

# LOK SABHA DEBATES

(Tenth Session)



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\*The sign + marked above the name of a Member indicates that the question was actually asked on the floor of the House by that Member.

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## LOK SABHA DEBATES

2787

2788

### LOK SABHA

Wednesday, December 2, 1964/  
Agrahayana 11, 1886 (Saka)

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

[MR. SPEAKER *in the Chair*].

**Shri Ranga:** There are more Ministers than there are Members.

**Mr. Speaker:** He ought to try to get in more Members then.

#### ORAL ANSWER TO QUESTIONS

##### Indo-Pak Border Violations

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\*364 {  
 Shri S. M. Banerjee:  
 Shri Vidya Charan Shukla:  
 Shri Daji:  
 Shri P. C. Borooah:  
 Shri Yashpal Singh:  
 Shri Vishram Prasad:  
 Shri Bagri:  
 Shri Rameshwar Tantia:  
 Shri Naval Prabhakar:  
 Shri P. R. Chakraverti:  
 Shri S. N. Chaturvedi:  
 Shri Onkar Lal Berwa:  
 Shri Prakash Vir Shastri:  
 Shri Jagdev Singh  
     Siddhanti:  
 Shri Daljit Singh:  
 Shri Bhagwat Jha Azad:  
 Shrimati Jyotsna Chanda:

Will the Minister of Home Affairs be pleased to state:

(a) whether there have been any fresh intrusions or border clashes on Indo-Pakistan border other than Jammu and Kashmir since 1st October, 1964; and

(b) if so, the particulars thereof?  
1687 (Ai) LSD—1.

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). A statement is laid on the Table of the House.

#### Statement

(a) Yes, Sir.

(b) Since 1st October, 1964, so far, fifty two incidents have been reported to the Government of India. The particulars are as follows:—

- |   |                  |
|---|------------------|
| (1) West Bengal-East<br>Pakistan border | 17 incidents     |
| (2) Assam-East Pakistan<br>border,      | .. 12 incidents  |
| (3) Tripura-East Pakistan<br>border,    | ... 19 incidents |
| (4) Rajasthan-West Pakistan<br>border,  | .... 4 incidents |
| (5) Punjab-West Pakistan<br>border,     | .... Nil         |
| (6) Gujarat-Pakistan<br>border,         | .... Nil         |

**Shri S. M. Banerjee:** From the statement, it appears that since 1st October, 1964, so far 52 incidents have been reported to the Government of India and the particulars are given—17 on the West Bengal-East Pakistan border and so on. I want to know what concrete steps Government have taken to take up this matter at the highest level with Pakistan, as a condition to stop these intrusions before the Home Minister meets the Home Minister of Pakistan?

**Shri Hathi:** In certain cases, we have taken up the matter and a joint meeting is arranged with the Commandants of the area. Of course, we have taken it up at the highest level. But

some of them are instances of theft and cattle-lifting.

**Shri S. M. Banerjee:** May I know whether on the Tripura-East Pakistan border, firing still continues, though intermittently and if so, what steps have been taken to provide arms to the border people to defend themselves against Pakistani firings?

**Shri Hathi:** In that particular area, there is continuous firing in the sense that daily three or four rounds are being fired; it is not done the whole day. But we have strengthened our police force. Before this also, on such occasions, we had fired when there were some miscreants coming in.

**Shri P. C. Borooah:** May I know whether under the cover and protection of Pakistani troops, a large number of illegal infiltrants have settled in some border villages in the Assam-East Pakistan border and if so, in how many villages have they settled down and what steps Government have taken against them?

**Shri Hathi:** I have not got the actual information of the number of infiltrants that have come in under the shelter of Pakistan forces. But in reply to the main question I have given the number of intrusions.

**श्री यशपाल सिंह:** क्या कभी सरकार के ध्यान में यह बात आई है कि फीरोजपुर बार्डर पर पाकिस्तान की हिम्मत नहीं है कि कोई वारदात कर सके क्योंकि वहाँ पर लोग पंचशील को मानने वाले नहीं हैं बल्कि पंच ककार के मानने वाले हैं। ऐसी स्थिति में क्या कभी सरकार ने यह सोचा है कि पंचशील को हटा कर वहाँ पर पंच ककार कायम किये जायें।

**श्री हाथी:** जो हम मानते हैं वह मानते ही हैं। लेकिन जब मौका आता है तब हम भी उन्हें यहाँ से निकालने के लिये फायरिंग से जवाब देते हैं।

**श्री बागड़ी:** चीन और पाकिस्तान दोनों सरहदों पर भारत को खतरा रहता है। तो इन दोनों दरवाजों में से एक दरवाजे को बन्द करने के लिये क्या सरकार यह सोच रही है कि दोनों में से पहले एक से मेल किया जाये और उसके बाद दूसरे से लड़ा जाये। अगर सरकार इस पर विचार कर रही है तो कैसे?

**श्री हाथी:** इन दोनों जगहों पर हम ने सिक्योरिटी मेजर्स टाइटन किये हैं।

**श्री नवल प्रभाकर:** क्या मैं जान सकता हूँ कि पिछले वर्ष जो इस प्रकार से सीमोल्लंघन हुए वह इस वर्ष से कम थे या ज्यादा थे।

**श्री हाथी:** उस के आंकड़े इस समय मेरे पास नहीं हैं। लेकिन सीमोल्लंघन ऐसा नहीं है। बहुत से केसेज ऐसे हैं जिन में आ कर लोग कैटल लिफ्टिंग करते हैं या टी लीव्ज पिक करते हैं।

**Shri S. N. Chaturvedi:** May I know if the border violations continue because the loss of life and damage that we inflict upon the Pakistanis is far less than what they inflict on us?

**Shri Hathi:** Perhaps the figures are otherwise?

**श्री श्रींकार लाल बरवा:** मैं जानना चाहता हूँ कि पिछले समय जो कमांडरों की बातचीत हुई थी वह क्या थी और उस में क्या निर्णय लिया गया था, और पाकिस्तान उस को मानता भी है या नहीं।

**श्री हाथी:** वह अभी हुई नहीं है।

**श्री प्रकाशबीर शास्त्री:** मैं जानना चाहता हूँ कि असम, पाकिस्तान बार्डर के ऊपर जितने हिस्से को खाली करने के सम्बन्ध में पीछे गृह मंत्री ने सुझाव दिया था वहाँ इन घटनाओं में कितनी कमी हुई है; और वह हिस्सा खाली है या नहीं।

श्री हाथी : ज्यादातर त्रिपुरा बार्डर पर ऐसा हुआ, और असम बार्डर पर . . . .

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय, मेरा प्रश्न भिन्न था।

गृह-कार्य मन्त्री (श्री नन्दा) : जो प्रश्न है, उस का साफ जवाब में आज इस वजह से नहीं दे सकता कि वह जो योजना थी उसके अमल में कुछ दिक्कतें आ गईं, जैसे कि बहुत ज्यादा संख्या में रिफ्यूजीज आने लगे। कुछ खाली करें और वहाँ से और रिफ्यूजीज आ जायें, इस में जरा मुश्किल थी। उस की स्कीम कुछ बन रही हैं, लेकिन ज्यादातर इस वजह से अमल नहीं हो सका।

**Shri Bhagwat Jha Azad:** In view of the statement given by the Foreign Minister just a few days back, which is now confirmed by the Home Minister, that the cease-fire violations had increased and also in view of the fact that the Pakistanis are preparing suicide brigades to enter into our area, may I know, in the light of these developments, how the government proposes to meet the situation? Have they any plan or they will only go on asking for the Home Ministers' conference which is also being cancelled?

**Shri Hathi:** These incidents, as I said, are mostly small incidents of cattle lifting from our territory.

**Shri S. M. Banerjee:** 33 persons have been killed. Men are also being lifted. How does he say that there were only incidents of cattle lifting?

**Shri Hathi:** There were 19 cases of cattle lifting, 16 cases of theft and 6 cases of kidnapping and men entering our territory. Wherever they have entered we have tried to chase them. In a number of cases we have also fired and the casualties are more in their case than in our case.

श्री जगदेव सिंह सिद्धान्ती : भारत सरकार की राजनीतिक या व्यावहारिक नीति

में कौन सी दुर्बलता है जिसके कारण पाकिस्तानियों को यह साहस होता है और हमारी सीमा पर वह आक्रमण करते हैं।

श्री हाथी : कोई दुर्बलता नहीं है।

**Shri Hem Barua:** May I know whether Government are aware of the fact that in recent times Pakistan has concentrated her troops on a massive scale on the East Pakistan-Tripura border and she has indulged in intermittent firings on account of which our people have sustained losses? In that context, may I know whether the Government have by now tried to put in a few bullets into the hearts of the Pakistanis also? Have they fired or are they satisfied with lodging a protest only?

**Mr. Speaker:** This has gone to their heart.

**Shri Hathi:** As I said, the casualties on their side are more. On our side only one man was killed during these incidents and on their side six have been killed.

