes of the amendments introduced in the Joint Committee. The Bill has a very simple canvas. It deals primarily with two sets of problems. The first is the problem of the High Courts and the Supreme Court. With regard to the High Courts, we have decided that the age of retirement should be increased to 62 years. There is a proposal that this increase in the age should be available even to those who would be retiring after the Bill had been referred to a Joint Committee. There is a good deal of substance in that, because in the normal course this Bill should have been passed by now, had it not been referred to the Joint Committee and had it not taken up this time. I know Shri Kamath is against making it available to Judges who are going to retire before the Bill becomes law. But hon. Members will recall that Shri Tyagi has already tabled an amendment, and hon. Members will certainly bear in mind that the existing Judges who will retire or will not retire will depend entirely upon the fortuitous circumstances as to when the Bill actually becomes law, so that some will fall out and some will remain entirely depending upon the course of events. If we speed up the matter, some will be retained. If we do not speed up, or if the States do not speed up the consideration of this measure when it is

sent to them because this has to be passed by a majority of the States, many would possibly be denied the advantage, and yet there are many Judges we would like to retain having regard to their ability and experience—and judges are a community who are specialised by their experience and by their skill, and it is a profession in which age lends more maturity of thought and judgment, rather than becoming a disqualification.

**Shri Hari Vishnu Kamath:** Then, why up to 62? Make it for life.

**Shri A. K. Sen:** That is a different matter. Once we have decided to raise it to 62, the question is: is there any reason why it should only be available to those to remain on the fringe and just manage to come within the ambit of the law?

**Shri S. M. Banerjee:** That has been done generally in the recommendations of the Pay Commission. Otherwise, many would not have benefited.

**Shri A. K. Sen:** I do not know about the Pay Commission. Let us deal with the present problem.

**Shri Tyagi (Dehra Dun):** Why should people be allowed to suffer on account of the fault of Parliament?

**Shri Prabhat Kar (Hooghly):** What is the fault of Parliament?

**Shri Tyagi:** Because Parliament has delayed.

**Shri Hari Vishnu Kamath:** The fault of a few individuals.

**Mr. Deputy-Speaker:** Order, order. The hon. Minister is on his legs.

**Shri Prabhat Kar:** The hon. Member says that it is the fault of Parliament.

**Mr. Deputy-Speaker:** No, no. Every Member will have his chance.

**Shri Hari Vishnu Kamath:** He is blaming himself.

**Shri A. K. Sen:** I would appeal to hon. Members to decide this matter

without heat. This is hardly a matter on which we should exchange words.

**Shri Hari Vishnu Kamath:** Speak a few words, that is all. Do not exchange.

**Shri A. K. Sen:** Either we accept the reasonableness of a proposal or we do not. I am entitled to say that I feel myself that it is rather unfortunate that some would come on the fringe, some would not come on the fringe, just because we proceed at a particular pace, and just because the Bill has taken a particular amount of time, either more or less, and therefore we should fix a particular time from which the Act will take effect, so that there is certainty about its application. One of the feature of a good law, I have always read, is its certainty and the certainty of its application. I, therefore, have no hesitation in saying that the Government would be prepared to accept Shri Tyagi's amendment....

**Shri Tyagi:** No. 8.

**Shri A. K. Sen:** ...about the actual date from which the Act is to take effect. We might still deliberate upon it and come to a decision accepted by the largest measure of agreement in this House.

**Shri Hari Vishnu Kamath:** Even though the Joint Committee rejected it by a majority.

**Shri A. K. Sen:** Shri Kamath certainly does not dispute the right of this House to take a decision.

**Shri Hari Vishnu Kamath:** They were your own Members.

**Shri A. K. Sen:** If the Joint Committee had the final voice, we would not be considering their recommendations. With the greatest respect to the Joint Committee and the Members who had composed it, I must say that their views must be subordinate to the views of Parliament.

**Shri Hari Vishnu Kamath:** Canvasing.

**Shri A. K. Sen:** I am entitled to.

**Shri Hari Vishnu Kamath:** Nobody disputes your right.

**Shri A. K. Sen:** We are here to canvas our respective points of view.

**Shri Hari Vishnu Kamath:** All honour to our independent judiciary.

**Shri A. K. Sen:** With regard to the necessity of having an independent judiciary, I think we are all agreed. On the method of approach we might differ.

**Shri Hari Vishnu Kamath:** That is all that counts, the approach.

**Shri Prabhat Kar:** Why not follow it in practice?

**Shri A. K. Sen:** This is the position. With regard to the other provisions, I think there is hardly any major controversy as to the different clauses. These are my submissions.

I move.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Constitution of India, as reported by the Joint Committee, be taken into consideration."

There are some amendments.

**Shri Tridib Kumar Chaudhuri (Behrampur):** Sir, I move:

"That the Bill as reported by the Joint Committee be circulated for the purpose of eliciting opinion thereon by the 31st of July, 1963." (1)

**Shri S. M. Banerjee (Kanpur):** Sir, I move:

"That the Bill as reported by the Joint Committee be circulated for the purpose of eliciting opinion thereon by the last day of the next session." (9)

**Mr. Deputy-Speaker:** The main motion and the amendments are before the House. Five hours is the time allotted for the discussion.

**Shri Hari Vishnu Kamath:** As the discussion proceeds, you may have to extend it.

**Shri Tridib Kumar Chaudhuri:** Sir, it is rather unpleasant for me to have to oppose any measure proposed by my friend, very dear and esteemed friend, the hon. Law Minister, Shri Asoke Sen. Furthermore, it is not very useful for anybody in this House to move an amendment of this nature, in respect of Bills considered by the Joint Committee of Parliament.

16.33 hrs.

[MR. SPEAKER in the Chair]

But I have seven good reasons for moving this circulation motion. From the proceedings of the Joint Committee circulated to Members, you will see that out of 45 Members of the Joint Committee, as many as 20 have appended their signatures to minutes of dissent and of these twenty, 12 are not only very senior parliamentarians but also distinguished lawyers and jurists and one ex-Judge as well. I find all their suggestions have been rejected by the majority of the Committee. From the evidence and the memoranda of the various public bodies, certain things are clear. In regard to the retirement age and tenure of Supreme Court and High Court Judges, three bodies of law experts submitted memoranda and appeared to give evidence before the Joint Committee: the Law Institute of India, Supreme Court Bar Association and the Bar Association of India. All their suggestions in this regard have been rejected. Two High Court bar associations of Bombay and Calcutta did not or could not appear in time before the Joint Committee to give evidence nor had they submitted any memoranda in time. But in their bar associations they have passed resolutions against some of the important provisions of the Bill. These also have been disregarded. My another reason is that in regard to article 311, the views expressed by all the employee's organisations and the Cen-

tral trade unions organisations in the country have been disregarded.

Some of the provisions of the Bill concern the fixity of tenure of the Judges. I do not know if the judges have any special club or association of their own; the judges do not generally express any opinion except when they are required to do so in their capacity as members of the Bench. I find that several judges have expressed themselves very strongly about the concerned provisions of the Bill and these also have been disregarded.