**Shri Hem Barua:** Does that mean that our troops have fired upon them?

**Mr. Speaker:** Yes, yes.

**Shri Hathi:** They have not died by any other method. On their side six have died.

**Mr. Speaker:** By our firing?

**Shri Hathi:** Yes.

**Mr. Speaker:** The Minister should have pointedly said that we have fired and then the hon. Member would have been satisfied.

**Shri Hathi:** I am not talking of a single incident; I am talking of all the incidents taken together.

**Shrimati Savitri Nigam:** In view of the fact that all efforts made in the

direction of putting an end to this sort of constant trouble which causes death, misery and fear to the people on both sides have failed, is the Government thinking of making this proposal of creating a joint protection team on the border?

**Mr. Speaker:** It is a suggestion for action.

**Shri Swell:** In view of the fact that despite all the necessary security measures that Government claim to be taking in the borders the border violations have been occurring, and occurring with impunity, may I know whether Government contemplate arming the border people.

**An hon. Member:** It is a suggestion for action.

**Shri Swell:** No, it is not a suggestion. May I know the reasons which swayed the Government from doing that?

**Shri Hathi:** Regarding strengthening the security measures.....

**Mr. Speaker:** He is asking about arming the border people.

**Shri Hathi:** It is a suggestion for action.

#### Sampurnanand Committee Report

- +
- \*305. { **Shri Bagri:**  
**Shri Vishram Prasad:**  
**Shri Bibhuti Mishra:**  
**Shri K. N. Tiwary:**  
**Shri Sarjoo Pandey:**  
**Shri Jena:**  
**Shri Y. S. Chaudhary:**

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 219 on the 16th September, 1964 and state:

(a) whether Government have since considered the recommendations of the Sampurnanand Committee on national education policy; and

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

**The Minister of Education (Shri M. C. Chagla):** (a) The matter is receiving attention of the Government. The Education Commission, is also expected to consider this matter.

(b) Does not arise.

**श्री बागड़ी :** देश में जो प्राथमिक शिक्षा के स्कूलों में आकाशपाताल का अन्तर है, कुछ में प्रति विद्यार्थी पर तीन सौ से पांच सौ रुपये तक खर्च किया जाता है, तो कुछ में एक दो आने से लेकर एक रुपया तक खर्चा किया जाता है। क्या इस अन्तर को मिटा कर प्राथमिक शिक्षा को समान करने का सरकार का कोई विचार है, और है तो इस दिशा में सरकार क्या कर रही है?

**Shri M. C. Chagla:** As my hon. friend knows, primary education is a State subject. We can only advise, guide and counsel States. We cannot take any action ourselves. We are giving as much assistance as possible.

**श्री बागड़ी :** जैसा कि संविधान ने लोगों को विश्वास दिलाया है कि जनवरी सन् 1965 के बाद अंग्रेजी को हटा दिया जाए, क्या सरकार का अंग्रेजी को उस तारीख से हटाने का विचार है, और यदि है तो उसके लिए क्या प्रयत्न किया जा रहा है?

**Mr. Speaker:** Is it also included in the Report of Sampurnanand Committee?

**Shri M. C. Chagla:** No, Sir. The hon. Member knows that the medium of instruction in primary and secondary education is the regional language and the mother tongue in all the States. So, the question of English being the medium in primary and secondary schools does not arise.

**श्री विभूति मिश्र :** अभी शिक्षा मंत्री ने यह बयान दिया है कि वह चाहते हैं कि हर एक स्टेट में सेंटर की तरफ से एक एक यूनियन-वरसिटी कायम की जाए। इन्होंने यह भी कहा है कि ऐसा तब किया जाएगा यदि स्टेट गवर्नमेंट्स चाहें। मैं जानना चाहता हूँ

इन्होंने यह बयान अपनी तरफ से दिया है या राज्य सरकारों से परामर्श करके दिया है, और आगे इस दिशा में क्या कदम उठाने जा रहे हैं ?

**Shri M. C. Chagla:** The opinion of the Central Government is clear and emphatic that, as far as primary and secondary education are concerned education should be imparted through the medium of the mother tongue. There has never been any difference of opinion on that point.

**श्री बागड़ी :** मेरा प्रश्न बीच में रह गया ।

**श्री विभूति मिश्र :** मेरे सवाल का जवाब नहीं आया ।

**अध्यक्ष महोदय :** मैं कितनों की बात एक वक्त में सुनूं। मेरी एक दरख्वास्त है मेम्बर साहिबान से कि जब एक को बुलाया जाए तो बाकी उस वक्त मेहरबानी करके बैठ जाया करें, यह पहली चीज होनी चाहिए। जब तक मैं नहीं बुलाता, बेशक उस वक्त तक और कोई चारा नहीं है सिवा खड़े होने के। मुझे इस बात से दुःख होता है कि उनको बार बार खड़ा होना पड़ता है। लेकिन जब मैं एक को बुला लूं तो बाकी के बैठ जग्या करें।

**श्री विभूति मिश्र :** मेरा सवाल था कि शिक्षा मंत्री जी ने बयान दिया है कि अगर राज्य सरकारें चाहें तो मैं हर एक राज्य में एक एक सेंटर की यूनीवरसिटी बनाऊंगा। मैं जानना चाहता हूं कि यह बयान उन्होंने अपनी ओर से दिया है या राज्य सरकारों से पूछ कर दिया है। और सरकार इस दिशा में आगे क्या करने जा रही है ?

**अध्यक्ष महोदय :** क्या यह भी सम्पूर्णानन्द कमेटी की सिफारिशों के आधार पर है। अगर नहीं है तो यह सवाल इसमें नहीं आ सकता ।

बागड़ी जी, आप के सवाल का जवाब तो आ गया ।

**श्री बागड़ी :** मेरी अर्ज सुन लीजिए। मैंने शिक्षा मंत्री जी से प्रश्न किया था कि जैसा कि संविधान ने लोगों को विश्वास दिलाया है, क्या सरकार जनवरी 1965 से अंग्रेजी को हटाने जा रही है, यदि हां, तो उसको हटाने के लिए सरकार क्या प्रयत्न कर रही है ?

**अध्यक्ष महोदय :** आपने प्राथमिक शिक्षा के सम्बन्ध में पूछा था। उन्होंने कहा कि वह शिक्षा तो रीजनल लैंग्वेज में ही दी जाती है, इसलिए अंग्रेजी को हटाने का सवाल ही पैदा नहीं होता ।

**श्री बागड़ी :** मेरा व्यवस्था का प्रश्न है ।

प्राथमिक स्कूलों में भी अंग्रेजी का माध्यम चलता है उन स्कूलों में जिन में कि प्रति विद्यार्थी तीन सौ से पांच सौ रुपया खर्च किया जाता है। कुछ स्कूल ऐसे हैं जो केन्द्र के हैं या केन्द्र उन्में हस्तक्षेप करता है। उन के बारे में शिक्षा मंत्री ने साफ दृष्टिकोण नहीं बतलया ।

**अध्यक्ष महोदय :** वह इस में नहीं आता । दूसरी दफा सवाल कर सकते हैं ।

**Shri M. C. Chagla:** May I answer the question, Sir?

**Mr. Speaker:** No, Sir.

**श्री बागड़ी :** जब वह जवाब देना चाहते हैं तो उन को जवाब देने दीजिए ।

**अध्यक्ष महोदय :** जब तक मैं उसकी इजाजत न दे तब तक वह जवाब नहीं दे सकते ।

**श्री क० ना० तिवारी :** सम्पूर्णानन्द कमेटी ने अपनी रिपोर्ट कब दी, उसके मेन फीचर्स क्या हैं और उन को कब तक लागू करने का विचार सरकार कर रही है ?



**Shri M. C. Chagla:** There are 213 recommendations of the Sampurnanand Committee.

**Mr. Speaker:** They should not be told here.

**श्री क० ना० तिवारी :** उन को कब तक लागू करने का विचार है ।

**अध्यक्ष महोदय :** जब वह बयान ही नहीं की जाती, तो उन को लागू करने के बारे में कैसे सवाल हो सकता है ?

When are they going to be implemented? This is the second part of the question.

**Shri M. C. Chagla:** The Central Advisory Board has considered them from time to time. We have asked the States to give their opinions but we have not received their opinions on many of them. I might point out that as far as we are concerned the main recommendation was to give a national outlook for education and we from the Ministry have been doing our best. I may mention that the establishment of the All-India Education Service, which is being actively pursued and I hope the Resolution will be introduced very soon in the Rajya Sabha, the establishment of Central schools and special measures to strengthen secondary education. We also had the Sapru Committee's Report which had suggested that higher education should be a concurrent subject; that was a resolution passed by the National Integration Council. I have invited the opinion of the States and, I hope, the majority of the States will agree. We, at our end, are doing everything to bring about national integration.

**Shri Man Sinh P. Patel:** May I know.....

**Mr. Speaker:** It is a great surprise that even before I have called hon. Members who are signatories to the question, there are certain hon. Members who exercise great pressure on me. They should appreciate my

difficulties also. In other countries it is not considered to be a very fine and high parliamentary practice to pick up the question of another and then begging to ask supplementaries.

**Shri Man Sinh P. Patel:** I am sorry, Sir.

**श्री यु० सि० चौधरी :** सम्पूर्णानन्द कमेटी ने अपनी रिपोर्ट देने से पहले शिक्षण संस्थाओं और शिक्षा शास्त्रियों से परामर्श करने का कौन सा तरीका अपनाया था ?

**Shri M. C. Chagla:** This report was considered thrice by the Central Advisory Board of Education which is the highest board of education in India. Not only that, we have got constant consultation with the States through the State Education Ministers' Conference and the Central Advisory Board of Education so that constantly the State Ministers and the Central Minister are meeting.

**श्री यु० सि० चौधरी :** मेरा सवाल यह था कि सम्पूर्णानन्द कमेटी ने अपनी सिफारिशें देने के पहले यूनीवर्सिटियों के प्राध्यापकों से और अन्य शिक्षा शास्त्रियों से सलाह मशविरा किया था या नहीं ? मैं बोर्ड या मंत्रियों के बारे में नहीं पूछ रहा हूँ।

**Shri M. C. Chagla:** I am constantly holding discussions with Vice-Chancellors and University professors. Only last week....

**श्री यु० सि० चौधरी :** मैं पूछ रहा हूँ सम्पूर्णानन्द कमेटी के बारे में और वह कह रहे हैं कि मैं ने यह किया ।

**Mr. Speaker:** Did the Sampurnanand Committee have consultations with University students and teachers?

**Shri M. C. Chagla:** I am not in a position to say that.

**डा० गोविन्द दास :** अभी मंत्री जी ने यह कहा कि सरकार की यह नीति है कि प्राइमरी एजुकेशन में शिक्षा का माध्यम

स्थानीय भाषायें रखी जायें। क्या मंत्री जी को यह मालूम है कि उनके पूर्व के शिक्षा मंत्री श्री श्रीमाली जी ने अनेक बार लोक सभा में कहा था कि विश्वविद्यालयों की शिक्षा का माध्यम भी क्षेत्रीय भाषायें होंगी? हम देखते हैं कि माननीय मंत्री जी बराबर इस बात का आन्दोलन कर रहे हैं कि वहां पर अंग्रेजी रखी जाय। इस सम्बन्ध में सरकार की क्या नीति है?

**अध्यक्ष महोदय :** सप्लीमेंटरीज में तो आन्दोलन नहीं चलना चाहिए।

**श्री बागड़ी :** आन्दोलन तो वह कर रहे हैं।

**अध्यक्ष महोदय :** मुझे उस बात में शंका नहीं है। क्या बागड़ी जी डाक्टर साहब की मदद करना चाहते हैं। वह तो सब से पुराने मेम्बर हैं।

**श्री रामेश्वरानन्द :** आप भी तो मंत्रियों की मदद को आ जाते हैं . . .

**Shri M. C. Chagla:** I have great respect for my hon. friend and I am sure he would not like to be unjust to me. If he had only read my statements in the Rajya Sabha and in this House, he would be able to appreciate the position that I have consistently taken the same position which was taken by the Government throughout, namely, that our objective is to make regional languages the medium of instruction in the universities, but we must go slow; and that is the recommendation of the National Integration Council.

**डा० गोविन्द दास :** स्लो का क्या अर्थ है ?

**अध्यक्ष महोदय :** आप सुनें तो सही।

**Shri M. C. Chagla:** Till the time comes when the regional languages are in a position to be the medium of instruction. We are helping the Indian languages to grow.

**Shri A. N. Vidyalkar:** One of the recommendations of the Integration

Committee was that there should be a reform in the study of history and that history books should be re-written. Just at present, history books provoked communal and other anti-national feelings. May I know what is being done in that regard?

**Shri M. C. Chagla:** I am glad the hon. Member has asked that question. The Text-Book Committee is sitting to get history re-written. I entirely agree that history was written from the point of view of our British rulers. We have never had a proper national history; we have never had proper text-books in history. We have set up a committee which is preparing text-books on history which will be sent to all the States and I hope the States will implement it.

**Shri Man Singh P. Patel:** In view of the committee's report and the declared policy of the Government that the elementary primary education is upto the 7th standard, what is the view of the Central Government in regard to States where English is taught from the 5th standard even though there are some States which have started English from the secondary stage of education which has been complimented by the Prime Minister, what are the States which have adopted this principle and whether the Education Minister would like to follow it in other States?

**Shri M. C. Chagla:** Gujarat is the only State which starts English from the 8th standard and all others start from the 5th standard. Some of them are going back to the 3rd standard including Uttar Pradesh. Therefore, Gujarat stands apart. After all, it is the policy of the State and it is not uniform with other States.

**श्री प्रकाशवीर शास्त्री :** मैं यह जानना चाहता हूँ कि जब 1965 में संविधान की मान्यता के अनुसार इस देश की प्रमुख भाषा हिन्दी हो जायगी, तो क्या उसे ध्यान में रखते हुए शिक्षा मंत्रालय ने सम्पूर्णानन्द कमेटी की

रिपोर्ट के आधार पर कुछ विशेष निर्णय लिए हैं, जोकि तब से लागू किये जा सकें ?

**Shri M. C. Chagla:** The decision we have taken is, as I have said over and over again, to give full support to Hindi. Text-books are being written; text-books are being translated and teachers are being sent to southern States. We are giving every possible support to Hindi that we can. If my hon. friend has any more suggestions to make, I will certainly look into them.

**श्री म० ला० द्विवेदी :** मैं यह जानना चाहता हूँ कि जो पब्लिक स्कूल टाइप के स्कूल हैं, क्या उनमें भी प्राइमरी स्टेज पर प्रादेशिक भाषा में शिक्षा जारी रहेगी या वहाँ अंग्रेजी चलती रहेगी ।

**Shri M. C. Chagla:** No, Sir. We have signed a Declaration of Human Rights and I want to make the position clear that the Declaration of Human Rights says that a parent has the prior right to determine what education his children will have. If there are parents in India—they may be misguided—who want their children to be educated through the medium of English language, we cannot stop them. There is a large demand for that. My hon. friend does not know how much the demand is where parents want their children to be educated through the medium of English. In Ahmedabad recently a school was opened with English medium and 7,000 students applied and they could take only 700 boys.

**Shri Bhagwat Jha Azad:** If the parents want French, will you allow that also? (Interruptions).

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

श्री एच० एन० मुकर्जी ।

**श्री रामेश्वरानन्द :** अध्यक्ष महोदय, आप कभी इधर भी देख लें । मैं पहले प्रश्न में भी और इस प्रश्न में भी कई बार उठ चुका हूँ ।

**अध्यक्ष महोदय :** माननीय सदस्य को इस तरह दबल नहीं देना चाहिए । यह जरूरी नहीं है—और न ही यह मुमकिन है—कि किसी सवाल पर सप्लीमेंटरी पूछने के लिए हर एक सदस्य को बुलाया जाये ।

**श्री रामेश्वरानन्द :** अध्यक्ष महोदय, आप का मेरे साथ सदा यही व्यवहार है । जो प्रश्न मैं देता हूँ, उन को आप स्वीकृत नहीं करते हैं । अगर मैं पूरक प्रश्न पूछना चाहता हूँ, तो आप पूरक प्रश्न नहीं पूछने देते हैं । मेरे साथ आप का क्या न्याय है ? आप स्वयं यह चाहते हैं कि हम गड़बड़ करें । (Interruptions).

**श्री शिव नारायण :** अध्यक्ष महोदय, आन ए प्वाइंट आफ आर्डर । ये शब्द बहुत अनुचित हैं और इसलिए माननीय सदस्य को वापस लेने चाहियें ।

**अध्यक्ष महोदय :** मैं हाउस को यह बताना चाहता हूँ कि मैंने स्वामी जी को आज सवेरे एक चिट्ठी लिखी है कि वह बेशक मेरे पास आयें और एक एक सवाल के बारे में मेरे साथ बातचीत करें । लेकिन वह जब भी खड़े होते हैं, इस तरह से छींटा फेंकते हैं । यह कहना मेरे साथ ज्यादाती है कि मैं रियायत या पक्षपात करता हूँ । मैं हमेशा स्वामी जी को यहां भी और बाहर भी बहुत इज्जत, आदर और सत्कार के साथ देखता हूँ । इसलिए उन को इस तरह की बात कहना बहुत अफसोसनाक है । यह उन को ही हक पहुंचता है कि इस तरह खड़े हो कर एसी बातें कहें । यह कभी बर्दाश्त नहीं किया जा सकता ।

**श्री रामेश्वरानन्द :** मैं आप से निवेदन करना चाहता हूँ कि आप मेरा इतना आदर तो कर रहे हैं, लेकिन हम करें क्या, आप यह बतायें । न आप प्रश्नों को स्वीकृत करते हैं और न पूरक प्रश्न पूछने देते हैं ।

**अध्यक्ष महोदय :** मैं आप की पार्टी के लीडर को कहूंगा कि वह आप को इन लफ्जों को वापस लेने का मशवरा दे । मैं उन को बर्दाश्त नहीं कर सकता ।

श्री रामेश्वरानन्द : तो मैं सदन त्याग करता हूँ । (Interruptions).

11.26 hrs.