Then my sixth reason is that the Bill as it has emerged from the Joint Committee has changed some of the important provisions completely out of recognition and has introduced principles which were not moved at the time when the original Bill was under consideration. Then, the hon. Minister has indicated his mind about certain Private Member's amendments. It has been clearly indicated by several hon. Members of the Joint Committee in their notes of dissent that these amendments were sought to be introduced in the Joint Committee seeking to give retrospective effect to that clause of the Bill which raises the retirement age of the high court judges to 62, so that the benefit of the higher age-limit may be enjoyed by a number of judges who were due to retire on the basis of their matriculation age on 1st January, 1963. Now, we are told that the same amendment which has again been tabled by our hon. friend Shri Tyagi has the approval of the Minister and presumably of the Government. I read the report in the papers that already an amendment to this effect was placed before the executive committee of the Congress Parliamentary Party and was approved there. The hon. Minister need not have taken recourse to the fiction of having it moved by a private member of his party; he could have very well tabled this amendment himself.

These are my reasons for moving the motion for circulation. I now

come to the provisions of the Bill as it has emerged out of the Joint Committee. If you compare this Bill with the provisions of the original Bill, you will see that when a provision was sought to be made for the fixation of the age of a judge of the Supreme Court, it was proposed that that question shall be decided by the President and his decision will be final. But here, the Joint Committee has merely suggested that this question will be determined—the age of the judge of the Supreme Court—in such form and in such manner as Parliament may by law provide. It sounds very well. But, here a Bill was proposed before Parliament; Parliament appointed a Joint Committee and again Parliament is sitting to consider the report of the Joint Committee; why the Government or the Joint Committee thought it better to take it away from the purview of the present Constitution (Amendment) Bill and leave it to an uncertain future, is hardly explained. We have at least heard no explanation from the hon. Minister. It is one of the accepted principles of our Constitution so far as the judiciary is concerned that except in the matter of retirement age, no distinction has been made up till now more or less in the conditions of service of High Court Judges and Supreme Court Judges. Now, if in principle hypothetically we concede that a question about a Judge's age may be raised at any time either by any litigant or by a petition to the President or in any other manner by the citizens under law, or by the Government themselves, the same question can be opened both with regard to the age of Supreme Court Judges and also of the High Court Judges. It passes my comprehension why this distinction has been sought to be made and why the question of age of Supreme Court Judges has been left to some uncertain future....

**Shri A. K. Sen:** It was on Mr. Kamath's persuasion.

**Shri Tridib Kumar Chandhuri:** I do not know; if Mr. Kamath did it, he was not well-advised, according to me. I think the provisions of the Constitution should be uniform in this regard.

**Shri Hari Vishnu Kamath:** Not mine, but it was the Joint Committee's decision.

**Shri Tridib Kumar Chandhuri:** About the crucial and controversial question regarding dispute about the age of a Judge of the High Court, the Bill, as amended by the Joint Committee makes the following provision:

“If any question arises as to the age of a Judge of a High Court, the question shall be decided by the President after consultation with the Chief Justice of India and the decision of the President shall be final.”

If I may say so with all respect, if this were not the decision of the Joint Committee, I would be within the limits of propriety to characterise this proposal as almost pernicious one. So far as the change introduced by the Joint Committee is concerned, it says that this should be done after consultation with the Chief Justice of India, it hardly introduces any substantial change in the power of the President, which means in practice the power of the Government, to decide the question of the age of a High Court Judge. At the outset, I refer to the opinion in a recent case, which aroused a good deal of interest all over the country, the opinions expressed by some of the High Court Judges over this matter. The judgment to which I am referring to, concerned the case of fixation of the age of a particular Judge which, as the hon. Minister informed us, and we all know from newspaper reports, has gone to the court of law. There, Mr. Justice P. N. Mukerjee of the Calcutta High Court has stated:

“...if the Judges of this Court are so much at the mercy of the Exchange that an Executive fiat

[Shri Tridib Kumar Chaudhuri] would be enough to retire them and to terminate their tenure, that would mean the end of judicial independence in this country. Independence of the judiciary would then be a thing of the past and the cherished safeguards of the age, so fondly enshrined in the Constitution in that behalf, would become useless and unmeaning and would be reduced to a mockery."

In the same case, Mr. Justice Shankar Prasad Mitra referred to those provisions in the original Bill for the amendment of the concerned articles of the Constitution and said:

"It is for the Members of Parliament to consider how far such an amendment would be consistent with the dignity, the impartiality and the independence of the judiciary which is charged with the responsibility of protecting the rights and liberties of the citizens of the Republic of India. One may very well urge that, the President acts on the advice of his Ministers and the Ministers are assisted by their Secretaries. And it would indeed be a sad day for our country...."

I would appeal to the whole House to note these remarks of an eminent Judge of our country.

"And it would indeed be a sad day for our country if the tenure of office of a Judge of the Supreme Court or of a High Court is dependent on the opinion of a Secretary to the Government of India, approved by his Minister, rather than of an independent judicial authority or the required majority of elected representatives of the people."

We all know the present provision of the Constitution in this regard. Article 217 reads like this:

"(1) Every Judge of a High Court shall be appointed by the President by warrant under his hand and seal and after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the High Court, and shall hold office, in the case of an additional or acting Judge, as provided in article 224, and in any other case, until he attains the age of sixty years:"

Now this is being raised to sixty-two years. Then the proviso says:

"Provided that—

- (a) a Judge may, by writing under his hand addressed to the President, resign his office;
- (b) a Judge may be removed from his office by the President in the manner provided in clause (4) of article 124 for the removal of a Judge of the Supreme Court:"

That is, by resolution moved in either Houses of Parliament and passed by a majority thereof.

It reads further:—

"(c) the office of a Judge shall be vacated by his being appointed by the President to be a Judge of Supreme Court or by his being transferred by the President to any other High Court within the territory of India."

That is to say, so far as the tenure of a High Court Judge is concerned, under the present provisions of the Constitution the President has no power, except as regards his appointment, so far as his tenure is concerned. His tenure is fixed by the Constitution and he can only lay down his office either by resignation or by efflux of time or

by a charge of proven misconduct against him, when on that charge a Resolution is moved in either House of Parliament, in other words, when he is impeached. Only in that way he can be removed from office; otherwise, his tenure is fixed. I need not dilate much upon the principle of fixity of the tenure of judges. This has been a well-established and a well-recognised principle.

**Mr. Speaker:** Order, order. There are some hon. Members who cannot even hear when I call "order, order" so loudly. They still continue their talk. Yes, now he may continue.