(Shri Rameshwaranand then left the House)

**Shri H. N. Mukerjee:** In view of our country having, I presume, a national approach... (Interruptions)

**Mr. Speaker:** Order, order. Let us resume our work now.

**Shri Bade:** Sir, he is from my party. I am very sorry for the remarks he has made against the Chair, and I will also request him not to pass such remarks. Because, he never consulted me, and I am very sorry.

**Mr. Speaker:** And I will advise the Leader. I am glad that he has expressed his feeling like that. I will advise him to come over to me and I will try to find out from him what grievance he has got and then see whether there is really any justification in that.

**Shri Bade:** About his questions I have explained to him.

**Mr. Speaker:** I have also written to him this morning.

**Shri Bade:** I am very sorry, Sir.

अध्यक्ष महोदय : अच्छा ।

श्री बागड़ी : चूँकि यह भाषा का प्रश्न था और चूँकि स्वामी जी का भाषा के साथ बड़ा मेल है, इसलिए वह भाषा के सवाल पर अपने मन की बात जरूर कहना चाहते थे । इस नाते जब उन की बात नहीं सुनी गई, तो उन के मन को ठेस पहुंचना जरूरी था ।

**Mr. Speaker:** Mr. Mukerjee.

**Shri H. N. Mukerjee:** In view of our country having presumably a national approach to the problem of education are we to take it that, since we are signatories to the Universal Rights Declaration or something, a few recalcitrant parents can negate the basis of our national policies, or are we to take it that if some people want a particular kind of school they should run it themselves without any kind of assistance from Govern-

ment funds? I want to know the policy of the Government in regard to those schools which are not going to fall in line with our national policy, in which case they must run them according to their own resources.

**Shri M. C. Chagla:** I entirely agree. Government gives no resources whatever, no grant is given to the schools where the medium of instruction is English. In our Central schools we teach both English and Hindi; that is compulsory. But where a school is started and education is given through the medium of English, Government gives no grant. If Government gives no grant, how can we prevent people from starting a school if the parents of the children want English, unless it is anti-national or anti-social: If it is anti-national or anti-social, then the law will prevent it. But I do not think we can prevent the starting of a school to study English.

श्री शिव नारायण : मैं यह जानना चाहता हूँ कि जब मुल्क में एड्यूकेशन के बारे में बड़ा कनफ्लिक्ट है, तो क्या शिक्षा मंत्री इस बात पर विचार कर रहे हैं कि सारी एड्यूकेशन को नेशनलाइज कर दिया जाये और सारी रेस्पॉन्सिबिलिटी गवर्नमेंट ले ले ।

अध्यक्ष महोदय : यह तो एक तजवीज है ।

**Shri Hem Barua:** The hon. the Education Minister just now said that regional languages would be introduced as medium of instruction in the different universities. While welcoming that decision of the Education Minister, may I draw his attention to the recommendation made by the committee appointed by the University Grants Commission to the effect that English shall be an associate medium of instruction in the universities; if so, may I know how Government reconcile these two decisions? There is a dichotomy.

**Shri M. C. Chagla:** When the time comes when the universities adopt the regional language as the medium of instruction, I hope and pray that they will also teach at the same time what

I call the link language, either English or Hindi whichever is the link language, preferably both . . .

**Shri Hem Barua:** Why both?

**Shri M. C. Chagla:** . . .so that while the Indian languages will advance through the regional language becoming the medium of instruction in the universities, the link language will not be destroyed.

**Shri Hem Barua:** The hon. Minister said that both Hindi and English would be link languages. Why both?

**Mr. Speaker:** That is his hope only.

श्री सिद्धेश्वर प्रसाद : अभी पूरक प्रश्न का उत्तर देते हुए माननीय मंत्री ने कहा कि सम्पूर्णानन्द समिति की सिफारिशों पर शिक्षा आयोग विचार कर रहा है तो मैं यह जानना चाहता हूँ कि क्या सरकार नीति विषयक प्रश्न को शिक्षा आयोग को निर्णय के लिए सौंपेगी या उन का निर्धारण स्वयं अपने हाथ में रखेगी ?

**Shri M. C. Chagla:** The Education Commission has been established to consider, review and assess all aspects of education, and I am sure that one of the most important aspects of education is the question of language and national integration.

#### Preservation of Historical Monuments

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\*306 { **Shri Yashpal Singh:**  
**Shri Gulshan:**  
**Shri Y. S. Chaudhary:**  
**Shri Ram Harkh Yadav:**

Will the Minister of Education be pleased to state:

(a) whether Government have decided to participate in the international campaign for the preservation of historical monuments sponsored by UNESCO;

(b) if so, the salient features of the campaign; and

(c) the arrangements made to make it a success?

**The Minister of Education (Shri M. C. Chagla):** (a) Yes, Sir, for a fortnight from 1st November, 1964.

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

#### Statement

(b) and (c). The campaign is primarily intended to awaken public interest in historical monuments and the great value attached to them so as to promote a sense of respect towards them. To ensure success of the campaign, an Action Committee was set up by the Government. The arrangements included the following:

- (i) Message by the President of India.
- (ii) In-auguration of the campaign at Delhi and other centres all over the country.
- (iii) Release of a monograph on the 'Cave Temples of the Pallavas'.
- (iv) Photographic exhibition at the National Museum and about 60 other museums in the country.
- (v) Radio talks by the Director General of Archaeology and the Director, National Museum and others.
- (vi) Broadcast of features in regional languages by various stations of All India Radio.
- (vii) Talks by eminent scholars at Delhi and elsewhere.
- (viii) Release of Film on Khajuraho produced by the Films Division.
- (ix) Provision of special and free guide services at the more important monuments, specially selected to spotlight public attention.
- (x) Special tourist trips to monuments by Tourist Department, Travel Agents, and State Education Departments.
- (xi) Publication of illustrated and popular articles by scholars in newspapers.
- (xii) Exhibition of Cinema slides and Posters.

(xiii) Distribution of special ob-literation marks by the Post and Telegraph Department to 58 post offices.

(xiv) Free admission at all monu-ments of national importance for three days during the fortnight—1st, 8th and 15th November, 1964.

श्री यशपाल सिंह : क्या सरकार के ध्यान में यह बात है कि अमर सेनानी श्री सुभाषचन्द्र बोस के स्वपनों का साकार रूप जो लाल क़िला है उस के अगले हिस्से को तो सरकार टोप टाप कर के ठीक रखती है लेकिन उस का पिछला हिस्सा गंदा होता जा रहा है, टूटता जा रहा है, बदबूदार होता जा रहा है और उस की दीवारों के पास गंदगी आदि फैलाने वालों को कोई सजा नहीं दी जाती है, यदि हां, तो इन को दूर करने के लिए सरकार की ओर से क्या कार्यवाही की जा रही है ?

अध्यक्ष महोदय : माननीय सदस्य को प्रीजरवेशन और हिस्टोरिकल मॉन्यूमेंट्स के बारे में सरकार की जनरल पालिसी आदि के बारे में सवाल करना चाहिए लेकिन अगर वे इस तरह से एक, एक मॉन्यूमेंट की बाबत सवाल पूछने लगेंगे तो मंत्री महोदय उन का कसे जवाब दे सकेंगे ?

Mr. Speaker: Will the hon. Minister like to answer it?

Shri M. C. Chagla: I am very sorry to hear about it. I shall have investigation made immediately. I agree that the Red Fort is a great national monument, and I shall immediately look into it.

श्री यशपाल सिंह : ताजमहल जोकि एक बड़ी यादगार है और जहां पर बैठ कर बादशाह शाहजहान खैरात किया करते थे वहां पर यह सैकुलर स्टेट बैठ कर टैक्स वसूल करती है, मेरा तो कहना है कि उस मज़ार पर टैक्स होना उस मज़ार की अज़मत के खिलाफ़ है और क्या सरकार उस टैक्स को हटाने के लिए गौर कर रही है ?

अध्यक्ष महोदय : यह भी एक सर्जेशन है और इस पर भी वे गौर करेंगे ।

श्री यशपाल सिंह : यह तो सवाल मॉन्यूमेंट्स के संरक्षण करने का है लेकिन अगर उस के पीछे जो भावना है उस का ही तहफ़ुज नहीं होगा तो फिर उस मॉन्यूमेंट का संरक्षण कैसे हो पायेगा ?

अध्यक्ष महोदय : माननीय सदस्य बेकार में बहस कर रहे हैं ।

श्री हुकम चन्द कछवाय : ऐसे बहुत से ऐतिहासिक स्थान हैं जिनको कि अल्पसंख्यकों द्वारा खंडित किया जाता है और तोड़ा जाता है और जहां पर हिन्दुओं के चिह्न शेष हैं वहां पर दरगाह बन जाते हैं, क्या सरकार के पास ऐसी कोई रिपोर्ट आई है, यदि हां, तो सरकार उस के बारे में क्या कार्यवाही करने जा रही है ?

Shri M. C. Chagla: I do not understand these terms 'majority, and 'minority' communities. All our monuments are national monuments and they will all be preserved.