**Shri Tridib Kumar Chaudhuri:** Two principles have been laid down so as to ensure the independence of the judiciary. Firstly, the terms and conditions of service of judges should not be varied to his disadvantage, during the judge's tenure of office; and, secondly, his tenure must be fixed. I cannot resist the temptation of reading out before the House the statement of principles by the well-known jurist of Great Britain, Robson, who is much more intimately known to the lawyer-Members of this House than to others. Robson says:—

"...of all primitive ideas of justice, none is more fundamental than that which predicates a judge who is impartial..... Whether or not the decisions of a judge bring satisfaction or anger to the Prime Minister and his colleagues, or to the Lord Chancellor, he cannot be dismissed at will. His tenure is for life, or until retirement, subject only to good behaviour."

This was in relation to the Judges of the High Court in Great-Britain. Here, we have a fixed tenure and in the United Kingdom also they now have a fixed tenure upto the age of 70. He says:—

"His tenure is for life, or until retirement, subject only to good behaviour. His salary is fixed and paid out....."

**Mr. Speaker:** He will kindly resume his seat for a while. Is it the

desire of the House that we should discontinue the proceedings during this period?

**Some Hon. Members:** No, Sir.

**Mr. Speaker:** Then the hon. Member who is on his legs must be heard and there ought to be silence maintained. Yes, he might continue.

**Shri Tridib Kumar Chaudhuri:** I may again quote from the beginning.

**Mr. Speaker:** Whether he begins from the beginning or from the middle, he has to conclude it by 5 o'clock.

**Shri Tridib Kumar Chaudhuri:** I will take a little more time.

**Mr. Speaker:** It would be half an hour and not more than that.

**Shri Tridib Kumar Chaudhuri:** A little more.

**Mr. Speaker:** Half an hour should be enough for him.

**Shri Tridib Kumar Chaudhuri:** I want only ten minutes more. Otherwise, I can't finish it.

**Mr. Speaker:** Half an hour should ordinarily be sufficient.

**Shri Tridib Kumar Chaudhuri:** Only 10 minutes more, Sir.

**Mr. Speaker:** Now, he need not start from the beginning.

**Shri Tridib Kumar Chaudhuri:** I repeat:

"Whether or not the decisions of a judge bring satisfaction or anger to the Prime Minister and his colleagues, or to the Lord Chancellor, he cannot be dismissed at will. His tenure is for life,....

Now, of course, it is for 70 years.

"... or until retirement, subject only to good behaviour. His salary is fixed and paid out of the Consolidated Fund in order that it may not be subjected to that running fire of criticism in Parliament to which all the ordinary items of budgetary expenditure are liable. His conduct cannot even be discussed in Parliament

[Shri Tridib Kumar Chaudhuri] save on a substantive motion for an address for removal from office: an extreme step to be taken only in the event of impropriety of the gravest kind."

And Robson further says:

"The security of tenure which the judge enjoys is at bottom the most essential fact underlying the principle of independence. It results in a recognition by the general public that the judge has nothing to lose by doing what is right...."

**Mr. Speaker:** Order order. The hon. Members stand in the passage and begin to talk.

**Shri Tridib Kumar Chaudhuri:**

"... and nothing to gain by doing what is wrong. It is founded on the belief that a man cannot be relied upon to act rightly regardless of the personal consequences."

I think this will be enough and, I think, all Members of this House would feel proud when I refer to the high praise that an eminent judge like William O. Douglas has bestowed upon our judiciary and on their independence in his well-known book *From Marshall to Mukerjee*. I do not have the time to read out the extensive quotations from this book. But, I think, every Indian would feel proud that so eminent a judge of the Supreme Court of the United States, who is so well-known for the forthrightness of his views has made such high eulogistic remarks about our judges.

Now, the hon. Minister said in defence of the proposal made by the Select Committee that this provision would be subject to no objection whatsoever because the provision incorporated in the Bill as it has emerged from the Joint Select Committee is that the question of the age of a judge of a High Court shall be decided by the President after consultation with the Chief Justice of India and the decision of the President shall be final.

Now, if I may say so, with respect, although the President has been enjoined to consult the Chief Justice in this matter, the final decision rests with the President. The President is not bound in any manner by the opinion given by the Chief Justice and more or less, the matter remains where it was. The ultimate power rests with the President. I might say so that this procedure of associating the highest dignity of the Union judiciary, the Chief Justice of India, with an administrative decision of the Government is highly objectionable and it has been observed as objectionable by learned authorities with regard to the juristic matters all over the world. I am also intrigued at the thought that this mode of associating the Chief Justice of India in an administrative decision of the Government raises—I am very sure that this raises—the question of the constitutional propriety of the Head of the Government bringing the Chief Justice of India who is not a retained Law adviser of the Government into formulation of administrative decisions.

**Mr. Speaker:** It he is so sure, he might continue tomorrow. We will take up the other Bill.

17 hrs.

COMPULSORY DEPOSIT SCHEME BILL—contd.

**Mr. Speaker:** We take up further clause-by-clause consideration of the Bill to provide in the interest of national economic development for compulsory deposit and for the framing of a scheme in relation thereto.

Now that the Attorney-General is here, I would request him to address the House.

**Shri Nath Pai (Rajapur):** On a point of clarification, this morning, you were pleased to observe that those Members who want to ask any questions should submit them in writing. This was your directive in the morning.



Does it mean that if questions are not given in writing, we are precluded from asking? May I conclude? On the four previous occasions when the Attorney-General appeared before the House, the practice has been that impromptu questions were allowed. Whereas your directive is binding, I would like to know what exactly is meant.

**Mr. Speaker:** The Attorney-General is here just as any other Minister who can participate in the debate. He will certainly make a speech. For clarification, I will allow a few questions. To facilitate the answer by him, I thought that the questions whose notice I might receive I might pass on to him so that when he makes his speech, he might take those questions also into consideration and might like to answer them in his main speech. He is not a witness who has to be cross-examined just as if it were a court. But, for clarification, if a few questions are put, I will allow them. That is all that I can say.

**The Attorney-General (Shri C. K. Daphtary):** Mr. Speaker, Sir, may I, in the first place, express my thanks to you for making it clear that though I have put in my written paper, I shall not be subjected to a *viva voce*.

The questions that were asked of me in regard to this Bill were two. The first was whether this Bill was legislatively competent, that is to say, whether Parliament had the legislative authority to make this into an Act. The second question was whether if it had, the Act would, when passed, conflict with any of the matters in part III of the Constitution, that is to say, the Fundamental Rights Chapter.

I understand that the opinion which was asked of me has been printed and circulated and that really expresses whatever I could, in the time that was given to, put on paper of what I considered to be the merits of the matter.

As to competency, I have put it or have considered that it would come

under Entry No. 20 of List III, that is the Concurrent List. That Entry runs as follows. May I be permitted to read it? That entry is: 'Economic and social planning'. And in connection with that, I might call attention to the Long Title of the Bill which runs this way that it is

"A Bill to provide in the interest of national economic development for compulsory deposit and for the framing of a scheme in relation thereto."

I would submit that it should be beyond question that the provisions of this Bill are closely related to entry 20. Every entry in the Constitutional List has to be interpreted in the broadest manner and with all the amplitude that can possibly be attached to it, and if approached in that way, there is, I would submit, no question about the provisions of this Bill being within the ambit of that entry. Assuming, however, that that is not so—and in this connection, I may state that it is legitimate to rely not necessarily on one of the legislative entries in the Lists but on any combination of them that can reasonably be made—apart from this entry which is in the Concurrent List, there is no entry in the State List under which this matter would fall.

We then come to the residuary power which is vested in Parliament under the relevant article and item 97 in List I. That is, this item and the corresponding article both permit Parliament to legislate on any matter not included in List I or List III. The wording of that is as wide as 'wide' can be, and it is not merely a power which is ancillary or auxiliary but a substantive and plenary power to enact anything which does not fall within any of the entries in List I and III. That being so, I would submit that the question of competence is easily solved.

The second part dealing with the Part on Fundamental Rights is not

[The Attorney General]

perhaps as easy and is capable of arousing a certain amount of controversy, as I have seen that it has in fact aroused.

There are two articles in this connection that have to be looked at and examined. The first one is article 31 which deals with the deprivation of property in the first part of it, and in the second part of it, with acquisition and requisition. Now, in my humble opinion, the second part of article 31 has nothing to do with this Bill, for the simple reason that it is unthinkable that there should be acquisition or requisition of money. Acquisition and requisition, as contemplated by that article, are undoubtedly to be of property in the ordinary sense of the word, and certainly not money, since whatever is acquired or requisitioned has to be in some manner or the other compensated for by money. Therefore, money for money seems to be a notion which is strange in the context of that article. Secondly, the article also contemplates that you may give a man almost nothing for something, as indeed has been done in certain pieces of legislation for very good reasons. But it is unthinkable that you take from a man Rs. 100 and give him, let us say, Rs. 2 as compensation. Therefore, it has been said in the United States that money is not a proper subject for eminent domain, the exercise of the power of eminent domain, that is to say, the power which includes acquisition or requisition.

In this country, there is as yet no final pronouncement made on the subject, though the tendency would appear to be, as gathered from certain pronouncements of our Supreme Court, that of the matter had to be argued squarely before them, they might be of the same opinion. I have, therefore, opined that that article 31, the second part of it, has no application.

Article 31(1) deals generally with deprivation of property and says that

no man shall be deprived of his property except by authority of law. Now, that has been construed recently to be wider in its scope than acquisition and requisition, that is to say, there may be a deprivation of property which is neither acquisition nor requisition. The only qualification for that deprivation is that it should be by law. Therefore, taking it that the present Bill, when enacted, will take away money up to a point from the various people who are mentioned in clause 2 of the Bill, that would be deprivation of property.

It has then been said also by our courts that that would invite immediately the application and consideration of article 19(1)(f) and the other part of it, 19(5). Now, 19(1)(f) says that every citizen has the right to hold, hold and dispose of his property. This Bill is undoubtedly an inroad on that right. But it can be justified provided it falls within article 19(5) of the Constitution, and it can be shown that the restriction on that enjoyment, which may even amount to prevention, is reasonable and in the public interest.

In my humble opinion, the provisions of this Bill are reasonable and in the public interests. That, however, is a matter of practical politics, and the details of the various clauses when examined by hon. Members will reveal any flaws there may be which are calculated to take it out of the domain of reasonable restriction. Further, the Bill also contemplates a scheme which will have to be framed one or more, and the terms of those schemes also will have to be seen. But there is a safeguard as regards the schemes, that a scheme when framed is to be laid before the House and there will be a period of time within which the Parliament will be able to say that it does not approve of any particular part of the scheme

or may insist that the scheme be amended as it desires. That, in itself, is a safeguard which supports the view that the provisions of the Bill are reasonable.

Further, there are provisions for exceptions to be made, for reductions to be given and various other ameliorating provisions to be applied in specified circumstances, or in such cases as may come before Government for consideration. Further, there is a maximum laid down, a percentage, beyond which it is not possible to get the money for purposes of the compulsory deposit.

I decline to enter into the domain of economics of which I know nothing or politics of which I know less, but it would appear that in the context of the present national situation, some form of compulsory saving is essential in the national interest. Under article 19(5), the provisions have not only to be reasonable, but they have also to be in the general public interest, the interests of the public, and it is for the House to determine whether they are so having regard not merely to the matter of law, but to other considerations upon which I would certainly not venture to enter.

That being the position, I came to the conclusion, which I humbly submit is right, that the Bill is not only competent, but is also constitutional.

I have had sent to me some questions. I do not know if it is right that I should answer some written questions which have been raised and forwarded.

**Mr. Speaker:** Yes. I had asked the hon. Members that they could send those questions in order to help the hon. Attorney-General when he was making the speech. He might just look into them and if, besides what he has said already, there are some queries or questions that require elucidation or answers, he might make them.

**The Attorney-General:** Thank you.

**Shri A. P. Jain (Tumkur):** May I say a word? I framed my questions yesterday before I had seen the opinion of the Attorney-General. Essentially the questions remain the same. One of the questions has become redundant because the Attorney-General has accepted that article 31 is not applicable. He has made an argument about article 31(1). I have to modify my questions in the light of the new position taken in the statement of the Attorney-General. So, if he chooses to answer them, I will have to put those questions in a somewhat different form.

**Mr. Speaker:** If he has to put different questions, why should the Attorney-General answer the old questions?

**Shri A. P. Jain:** Essentially, the questions are the same.

**Mr. Speaker:** There is one thing that I may impress upon the hon. Members. As I have already said, it should not be assumed that we have got some witness in a court of law, or some accused person in the dock, whom we want to cross-examine. He has come here to participate in the debate. He has made his speech. Whether we agree with him or not is quite a different matter. We have to take advantage of his assistance, the legal opinion that he has given. For the sake of clarification I will allow a few questions to the hon. Members, but there ought not to be so many. One Member might put one or at the most, two questions.

**Shri A. P. Jain** says that he sent those questions before he had seen the written opinion, but there are other Members who have sent their questions after seeing the opinion. Therefore, they might be answered if the hon. Attorney-General is ready with those answers.

**The Attorney-General:** I have only had sent to me, I have only received, the questions framed by the hon. Members, Shri A. P. Jain. I could see also from looking at the questions that obviously he had framed them before reading the report.

**Mr. Speaker:** That is all right, then.

**Shri A. P. Jain:** I will draw the attention of the Attorney-General to the middle part of page 2 where he refers to the Bombay Dyeing and Manufacturing Co's case. I will read out.

"In the Bombay Dyeing and Manufacturing Co's case, 1958, SCR p. 1122 the Supreme Court came to its ultimate decision on the footing that money was property for the purposes of Article 19 but appears to have assumed that it could not be the subject matter of Article 31 (2). Actually in that case, the court was dealing with choses in action and it was not called upon to deal directly with the larger question, though Mr. Justice Venkatarama Aiyar in passing and only for the purposes of the immediate context stated that undoubtedly money is property."