श्री यु० सि० चौधरी : अपने देश में काफ़ी ऐतिहासिक स्मारक विद्यमान हैं और पुरातत्व विभाग द्वारा उन के संरक्षण और उनको ठीक तरह से मेन्टेन करने के लिए कानून बना हुआ है और उस ओर बहुत कुछ काम भी हो रहा है और इसके लिए वहां कुछ आदमी भी काम पर लगाये गये हैं लेकिन क्या सरकार के ध्यान में यह बात आई है कि अक्सर जब व्यक्तिगत रूप से या सामूहिक रूप से उन स्थानों में जाने का इत्तिफाक हुआ है और जब वहां पर तैनात कर्मचारियों को यह बतलाया गया कि अमुक अमक स्थान पर मरम्मत होनी चाहिए, तो वह बतलाते हैं कि साहब हम क्या करें, सारी मरम्मत पूरी कराने के लिए पैसा ही नहीं और सब से कम पैसा सरकार की ओर से इन ऐतिहासिक स्मारकों को मेन्टेन करने के वास्ते दिया गया है तो क्या सरकार के दिमाग में उनको अधिक लम्बे समय तक सुरक्षित बनाये रखने

के लिए ज्यादा पैसा देने की कोई योजना है ?

**Shri M. C. Chagla:** I want more funds for everything. I wish I could get them.

**Shri Sham Lal Saraf:** These national monuments have been listed under the Central and State Lists. May I know whether the Central Government keep an eye on such of the monuments as are with the States, whether these monuments are also preserved, and if so, what arrangements are there to see that these are preserved well?

**Shri M. C. Chagla:** If our attention is drawn to the fact that a monument which is a State monument is not being properly looked after, we write to the State Government. If the State Government does not take proper action, we try and see that it is made into a national monument in which case it comes under our jurisdiction.

श्री विश्वनाथ पांडेय : इस स्टेटमेंट में

जो सदन के सामने प्रस्तुत किया गया है उसमें यह लिखा है :

'To ensure the success of the campaign, an Action Committee was set up by the Government'.

तो मैं जानना चाहता हूँ कि इस ऐक्शन कमेटी के कौन कौन सदस्य हैं और इस कमेटी द्वारा क्या क्या ऐक्शन लिये गये ?

**Shri M. C. Chagla:** The members of the committee which was appointed are: Dr. D'Rozario, Jt. Educational Adviser, Ministry of Education, Dr. Grace Morley, Director, National Museum, New Delhi, Shrimati V. Padhi, Director (Publicity), Department of Tourism, Shri B. B. Bowry, Information Officer attached to the Ministry of Education, New Delhi, Shri A. N. Kapoor, Assistant Director of Programmes, AIR, Shri C. S. Bhatia, Director, Postal Services, Delhi Circle, New Delhi, Shri J. K. Jain, Under Secretary, Ministry of I. & B. and Shri R. Ghosh, Director General of Archaeology, New Delhi.

As regard, action taken, we have pointed out in the statement the var-

ious actions taken. Radio programmes were arranged, States were asked to bring out posters stressing the value of monuments which are our heritage and how to preserve them.

**Shri Narendra Singh Mahida:** Is the Minister aware that there is a sun temple in Modhera in Gujarat and there are some idols in the charge of the Government of Gujarat? Does the Minister propose to ask the Government of Gujarat to return these idols to the Modhera sun temple committee so that they could be preserved as historic monuments.

**Shri M. C. Chagla:** I will consider if my hon. friend will write to me about it.

**Shrimati Savitri Nigam:** Reference has been made in the statement to the provision of special and free guide service at the more important monuments. What arrangements have been made to train the guides properly because the present guide service is very poor?

**Shri M. C. Chagla:** That is rather a difficult problem. We have not got enough guides—I agree. But I am try to see with the help of Dr. Morley, who is in charge of the National Museum, if we cannot have a sort of refresher courses whereby guides can be trained who can take tourists round and explain to them what our monuments are.

भूतपूर्व प्रधान मन्त्री का तीनमूर्ति का निवास स्थान

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\* 307. { श्री प्रकाशवीर शास्त्री :  
श्री जगदेव सिंह सिद्धान्ती :

क्या शिक्षा मंत्री 30 सितम्बर, 1964 के अतारंकित प्रश्न संख्या 1616-ख के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) तीन मूर्ति मार्ग पर स्थित भूतपूर्व प्रधान मंत्री के निवास स्थान का भवन तथा भूमि का अलग अलग बाजार दर पर क्या मूल्य है;

(ख) क्या उसमें खाली पड़ी भूमि का किसी और रूप से इस्तेमाल करने का विचार है; और

(ग) इस भवन को राष्ट्रीय स्मारक में परिवर्तित करने में तथा तत्संबंधी अन्य परियोजनाओं पर और कितनी रकम व्यय होने की संभावना है ?

शिक्षा मन्त्री (श्री मु० फ० चागला) :

(क) बाजार दर पर भूमि तथा भवन का मूल्य मालूम नहीं है ।

(ख) जी, नहीं ।

(ग) स्वर्गीय श्री जवाहरलाल नेहरू की स्मृति में समर्पित पुस्तकालय सहित, विशेष संग्रहालय के रूप में भवन को परिवर्तित करने के लिए तदर्थ आधार पर एक लाख रुपये की रकम निश्चित की गई है ।

श्री प्रकाशवीर शास्त्री : भूतपूर्व प्रधान मंत्री जी के निवास स्थान के सम्बन्ध में मैं ने पूछा था कि भवन तथा भूमि का अलग-अलग बाजार दर पर क्या मूल्य बैठता है और इस को इस रूप में परिवर्तित करने के लिये क्या मंत्रालय ने कैबिनेट से या सरकारी स्तर पर क्या किसी प्रकार का कोई निर्णय लिया है ?

Shri M. C. Chagla: The only value we have is the book value, not the market value. The land value is more than Rs. 44,000; buildings: main house....

Mr. Speaker: This reply had been given earlier. His question is different.

Shri M. C. Chagla: As to what is being done? A decision has been taken at the highest level that as far as the western section of the house is concerned, it will be converted into a library where we will collect books. The present thinking is that we want a library of modern India . . . (Interruption) Have I not followed the question?

अध्यक्ष महोदय : कैबिनेट में या गवर्नमेंट में या हाइएस्ट लेवेल पर यह हुआ है, उसका जवाब . . . . .

श्री प्रकाशवीर शास्त्री : प्रश्न यह था कि जब यह प्रश्न आया तो सरकार की ओर से यह जवाब दिया गया था कि पुराना मूल्य क्या है, इसकी जानकारी तो हम को है, लेकिन वर्तमान बाजार दर के हिसाब से क्या मूल्य इसका आंका गया है, यह तो बतलाने की कृपा की जाए और उस में स्वीकृति कैबिनेट से ली गई है या नहीं ली गई है ?

Shri M. C. Chagla: We do not know the market value. No attempt was made to find out the market value, because the Cabinet decided that the house of the late Prime Minister should be put to a particular use. So, no question of ascertaining the market value arose. We are not trying to sell the house or the land, and I do not see the point of ascertaining the market value.

श्री प्रकाशवीर शास्त्री : यह जो स्मारक बनाया गया है क्या इस स्मारक को और भी बड़ा रूप देने का विचार है या उसके लिए कोई योजना तैयार की गई है ?

Shri M. C. Chagla: Yes, Sir. There is a suggestion that we may have to extend the building in order to set up a library, because it has been found that the foundation of the house is not sufficiently strong to take the weight of a further story where the books can be housed. There is plenty of land behind the house, and we may have to extend the building, so that a proper library can be put up.

Shri Hari Vishnu Kamath: Is Government aware that large sections of the people are wondering whether this decision in respect of the residence Tin Murti Marg of the late Prime Minister, Shri Jawaharlal Nehru, may not set a precedent for similar decisions in future, and if so, has Government given serious thought



to the matter of building a permanent residence worthy of the Prime Minister of this, maybe materially poor but otherwise great, country, as for instance they have No. 10, Downing Street, White-hall, in Britain and in many other democratic countries?

**Shri M. C. Chagla:** Only a century can create a person like Jawaharlal Nehru. It is not every day that a Jawaharlal Nehru is produced, and our country is fortunate in having him, and our century is fortunate. So, when a particular decision is taken about him, there is no danger of any precedent being created.

**Mr. Speaker:** Now we are not concerned with that. That decision has been taken, and it is final. What he wants to know is this. Long live our present Prime Minister, but at some time some other Prime Minister will come in. Suppose he chooses not to stay in this house, and wants to have another one. He says: why not build a permanent house which would be the Prime Minister's house?

**Shri M. C. Chagla:** I am not in a position to speak for the present Prime Minister. He is staying in the house where he was. What his intentions are, or what his views are, I do not know.

**Shri Hari Vishnu Kamath:** My question is different. Has the Cabinet considered this matter at all? He is a member of the Cabinet. Has it come up before the Cabinet so far?