Now, these remarks are based on two assumptions. Firstly, the chose in action was the issue. Secondly, the Supreme Court held that money is property within the meaning of article 19. These are the two assumptions. My reading is somewhat different and I will read out....

**Mr. Speaker:** This could not be the procedure. We cannot enter into an argument with him and tell him that his opinion on this point is not right or some court has held differently. I will certainly allow clarification of his opinion. He may put the question. But so far as entering into argument is concerned, that is not the stage here.

**Shri A. P. Jain:** I am not entering into argument. Perhaps through some oversight, the Attorney General has not seen that ruling and therefore his conclusions are erroneous. I will only read out relevant portions and do nothing else.

**Mr. Speaker:** He can draw his attention and ask whether that also has been taken into consideration.

**Shri A. P. Jain:** That is exactly what I am doing. This case dealt with money. The two kinds of moneys which the State Government had asked the Company to deposit were: fines realised from employees and unpaid accumulation of wages which the workers had not drawn. I would like to draw the attention of the Attorney-General to the body of the judgment which says:

"There was some discussion before us as to the scope of this provision, the point of the debate being whether the words 'imposing reasonable restriction' would cover a legislation, which not merely regulated the exercise of the rights guaranteed by Art. 19(1) (f) but totally extinguished them, and whether a law like the present one which deprived the owner of his properties could be held to fall within that provision. It was argued that a law authorising the State to seize and destroy diseased cattle, noxious drugs and the like, could not be brought within Art. 19(5) if the word 'restriction' was to be narrowly construed, and that accordingly the power to restrict must be held to include, in appropriate cases, the power to prohibit the exercise of the right. That view does find support in the observations of... but the present legislation cannot be sustained even on the above interpretation of the word 'restriction'. Art. 19(5) of the Act deals with moneys and money cannot be likened to diseased

cattle or noxious drugs so as to attract the exercise of police power under Art. 19(5).”—this is very important—“It appears to us that whether we apply Art. 31(2) or Art. 19(5), the impugned Act cannot be upheld, and it must be struck down.”

I want to enquire from the Attorney General whether he has taken these observations into account. After I have brought them to his notice, is he prepared to revise his opinion and advise the Government to withdraw this law?

**Mr. Speaker:** He will have to answer some questions.

**The Attorney-General:** I will do my best. I feel, if I may say so, Sir, rather like Saint Sebastian who was killed by a flight of arrows which everyone was allowed to shoot at him. I have seen the case, I may assure the hon. Member. I have taken a particular view. I may be wrong. The hon. Member takes another view. He may be right. It is quite possible that the Supreme Court for that matter might take a third view which may prove that I am wrong and the hon. Member is also wrong. But I might say that even after he has read the passage to me, I still adhere to my opinion, though I might be called cussed in doing so.

**Shri A. P. Jain:** Let me finish.

**Mr. Speaker:** I will allow him one another opportunity. Shri Daji.

**Shri Daji (Indore):** The Attorney-General has made it clear that he has agreed that money cannot be covered under the principle of eminent domain. I would like to draw his attention to (1953) S.C.A.63—the case of West Bengal *versus* Subodh Gopal and another case—(1954) S.C.A.132, the case in regard to the Sholapur Spinning Co. In both these cases,—I have come across no other to the contrary—the Supreme Court has uniformly held that article 31(1)

and article 31(2) both deal with eminent domain. Therefore, when the Attorney-General says that the case cannot be covered under article 31(2) and seeks to bring in article 31(1), when both deal with eminent domain, how is this consistent with the Supreme Court's view? I do not know whether it has been subsequently departed from.

**The Attorney-General:** It has been subsequently departed from, and the Supreme Court expressly referred to the case which the hon. Member mentioned and has gone far beyond that. I may refer the hon. Member to the case which I think has been mentioned in my written opinion—that is the Kochuni's case—and I think the hon. Member will find it referred to. It is 1962 (3) Supreme Court Reports 887. It is, if the hon. Member will see the written opinion, relied upon by me as making the distinction between 31(1) and 31(2).

**Shri S. M. Banerjee (Kanpur):** I would like to know from the learned Attorney-General one thing: can article 31(1) be separated from article 31(2), or, do they form part of a uniform scheme, and whether there can be deprivation of property unrelated to article 31(2)?

**The Attorney-General:** It is not I who have separated article 31(1) from article 31(2). As I read the case which I mentioned, the Supreme Court has for certain purposes done it. As to whether there can be deprivation of property, apart from what is contemplated in article 31(2), may I point out that a person may be deprived of his property like this: say, he has money with which he is found to be gambling, or, he is found with money which he proposes to employ for the purpose of buying liquor, if I may mention it. In the interests of public morals, that money would be seized, in which event there is a deprivation of property. But it is justified.

**Mr. Speaker:** Shri Ranga.

**Shri Ranga (Chittoor):** He has my question with him.

**Mr. Speaker:** He has not received all the questions in time. Therefore he may put the question.

**Shri Ranga:** My point is this. I am putting it in a non-legal fashion. There is reference to land revenue in this Bill. The Attorney-General might have noticed it. On the basis of land revenue which is being collected from peasants who pay more than Rs. 5 per annum, the Bill seeks to impose these compulsory savings to the tune of 50 per cent. I consider that first of all this deprivation is not very different from usual taxation. And since land revenue falls within the State list, this also comes within that. Therefore, it tantamounts to encroachment on the State list.

**The Attorney-General:** May I say to the hon. Member that the matter has to be approached by looking at the substance of the legislation? That is the test which has always been applied, or as it has been called, the pith and substance of the measure. The pith and substance of this measure is compulsory saving and the making of a deposit. The pith and substance is not land revenue. Therefore, it cannot fall within the State List, where there is the item relating to land revenue.

The reference to land revenue in this Bill is for two purposes. One is to indicate a kind of person who will be liable to make the deposit. It is merely indicating a species and that is done in clause 2. As to the compulsory deposit, all that is provided for in clause 4 is that the rate of compulsory deposit shall not exceed the maximum rate specified in subsection (2) and the rate specified as regards land revenue is 50 per cent, i.e. half of the land revenue. That is not a collection of revenue. The reference is made simply for the purpose of providing a measure as against which the compulsory deposit has to be put in order to see

whether the compulsory deposit is of the required percentage or the required amount. The reference to land revenue is purely to indicate a maximum, beyond which this compulsory deposit shall not go.

**Shri Dhaon (Lucknow):** May I know from the Attorney-General whether taking possession or property is not acquisition of property within the meaning of article 31(2)?

**Mr. Speaker:** He has already answered that question.

**Shri A. P. Jain:** Please refer to clauses 9 and 10 of the Bill. Clause 9 provides for the imposition of penalty in a sum equal to the arrears of deposit and is tantamount to flagrant confiscation of property even without a pretence of any compensation. Payments over and above the dues by way of penalty have been known only to laws of taxation and to no other laws. Any demand by way of penalty or otherwise over and above the property sought to be placed under restriction has never been known to be made in any law. In such laws, the restriction can be imposed only on the specific property and only to the extent of that property, but it cannot be shifted either against the person of the owner or against any other of his property.