**Shri M. C. Chagla:** No, it has not come up.

a memorial like this being raised for a memorial like this being raised for Shri Jawaharlal Nehru, about whom my hon. friend has said happy things with which we are all in agreement. But at the same time, I take it that it was raised because he was one of our national martyrs. There have been many other martyrs like

Mahatma Gandhi, Subhash Babu and many others. May I know whether Government have considered the advisability, since such a huge areas has been enclosed in this Tin Murti place, of constructing some more buildings there, in order to perpetuate the memory and the relics belonging to so many other martyrs of comparable eminence? Will they take the trouble also of consulting national leaders of all parties before they take such a decision?

**Shri M. C. Chagla:** I might tell my hon. friend that our present thinking is that the library that we want to be put up will be a library of modern India, which will range from the time of Ram Mohan Roy to the present time, so that scholars will come and make research and publish monographs of what India has done in the last one hundred years, which would cover the national movements of our national leaders, all our martyrs and all the people that my hon. friend referred to.

**Shri Ranga:** You, Sir, were good enough only the other day to inaugurate the exhibition showing the relics and belongings of Netaji Subhash Chandra Bose. There has been no permanent structure at all, no arrangement till now has been made. It has been a shameful thing for our country. I am making a suggestion. It is for the Government to take it up if they have a sense of responsibility. When they are placing the whole of the place at the disposal of this museum, with your indulgence, I will put this question: May I take it that the Government would consider it in their highest counsels the advisability of constructing the needed buildings and then providing opportunity for all these relics to be exhibited there for our national heroes?

**Shri D. C. Sharma:** On point of order, Sir. The hon. Member has been referring to Shri Subhash Chandra Bose and has been asking Govern-

ment to raise a memorial to him. There are many persons who believe that Shri Subash Chandra Bose is still alive and I am one of them. So, how can he associate the name of Shri Subhash Chandra Bose with the names of those persons who have expired?

**Mr. Speaker:** Prof. Ranga was only asking Government to raise memorials for those who have gone now.

**Shri Ranga:** I was talking of people of comparable eminence like Mahatma Gandhi and Subhash Chandra Bose. (*Interruptions*).

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

Shri Siddhanti.

श्री जगदेव सिंह सिद्धान्ती : यह जो तीन मूर्ति का स्थान है, इसको केवल श्री नेहरू जी के स्मारक के रूप में न रख कर कितनी भारतीय राष्ट्र की विभूतियां हैं, उन सब के लिए क्यों नहीं रखा जाता है क्योंकि नेहरू जी का स्मारक शान्तिवन में स्थापित किया जा सकता है ?

**Mr. Speaker:** That is another suggestion. Next question.

#### Education Commission

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 Shri Rameshwar Tantia:  
 Shri Prakash Vir Shastri:  
 Shri Jagdev Singh:  
 Siddhanti:  
 Shri P. C. Borooah:  
 Shri Onkar Lal Berwa:  
 Shri Gulshan:  
 Shri Y. S. Chaudhary:  
 Shri D. C. Sharma:  
 Shri Siddheshwar Prasad:

Will the Minister of Education be pleased to state:

(a) the precise terms of reference of the Education Commission appointed by the Government of India;

(b) the names of foreign members and foreign consultants of the Commission; and

(c) whether it is a fact that the Education Commission has been ask-

ed to submit interim reports from time to time?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). A statement is laid on the Table of the House.

(c) Yes, Sir.

#### STATEMENT

(a) The Commission will advise the Government on the national pattern of education and on the general principles and policies for the development of education at all stages and in all its aspects. It need not, however, examine the problems of adult, medical or legal education, but such aspects of these problems as are necessary for its comprehensive enquiry may be looked into.

(b) *Foreign Members*

1. Shri H. L. Elvin
2. Prof. Roger Revelle
3. Prof. Jean Thomas
4. Prof. Shumovsky
5. Prof. Sadatoshi Ihara.

#### Foreign Consultants

1. Sir Eric Ashby
2. Prof. P. M. S. Blackett
3. Sir Willis Jackson
4. Prof. Fredrick Seitz
5. Lord Robbins
6. Dr. John Guy Fowlkes
7. Dr. John Henry Fischer
8. Dr. Wilfred Cantwell Smith
9. Shri F. Cyril James
10. Dr. P. H. Coombs
11. Dr. S. Dedijer.

श्री प्रकाशवीर शास्त्री: यह जो शिक्षा आयोग स्थापित किया गया है क्या इसको यह भी काम सौंपा गया है कि शिक्षा का माध्यम क्या हो, इस सम्बन्ध में भी वह विचार कर अपना निर्णय दे, यदि हां तो भारत सरकार शिक्षा के माध्यम के बारे में अब तो जो निर्णय कर चुकी है, उस पर फिर से विचार करने की क्यों आवश्यकता अनुभव हुई ?

**Shri M. C. Chagla:** I have referred this question to the Commission and I have asked the Commission to submit an interim report as soon as possible.

**Mr. Speaker:** The point is whether this question also is open for them to consider as to what should be the medium of instruction?

**Shri M. C. Chagla:** That is certainly part of education. (*Interruptions*).

**Shri Hem Barua:** On a point of order, Sir. In reply to another question about the Sampurnanand Committee report, the hon. Education Minister has made certain commitments about the medium of instruction in universities and educational institutions. He says in reply to this question that this matter has been referred to this Commission also. How does he reconcile these two different viewpoints?

**Shri M. C. Chagla:** It is very easy to reconcile the two positions. I am committed to Government policy. There is nothing to prevent the Education Commission from saying "You have been wrong; these are the reasons", or "You are right; carry on". If I have the support of an expert body like the Education Commission, it is good. (*Interruption*). If the Commission takes a view different from the policy of the Government, we are not bound by it. I will come to Parliament and take a decision. But there is no harm in being told by the Commission whether we are right or wrong.

**श्री प्रकाशवीर शास्त्री :** अध्यक्ष महोदय, मैं अपने पुराने प्रश्न के सम्बन्ध में कहना चाहता हूँ। शायद मैं अपने को ठीक से समझा नहीं सका।

**अध्यक्ष महोदय :** मगर वह दूसरा सवाल होगा।

**श्री प्रकाशवीर शास्त्री :** जी नहीं पहले प्रश्न में मेरा कहना यह है कि उस का उत्तर

ठीक से नहीं मिला है। मेरा प्रश्न यह है कि जब एक नीति गवर्नमेंट ने निर्धारित की और पार्लियामेंट ने उस पर मोहर लगा दी, और उसके बाद वह कार्य रूप में परिणत हुई, उस के बाद शिक्षा मंत्री जी ने दुबारा इस प्रश्न को उठाया तो क्या इस का यह मतलब है कि चूँकि वर्तमान शिक्षा मंत्री इस नीति से सहमत नहीं हैं इस लिये यह प्रश्न शिक्षा आयोग को सौंपा जा रहा है।

**Shri M. C. Chagla:** My own view is that this is the correct policy, but I would like to be strengthened in my thinking by a large number of experts. If they tell me that I am right, I shall feel strengthened. (*Interruptions*). My hon. friend knows how explosive is the linguistic situation. Let us not hide the facts. Therefore, if we get the objective view of the Commission it will help us.

**Shri Hem Barua:** Sir, rise to a point of order.

**Shri Bhagwat Jha Azad:** Sir, I rise to a point of order.

**Shri A. P. Sharma:** Sir, I rise to a point of order.

**Mr. Speaker:** Let us hear the point of order of Shri Sharma.

**Shri A. P. Sharma:** The hon. Minister stated that he wants to strengthen his own ideas and thinking by getting the view of experts. But the Parliament has decided on a certain policy. How is this Commission entitled to review the decision taken by Parliament and give its opinion?

**Mr. Speaker:** I cannot interfere in that.

**Shri Bhagwat Jha Azad:** Sir, my point of order is this. After the Education Minister visited Gujarat and he returned unsuccessful in persuading the Gujarat Government to have English, instead of giving a support to the decision that Parliament has

taken, he referred the matter to the Commission which is fully packed by half-a-dozen foreign experts and one dozen consultants to give an opinion as to what should be our link language. How far is it permissible for a Minister to refer a matter to a Commission when on the same issue reports of the Sampurnanand Committee and Radhakrishnan Committee are there where they have very elaborately discussed this issue as to what should be that language, and when after all these committees were appointed and their reports were considered the Parliament also took a decision? When the Parliament has already taken a decision, how far is it within the rights, legal or otherwise, of a Minister to refer the issue to a Commission and ask for an interim report?

**Shri Nambiar:** Is it a speech, Sir?

**Mr. Speaker:** Order, order. Would he kindly resume his seat?

**Shri Nambiar:** Sir, I want to make a submission.

**Mr. Speaker:** Would he give the decision then on the point of order?

**Shri Nambiar:** I have also a point of order.

**Mr. Speaker:** He may sit down now and when his turn comes I will call him.

**Shri Swell:** Sir, may we also have a chance?

**Mr. Speaker:** Members are not allowing me to proceed further by raising points of order. None of them is a point of order. All those that have been raised or would be raised hereafter are not, I assure the House, points of order. I have known it by experience.

**Shri Hem Barua:** Sir, the hon. Education Minister.....

1631(Ai)LSD—2.

**Mr. Speaker:** Is that also a point of order?

**Shri Hem Barua:** Yes.

**Mr. Speaker:** The other day I put it to the House that I may be permitted to ask the Member concerned to first quote the rule or article of the Constitution which he thinks is going to be infringed and then formulate his point of order. I did not get that support. Now the House would realize how these points of order are raised.

**Shri Swell:** May I suggest, Sir, that the number of points of order should be limited to each Member in each session?

**Shri Hem Barua:** May I submit, Sir, that the Education Minister just now on the floor of this House said in specific terms that what he has tried to do is to implement the Government policy and that the Government has laid down a policy. The Parliament has also laid down that policy, vis-a-vis the language problem in this country. Now, over and above that after making an admission that he has been implementing the Government policy, he tells us that he has referred this matter, although there were various committees that have already recommended and dittoed the Government policy, to the Commission.

**An hon. Member:** He wants to have a new look.

**Shri Hem Barua:** The argument offered by him is that he wants to be strengthened in his attitude or approach. How can he do that when he has specifically stated that he is implementing the Government policy? How can he say that he has referred the matter to the Commission?

**Mr. Speaker:** I will ask every hon. Member who raises a point of order to quote to me the rule or the article of the Constitution under which he is

raising that point. I want the support of this House in this matter; otherwise, we will not be able to proceed at all.

Several hon. Members: Yes, yes.

**Shri S. M. Banerjee:** Sir, I have a submission to make. Suppose some Member wants to raise a point of order during the question hour. If he has to go through the Rules of Procedure or the Constitution to find out the relevant rule or article his whole time will be lost in that.

**Shri Ranga:** I am sorry, I am not able to support the suggestion that you are good enough to make to us because it would only infringe our freedom to raise a point of order whenever a proper occasion arises. Merely because some of our friends, for their own good or bad judgment have been raising points of orders in such a way that most of them could not be sustained as points of order by you—I also deplore that practice, that temptation on the part of some of the Members—I would not like you to deny us the freedom that we have had by bringing in the amendment that you are suggesting.

**Shri Tyagi:** May I say a word on this?

**Shri Hari Vishnu Kamath:** He is a Minister. What can he say on a point of order? He can answer a question.

**Shri H. N. Mukerjee:** My submission to you in regard to this point of order matter is, even though a number of our colleagues have risen on points of order, perhaps the substance of the points had already been grasped by you and if you had been good enough to say that the point raised is in regard to the discrepancy between the Minister's earlier statement and his present approach which can be disposed of in some manner from your side, then perhaps the whole thing could have been disposed of

much earlier. I do feel that perhaps sometimes too many points of order are raised which are not called for.

**Mr. Speaker:** What is the remedy that he would suggest?

**Shri H. N. Mukerjee:** If I may say so with due humility, I would have liked you to ask those members to sit down because you have already grasped the substances of the point of order, which was the discrepancy between the Minister's earlier statement and his present approach. In that case, all this time would not have been wasted.

**Shri Nambiar:** My point of order is this. We are in the midst of answering a question and a supplementary has been asked. The question is with regard to the appointment of the Education Commission. The hon. Minister has stated that a particular line of action is being taken. Is it proper that supplementaries should be put in such a way as to go far away from the appointment of this Commission, to discuss the whole language question threadbare which, as every Member knows, is a disputed point, which should not be dragged in indirectly and irrelevantly during the question hour to create a sensation in this House?

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं आप का ध्यान संविधान की धारा 343 से लेकर 351 तक दिलाना चाहता हूँ जिसको माननीय मंत्री हमेशा भंग करते रहते हैं। इसी संविधान की शपथ खाते हैं और इसी संविधान को भंग करते हैं, अभी ही नहीं सारे जीवन में हमेशा भंग किया करते हैं, और बड़े मुस्से से। अभी मंत्री जी ने कह दिया कि भाषा का प्रश्न हिन्दुस्तान में बारूद के जैसा प्रश्न है, पटाखे जैसा प्रश्न है। सवाल यह है कि यहाँ तो सरग लिखा हुआ है कि अंग्रेजी के इस्तेमाल पर लगातार

कियंत्रण को कड़ा करते चले जायेंगे, सन् 1950 के बाद से लगातार कमी होती चली जायेगी। एक तरफ तो संविधान की यह धारा है जिस की शपथ लेते हैं और दूसरी तरफ उन की सारी कार्रवाई होती है अंग्रेजी को लगातार कायम रखने की। यह तो वचन भंगी हैं, शपथ भंगी हैं, इस से ज्यादा संविधान का भंग और क्या हो सकता है।

**श्री बड़े :** अध्यक्ष महोदय, आप ने कहा कि जब तक धारा नहीं बतलाएंगे तब तक प्वाइंट आफ आर्डर नहीं उठाने देंगे। इस तरह से तो यह कोई ही जायेगा कि जब तक सेक्शन नहीं बतलायेंगे तब तक आगे नहीं चल सकते। यहां पर जब भी कोई बात उठती है तब हम प्वाइंट आफ आर्डर रोज करते हैं।

अगर आप ऐसा रूलिंग दे देंगे तो हमारे लिए कठिनाई हो जाएगी।

**अध्यक्ष महोदय :** अगर हर वक्त यही चलता रहेगा तो सवाल करने का मौका ही नहीं आवेगा और सिर्फ प्वाइंट आफ आर्डर ही चला करेंगे।

**श्री एच एन० मुखर्जी ने मुझे बहुत अच्छा मशिविरा दिया, जिसकी मैं बहुत कद्र करता हूं। उन्होंने कहा कि अगर मैं दखल दे देता तो यह डिस्क्रीपेसी दूर हो जाती। मैंने उस के बारे में इशारा भी किया मगर मेम्बर साहिबान ने मुझे बोलने की इजाजत नहीं दी। अगर मैं उनको बन्द करता हूं तो वह प्वाइंट आफ आर्डर ले आते हैं। और इस तरह मुझे बिठला देते हैं और मुझे चलने नहीं देते।**

**Shri Hem Barua:** This whole matter is explosive, very explosive.

**Mr. Speaker:** That also is made by us and not by outsiders. I seek the co-operation of all hon. Members on all sides in this respect. Unless we take it seriously it is not going to help us and we shall not be able to run it.

I must confess before hon. Members that I am finding it increasingly difficult every day. It is not my job alone; I alone cannot run the democracy if hon. Members are not prepared to give full co-operation. I appeal to every individual hon. Member that he should also deem it his duty as much as I deem it mine . . . (Interruption).

**Shri Hem Barua:** You are getting the fullest co-operation.

**Shri Bhagwat Jha Azad:** What is undemocratic that we are doing?

**Mr. Speaker:** I deem it an honour that the House has put so much confidence in me but I cannot retain that unless I get the co-operation also. I had that all in my mind and wanted to express it before the House; I do it certainly with some anguish. We ought to consider it seriously. If hon. Members want, I can request about two dozen of them that they should sit with me so that we might study how it is run . . . (Interruption).

**श्री प्रकाशबीर शास्त्री :** पार्लियामेंट के निर्णय का क्या हुआ ?

**Mr. Speaker:** Order, order. The Question Hour is over.

**The Minister of Rehabilitation (Shri Tyagi):** Sir, I want to assure you of one thing. I have had an experience of the other side of the House also and of this side too. Rare instances can be quoted where in a democracy like ours a Speaker is so universally respected as you, Sir. Everyone of us, whether one belongs to this side or to the other, always bows to your ruling. I submit that this point of order is a privilege, an extraordinary privilege of Members. I have been a professional in this matter in the past. I submit to you kindly to be merciful. Wherever there is your ruling that the point of order does not arise, one always submits to it, but do not restrict it, otherwise Parliament will . . . (Interruption).

**Shri Hem Barua:** Is he trying to rehabilitate himself by saying all this?

**Shri M. C. Chagla:** Sir, in fairness to me if you will give me two minutes because this might go on record and I have had no opportunity. I have been accused of a discrepancy and if you permit me one minute, I would like to clear the position so that the record should be clear. I said that the Government's policy is being implemented by me. I have also said that I have referred the language question to the Commission. Hon. Members, with great respect to them, have not realised that the findings of the Commission are not binding on the Ministry, the Government or Parliament.

**Some Hon. Members:** Why should it be referred to the Commission?

**Shri M. C. Chagla:** This is a matter of argument. But I will not be bound by what the Commission says nor will the Government or the House.... (Interruption).

**Mr. Speaker:** Question Hour is over. Calling-attention notice. Shri Dinen Bhattacharya.

श्री यु० सि० चौधरी : मंत्री महोदया  
ही इन सारी की सारी बातों के लिए जिम्मेवार  
हैं.....

**Mr. Speaker:** Order, order; I will ask hon. Members to resume their seats. Shri Chaudhary also ought to resume his seat. I have called Shri Dinen Bhattacharya.

**Mr. Speaker:** Now, the Calling Attention.... Shri Dinen Bhattacharya.

**Shri Bhagwat Jha Azad:** What happened to the point of order that we raised. I think it will be wrong and a bad precedent for Lok Sabha. We have only asked one question whether a Minister can overrule the decision of Parliament. You have to give a ruling on that point. I think this way of escaping the matter will set a bad precedent.