Clause 10 provides for the recovery of outstanding sums as arrears of land revenue. Land revenue, according to laws obtaining in U.P., can be recovered through the following processes: arrest and detention, attachment and sale of movable property, sale of holdings, interest of defaulter in immovable property, and attachment of village by putting it under management of the Collector.

To put it in a lay man's language, take the case of an owner of Jamnapuri breeding goat. The Government takes it over for improving the breed of goat. The owner, i.e. I maliciously destroy the goat. Can the Government transfer the restric-

[Shri A. P. Jain]

tion to another goat and take it away? I destroy all the goats. Can the Government....

**Mr. Speaker:** Now he might come to his question.

**Shri A. P. Jain:** I am coming to the question.

**Mr. Speaker:** He is destroying everything that exists.

**Shri A. P. Jain:** The Government say that they are not acquiring the property. Suppose that property is destroyed.

**Mr. Speaker:** He should formulate his question now.

**Shri A. P. Jain:** How can the Government proceed against the person, or the property of a person who is under an obligation to deposit money but who has failed to do it? My question is whether clauses 9 and 10 of the Bill are *ultra vires* of the Constitution in view of what I have said.

**The Attorney-General:** The hon. Member has not pointed out any specific provision in the Constitution to which, he says these provisions in the Bill are contrary. He has put it in a general way whether they are contrary to the Constitution. That is rather a large pill to swallow improptu as it were and, certainly if the hon. Member will indicate which particular provision he has in mind perhaps, it would be a kindness to me.

**Shri A. P. Jain:** Article 19 relates to property. A law can impose restrictions on the use of that property. It cannot go beyond that.

**Mr. Speaker:** *Ultra vires* of article 19? Which part?

**Shri A. P. Jain:** Article 19 (1) (b) and (5) of the Constitution. I might make it clear. Now, the restriction is placed on a specific property. Suppose that restriction is violated,

can the State proceed to attach another property, or impose that restriction on another property? In fact, I wanted to make it clear but, Sir, you stopped me when I was giving a simile. You can impose a restriction on a property under article 19 and you can acquire a property under article 31. But supposing you cannot get that property, can you attach another property or sell another property? That is the point.

**The Attorney-General:** There is competence to provide a penalty. It may be a penalty of a criminal nature, or a penalty of a civil nature. It could have provided that a person who wilfully or knowingly fails to make the deposit, though he has got the money, may even be sentenced to some kind of imprisonment or a fine. Instead of that, the penalty prescribed is of a civil nature. That penalty is not in the nature of requisition or acquisition. The penalty is that a certain additional amount will have to be paid, which will be exacted by a process which is very well-known to law, that is, as if it were an arrear of land revenue. It is not against any specific property that process will be taken. It is a general provision which varies from State to State as to the method of recovery which provides both for summary and other measures. The hon. Member will find that such a provision occurs not merely in taxation statutes but in other statutes as well.

**Shri A. P. Jain:** Namely?

**The Attorney-General:** Section 46 of the Income-tax Act provides for recovery in the same manner. The Sales Tax Act also provides for it. The Co-operative Societies Act provides for the dues to the society to be recovered in the same manner. The Provident Funds Act equally provides for it. The District Municipal Act—I know the Bombay Act—also provides for municipal dues being similarly recovered.

**Shri Daji:** I only wanted to ask one question. As far as I know laws, there are broadly two ways of taking over property. One is the principle of eminent domain and the other is the principle of police powers. The Attorney-General has conceded that it cannot fall under the principle of eminent domain. On the face of it it is not a penal measure, or a measure which falls under the police power, according to me. Therefore, may I know from the Attorney-General under what third doctrine will this forced loan be covered?

**The Attorney-General:** These are not water-tight compartments nor are they exhaustive.

**Shri Radhelal Vyas (Ujjain):** I would like to invite the attention of the Attorney-General to article 31A, clause (1) (b) and ask whether this also is applicable to it or not. This clause says:

“Notwithstanding anything contained in article 13, no law providing for—

the taking over the management of any property by the State for a limited period either in the public interest or in order to secure the proper management of the property,....

shall be deemed to be void on the ground that it is inconsistent with, or takes away or abridges any of the rights conferred by article 14, article 19 or article 31.”

In this Part the word “State” has been used in the wider sense.

**Mr. Speaker:** He is supporting the opinion.

**Shri Radhelal Vyas:** I just want to know whether besides article 248, Entry 20 and Entry 97 this measure can be covered by the provisions of Article 31A read with article 12 which defines the word “State” in this

part as the Government of India, the Parliament, the State Government and some of the local bodies also. Can it be covered by that because it puts some restrictions?

**Mr. Speaker:** He is providing an additional argument.

**Shri Priya Gupta (Katihar):** Additional Attorney-General.

**Shri Daji:** Sitting appointment.

**Shri Radhelal Vyas:** I want to know whether it is....

**Mr. Speaker:** That is all right. He can advance it in his own speech. Shri Tyagi.

**Shri Tyagi (Dehra Dun):** The Attorney-General will excuse me because I will not be able to put my case or ask my question in a very legal form. I am a layman. I am glad that he has made one thing quite clear that the hon. Minister has already announced that it is not a taxation measure. He has made it quite clear. It is neither an acquisition nor a requisition. I am in search of an authority as to what label to give to this Bill. Shall I say that it is for deprivation of property? As I understand it, it is neither a tax nor any requisition or acquisition; it is mere deprivation. That is what the Attorney-General has said. I wanted to give it a good label. Anyway, my hon. friend says that it is a deprivation measure. But I submit that deprivation can be effected only of properties which are going to be misused for an unsocial purpose. I do not know whether there is any case or justification for a deprivation of good use of properties. Can we deprive a citizen of his property if he is well-intentioned and is making good use of his property?

Further, I would ask his opinion on one question. This very thing was done in the U.K. and I wonder if you will permit me to quote one thing, namely,—

“The most novel measure included in the 1941 budget was



[Shri Tyagi]

the treatment of part of the increased income tax as a 'withholding tax'—a tax to be repaid after the end of the war. The original proposal on which this measure was based was made by Keynes in his *Time* articles in November 1939, elaborated in the pamphlet *How to Pay for the War* early in 1940. Keynes saw in forced saving the one chance for war-workers ever to enjoy the increased consumption that should be the reward of their increased efforts."

This was a similar pattern in the UK in 1941. It was passed but it was a taxation measure. Could he kindly advise as to what shall we deem it? Under the label of tax it could be possible but under the label of deprivation I do not think there is any justification for it. What is his opinion?

**Mr. Speaker:** If he does not think so, he can make a speech in the House.

**Shri Tyagi:** I want this difficulty to be clarified. After all, I have got the Attorney-General here. I can never get the benefit of his opinion. Has he come to deprive us or to tax us?

**The Attorney General:** May I say to the hon. Member that I have already opined—it is for him to say rightly or wrongly—that it falls within the term 'deprivation of property'.

**Shri Tyagi:** Deprivation Act. Shall we call it so?

**The Attorney General:** If I have failed to convince the hon. Member, well, that is my misfortune.

**Mr. Speaker:** Now, should we....

**Shri A. P. Jain** rose—

**Mr. Speaker:** No, no.

**Shri A. P. Jain:** Just one word.

**Mr. Speaker:** No; that is all.

**Shri A. P. Jain:** Sir, it is not an ordinary matter.

**Mr. Speaker:** No. Should we continue on this matter of clause 4....

**Several Hon. Members:** No, no.

**Shri A. P. Jain:** With your permission, Sir, I want to put only one question.

**Shri Ranga:** Sir, I would make an appeal to you. Here was Mr. Jain who was responsible for providing this opportunity, for having this enlightened discussion and also this opportunity of having the benefit of the views of the Attorney-General. Therefore, I appeal to you to give him a little more time. (*Interruption*) The other day, as you know....

**Mr. Speaker:** All right. One more question he might put.

**Shri A. P. Jain:** The Attorney-General has placed his reliance on article 19(5) and my point is, in view of the declaration of the emergency, article 19 remains suspended as provided in article 358 of the Constitution. Mr. Attorney General: Am I correct in concluding that all the references to article 19, in your opinion, are therefore irrelevant and the justification for the Compulsory Deposit Scheme Bill....

**Mr. Speaker:** Even when the attorney General is there, the question should be directed to me.

**Shri A. P. Jain:** All right. I remove that word. Am I correct in concluding that all the references to article 19, in his opinion, are therefore irrelevant and the justification for the Compulsory Deposit Scheme Bill based on article 19 has no validity?

**The Attorney General:** Sir, it is suggested—and I am sorry to hear it—that my opinion has missed the mark altogether. I thought it might be wrong in parts and good in parts. But I did not feel that I had missed the bus altogether. I have looked at the matter entirely without reference to the emergency or that article of the Constitution which during the emergency suspends article 19.

**Shri A. P. Jain:** It does not exist altogether?

**The Attorney-General:** I have therefore, considered it entirely regardless of that. I had in mind what I read, I think, in some report of the debate that the hon. Finance Minister in the course of the debate had said that this was not an emergency measure or related to emergency. I hope I am right in saying that and, therefore, I have so regarded it because, after all, the emergency may stop tomorrow or the day after tomorrow. All that happens by reason of the suspension of article 19 is that a person cannot approach the court in order to have it determined whether this offends article 19 or not. That has been upheld by a judgement delivered in the Supreme Court this morning, so that what he is deprived of is the remedy.

**Shri A. P. Jain:** It is completely suspended?

**Mr. Speaker:** Order, order.

**The Attorney-General:** Well, Sir, unless I have heard the judgment

wrong, I still maintain what I have said. In any event, if I may say so, I have not taken the emergency into account, nor the suspension of article 19, which does not make what I have said irrelevant. But the hon. Member may well see that what I have said shows that the effect of it may be suspended for the period of the emergency.

**Mr. Speaker:** We have two part-heard measures before us—one is the Constitution Amendment Bill and the second is this one. Should we take up this one tomorrow first or continue with the Constitution Amendment Bill?

**Shri Hari Vishnu Kamath:** It should be disposed of first.

**Mr. Speaker:** So tomorrow we can take up this first. The House now stands adjourned to meet again at 11 A.M. tomorrow.

17.45 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, April 30, 1963/Vaisakha 10, 1885 (Saka).*

[Monday, April 29, 1963/Vaisakha 9, 1885 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
S.Q. No.	Subject	12541-78	U.S.Q. No.	Subject	
1067	Welfare of coal-mine workers	12541-44	2421	Local Development works	12585
1068	Use of Hindi on A.I.R.	12544-49	2422	Persons registered in Maharashtra	12585-86
1069	Conference of Atomic Scientists held in Tokyo	12550-51	2423	I.A.F. Pilots	12586
1070	Gandhian literature	12552-57	2424	Emergency Commissioned Officers	12587
1071	High protein food for Jawans	12557-58	2425	Plan projects	12587-88
1072	Sainik School in Assam	12558-60	2426	Dacoities by Pakistani nationals	12588
1074	Diplomatic relations with 'KMT' Government	12560-62	2427	Naal aerodrome	12588-89
1075	Situation in Laos	12562-65	2428	Mr. Ali Sabry's visit to India	12589
1076	Reorganisation of Planning Commission	12566-68	2429	Haj pilgrims from Kerala	12589-90
1077	Emergency Commissions	12568-70	2430	Trespassing into Tripura by Pakistanis	12590
1078	Education programme for NEFA	12570-73	2431	Gifts for Jawans	12590-91
1078-A	General Elections in Eastern U.P. in 1962	12573-75	2432	Hospital at Bomdila	12591
1079	Cantonment Act	12575-76	2433	Progress of Third Plan	12591-92
1080	Strengthening of Indian Navy	12576-77	2434	Missing officers of Rajasthan Armed Constabulary	12592
S.N.Q. No.			2435	Hindi News Bulletins on A.I.R.	12593
9	Air crash near Jamnagar	12577-78	2436	Press Consultative Committee	12594-96
WRITTEN ANSWERS TO QUESTIONS		12578-623	2437	Books for Jawans	12596
S.Q. No.			2438	Institute of Physiology	12597
1073	Film on removal of untouchability	12578	2439	A.I.R. Programme for prisoners	12598
1081	Shorter National Anthem on A.I.R.	12579	2440	Funds for liberation of Goa	12598-99
1082	Prohibition	12579-80	2441	Passports to visit Pakistan	12599
1083	New ordnance factories	12580	2442	"India News" published in U.S.A.	12599
1084	Release of P.O.s. by Chinese	12580-81	2443	Expenditure on publicity against Chinese aggression	12600
1086	Employees' State Insurance Scheme	12581-82	2444	Recruitment from Orissa	12600
U.S.Q. No.			2445	Diversion of Plan funds	12601
2414	Defence factories at Wardha	12582	2446	Allotment of quota of newsprint to newspapers in Jammu and Kashmir	12601
2415	Air accidents in NEFA	12583	2427	Resignations by Emergency Commissioned Officers	12602
2416	Passports for U.K.	12583	2448	Passport racket case in Punjab	12602-03
2417	Transmitter at Jeypore in Orissa	12584	2449	Peaceful uses of atomic energy	12603-04
2420	Distribution of radio sets in Maharashtra	12584-85			

WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS	CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE	COLUMNS
U.S.Q.				12626—30
No.			Dr. L. M. Singhvi called the attention of the Minister of Health to the acute shortage of water supply in Delhi and the decision to reduce the hours of water supply.	
2450	Reclamation of Ravine land in Goa	12604	The Minister of Health (Dr. Sushila Nayar) made a statement in regard thereto.	
2451	Chinese infiltration into Indian Army	12604-05		
2452	Factories in Delhi	12605		
2453	Financial powers for Nagaland Administration	12606		
2454	Industrial Truce Resolution	12606		
2456	Ordnance Depot, Shakturbasti	12607		
2458	Abu Simbel Temple in Egypt	12607-08		
2459	Atomic Power Station in Kerala	12608		
2460	Accommodation for Defence personnel in Delhi	12608-09		
2461	Statutory price page schedule	12609		
2462	Delhi Cantonment Board Schools	12609-10		
2463	Scarcity of Electricity in Delhi Cantt.	12610-11		
2464	M.E.S. Delhi Cantt.	12611-12		
2465	Works Committee for Delhi Cantonment Board	12612		
2466	Translation of Cantonment Laws	12613		
2467	Cantonment Board Fund quarters in Delhi Cantt.	12613		
2468	Underground drainage in Delhi Cantt.	12614		
2469	Civil area in Delhi Cantt.	12614-15		
2470	Military officers in Commercial firms	12615-16		
2471	Enquiry Committee for import licences in	12616		
2472	Coordination Committee on Scientific research	12616-17		
2473	Fire in Ambala Cantt.	12617-18		
2474	Accounts of Children's Film Society	12618		
2475	Creighton's Film Society	12618-19		
2476	Famine in Sikkim	12619		
2477	Cantonment Town Nasirabad	12619-20		
2478	M.E.S. Barrackpore	12620-21		
2479	Army Commissions to Doctors	12621-22		
2480	U.D.Cs. in Army Headquarters	12622-23		
	Correction to U.S.Q. No. 157, dated 25-2-63	12623		
			PAPERS LAID ON THE TABLE	12640—42
			(1) A copy of the Finance Accounts of the Central Government for the year 1961-62.	
			(2) A copy of Attorney General's opinion on the Compulsory Deposit Scheme Bill.	
			(3) The following statements showing replies to the recommendations of the Estimates Committee which were not furnished by Government in time for inclusion in the relevant Reports:	
			(i) Statement showing the replies to the recommendations noted in Chapter V of the Hundred and Seventh Report of the Estimates Committee (Second Lok Sabha).	
			(ii) Statement showing the replies to the recommendations noted in Chapter IV of the Fourteenth Report of the Estimates Committee (Third Lok Sabha).	
			(iii) Statement showing the replies to the recommendations noted in Chapter IV of the Sixteenth Report of the Estimates Committee (Third Lok Sabha).	
			(iv) Statement showing the replies to the recommendations noted in Chapter IV of the Seventeenth Report of the Estimates Committee (Third Lok Sabha).	
			(v) Statement showing the replies to the recommendations noted in Chapter IV of the Twenty-Seventh Report of the Estimates Committee (Third Lok Sabha).	

PAPERS LAID ON THE  
TABLE—*contd.*

- (4) A copy of the Minutes of Evidence given before the Sub-Committee on Public Undertakings and minutes of the sittings of the Estimates Committee relating to Thirty-fifth Report on the Ministry of Steel and Heavy Industries—Heavy Electricals (India) Limited, Bhopal.

PRESIDENT'S ASSENT TO  
BILL

Secretary laid on the Table the Appropriation (No. 2) Bill, 1963 passed by the Houses of Parliament during the current Session and assented to by the President since a Report was last made to the House on the 22nd April, 1962.

REPORT OF PUBLIC AC-  
COUNTS COMMITTEE  
PRESENTED

Eleventh Report was presented.

## STATEMENT BY MINISTER 12642,12643

On behalf of the Minister of Commerce and Industry, the Minister of Law made a statement on the report of Shri C.K. Daphtary, Attorney-General, and Shri A.V. Visvanatha Sastri, a retired Judge of the Madras High Court, on certain aspects of the report of the Commission of Inquiry appointed by Government to go into the affairs of several companies in the Dalmia-Jain group and also laid on the Table Part II of the report dealing with the amendment and administration of the Companies Act.

BILLS INTRODUCED . . . 12703—05,  
12731—33

1. The Appropriation (Railways) No. 3 Bill, 1963.
2. The Appropriation (Railways) No. 4 Bill, 1963.

BILLS INTRODUCED . . . 12649—60,  
12703—05,

- (i) The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha) moved for consideration of the Bengal Finance (Sales Tax) (Delhi Amendment) Bill. The motion was a-

## COLUMNS

12643

12643

12642,12643

12703—05,  
12731—3312649—60,  
12703—05,

12731—33

## COLUMNS

BILLS PASSED—*contd.*

(i) adopted. After clause-by-clause consideration the Bill was passed. 12642.

(ii) The Deputy Minister in the Ministry of Railways (Shri S.V. Ramaswamy) moved for consideration of the Appropriation (Railways) No. 3 Bill, 1963. The motion was adopted. After clause-by-clause consideration the Bill was passed.

(ii) Shri S. V. Ramaswamy also moved for consideration of the Appropriation (Railways) No.4 Bill, 1963. The motion was adopted. After clause-by-clause consideration the Bill was passed.

DEMANDS FOR EXCESS  
GRANTS (GENERAL),  
1960-61 . . . . . 12660—87

Discussion on Demands for Excess Grants in respect of the Budget (General) for 1960-61 commenced and concluded. The Demands were voted in full.

DEMANDS FOR EXCESS  
GRANTS (RAILWAYS),  
1960-61 . . . . . 12688—12702

Discussion on Demand for Grant in respect of the Budget (Railways) for 1960-61 commenced and concluded. The Demand was voted in full.

DEMANDS FOR SUPPLE-  
MENTARY GRANTS  
(RAILWAYS), 1963-64 . . . 12705—31

Discussion in respect of Demands for Supplementary Grants in respects of Railways for 1963-64 commenced and concluded.

The Demands were voted in full.

BILLS UNDER CONSIDER-  
ATION 12733—72

(i) The Minister of Law (Shri A. K. Sen) moved that the Constitution (Fifteenth Amendment) Bill, as reported by the Joint Committee be taken into consideration. Two amendments

**BILLS UNDER CONSIDERATION—*contd.***

thereto for circulation of the Bill for public opinion were also moved. The discussion was not concluded.

- (ii) Clause-by-clause consideration of the Compulsory Deposit Scheme Bill was resumed. The Attorney-General (Shri C.K. Daphtary) also took part in the debate.

**BILLS UNDER CONSIDERATION—*contd.***

The discussion was not concluded.

**AGENDA FOR TUESDAY, APRIL, 30, 1963 /VAISAKHA 10, 1885 (SAKA).**

Further consideration of the Compulsory Deposit Scheme Bill and the Constitution (Fifteen Amendment) Bill and passing thereof; also consideration and passing of Appropriation (No. 3) Bill, 1963.