**Mr. Speaker:** Order, order. It is only now that he formulates a point of order. There was no point of order in his earlier statement.

**Shri Bhagwat Jha Azad:** Mr. Speaker, Sir,....

**Mr. Speaker:** Shall I be allowed to say something or not?

**Shri Bhagwat Jha Azad:** I very clearly asked whether, when a decision had been taken by Parliament, it is optional for the Minister to overrule that decision of Parliament and do something otherwise. We asked your ruling on this point.

**Shri Nambiar:** Sir, you are asking for a permission to speak and you find yourself helpless! While you are asking for a permission to speak, another Member gets up and you sit down. We do not understand that.

**Mr. Speaker:** That is really the position that he does not give me the permission to speak and he wants to speak himself.

**Shri Nath Pal:** We do not want to acquiesce in this thing.

**Shri Hari Vishnu Kamath:** You should not submit Sir.

**Mr. Speaker:** If I get the support of the House, I would not submit to it. That is the only thing that I want. Now, we take up the Calling Attention Notice. Shri Dinen Bhattacharya. It is very unfortunate that again this question has been raised. If this is the only point of order whether the Minister can overrule a decision of Parliament, it does not require any decision from me. Everyone is very certain about it and there ought not to be any question whether any Minister can override or overrule the decisions of Parliament. But then the question is whether any such departure has been made, whether that has been overruled or not. The Minister only said that he has referred it. Let us see what they say. If they support

us, well and good and if they do not support us, then they will consider. If they come up with some proposals before Parliament, Parliament has every right to question that that is not according to the principles and Government ought not to have gone there. But at this moment, during the Question Hour, how can I take it up? Members are again and again insisting on that. I request the hon. Members to drop it here and let us proceed with the business of the House.

**Shri A. P. Sharma:** When once the language question has been settled, I want to know whether we are going to reopen it again?

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

#### WRITTEN ANSWERS TO QUESTIONS

##### National Programme of Physical Education

- \*309. {  
 Shri Surendra Pal Singh:  
 Shri Bhagwat Jha Azad:  
 Shri Yashpal Singh:  
 Shri Y. S. Chaudhary:  
 Shri Ram Sewak Yadav:  
 Shri Sidheshwar Prasad:  
 Shri D. D. Mantri:  
 Shrimati Savitri Nigam:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that an expert committee comprising the officials of the Ministries of Defence and Education has recommended the introduction of "National Programme of Physical Education" in all the schools in the country from the 1st of April next year;

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

(c) in what ways it differs from other similar schemes already in operation for the past few years?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) Yes, Sir. It has, however, been decided to name the new Integrated Programme as "National Fitness Corps".

(b) and (c). The National Fitness Corps is a synthesis of all that is good in the existing programmes under Physical Education, National Discipline Scheme and ACC. It is proposed to make the programme a co-curricular subject for all students from VI to XI Classes in schools with a provision of one teacher for 250 to 400 students and 4 to 5 periods per week for each class.

The State Governments will be shortly requested to replace the existing programmes by the National Fitness Corps with effect from 1st April, 1965.

##### Resignation of Chairman, D.D.A.

- \*310. {  
 Shri P. R. Chakraverti:  
 Shri P. C. Borooah:

Will the Minister of Rehabilitation be pleased to state:

(a) whether any enquiry has been held to find out the reasons which compelled Shri Saibal Gupta to resign the Chairmanship of D.D.A.;

(b) how far the points raised by him with respect to the system of administration that existed during the period of his service in Dandakaranya have been verified; and

(c) the steps taken to make a fresh appointment of a whole-time Chairman of the D.D.A.?

**The Minister of Rehabilitation (Shri Tyagi):** (a) and (b). I would invite attention to my statement in response of Calling Attention Notices on 15th September, 1964.

(c) On the resignation of Shri S. K. Gupta of the office of the Chairman,



Dandakaranya Development Authority, Dr. Mono Mohan Das, Deputy Minister of Rehabilitation, was appointed to discharge the duties of the Chairman of the Dandakaranya Development Authority, as an interim arrangement. The question of long term arrangements in this behalf is under consideration of Government.

**Petro-Chemical Industries**

- \*311. { Shri P. C. Borooah:  
Shri Ramanathan Chettiar:  
Shri Surendra Pal Singh:  
Shri Kajrolkar:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether the Minister of State for Petroleum and Chemicals recently visited U.S.A., Canada and Japan for studying the petro-chemical industries development there and for securing collaboration for the development of such industries in India, from there; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) Yes, Sir.

(b) I visited a number of plants and held discussions with leading industrial enterprises in the field of petro-chemicals, nitrogenous fertilisers and oil exploration and refining. The discussions were of an exploratory nature. Some of the companies showed keen interest in participating in suitable production schemes in India. Concrete proposals are expected to be received shortly.

**Grievances Commissioner**

- \*312. { Shrimati Ramdulari Sinha:  
Shri S. N. Chaturvedi:  
Shri Yashpal Singh:  
Shri J. B. S. Bist:  
Shri D. C. Sharma:  
Shri Y. S. Chaudhary:

Will the Minister of Home Affairs be pleased to state:

(a) whether any decision has been taken to create a post of Grievances Commissioner to deal with complaints and grievances of citizens having dealing with various Ministries of the Government of India; and

(b) if so, the details thereof?

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

(a) The general question of arrangements for redress of grievances of citizens is under examination and no decision has yet been taken.

(b) Does not arise.

**Issue of Licences**

- \*313. { Shri S. N. Chaturvedi:  
Shri Pottekkatt:  
Shri A. V. Raghavan:  
Shri Yashpal Singh:  
Shri J. B. S. Bist:  
Shri P. C. Borooah:  
Shri P. Venkatasubbaiah:  
Shri Ravindra Varma:  
Shri Rameshwar Tantia:  
Shri Surendra Pal Singh:  
Shrimati Renuka Barkataki:  
Shri Ram Sewak:  
Shri P. G. Sen:  
Shri Dharmalingam:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is proposed to set up a quasi-judicial authority on the pattern of License Justices in the United Kingdom to advise Government on matters relating to the issue of licences, permits and quotas; and

(b) if so, an outline of its scope, functions, constitution and the manner of appointment?

The Minister of Home Affairs (Shri Nanda): (a) and (b). Certain suggestions which have been made in this regard are being examined. It will be some time before anything concrete can be said about this matter.

**Disposal of Cases in Supreme Court**

\*314. **Shri S. M. Banerjee:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the number of cases in arrears in the Supreme Court has gone up to 2,170 as against 1,703 in 1962; and

(b) if so, whether Government propose to appoint more Judges in the Supreme Court to clear the arrears?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). The number of pending cases in the Supreme Court had increased from 1,703 at the end of 1962 to 2,170 at the end of 1963 but the number of old cases is not large. There is no proposal to appoint more Judges in the Supreme Court.

**Prohibition**

\*315. { **Shri Hem Raj:**  
**Shri D. C. Sharma:**  
**Shrimati Ramdulari Sinha:**  
**Shri Vishwa Nath Pandey:**  
**Shri Balkrishna Wasnik:**  
**Shri Jashvant Mehta:**  
**Shri Mansinh P. Patel:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 480 on the 30th September, 1964 and state:

(a) the progress made in the consideration of the Prohibition Enquiry report; and

(b) whether Government have arrived at a final conclusion in the matter; and

(c) if so, a broad outline thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) The report is still under consideration in consultation with the State Governments whose views are awaited.

(b) and (c). Do not raise at present.

**Governors**

\*316. { **Shri Surendranath Dwivedy:**  
**Shri Daljit Singh:**  
**Shri Chuni Lal:**

Will the Minister of Home Affairs be pleased to state:

(a) the names of Governors who have been given extension of their term and names of those who have been transferred to other States before completion of their term since 1950; and

(b) the number and names of Governors who have to resign for joining active politics?

**The Minister of Home Affairs (Shri Nanda):** (a)—

(i) *Names of Governors who have had been requested since 1950 to continue in office after the expiry of their normal term.*

1. Shri Jairamdas Daulatram.
2. Shri H. V. Pataskar.
3. Shri Bishnuram Mehdi.
4. Shri Sri Prakasa.
5. H.H. Maharaja Shri Jaya Chamaraja Wadiyar Bahadur, Maharaja of Mysore.
6. Shri C. P. N. Singh.
7. Shri Gurmukh Nihal Singh.
8. Shri B. Rama Krishna Rao.
9. Shrimati Padmaja Naidu.

(ii) *Names of Governors who have been transferred to other States before completion of their term since 1950.*

1. General S. M. Shrinagesh.
2. Shri B. Rama Krishna Rao.
3. Shri V. V. Giri.
4. Shri Sri Prakasa.
5. Shri Bhimsen Sachar.
6. Shri Pattom A. P. Thanu Pillai.

(b) *Names of Governors who have resigned for joining politics since 1950.*

1. Shri Sri Prakasa.
2. Dr. K. N. Katju.

3. Shri H. K. Mahtab.
4. Shri N. V. Gadgil.
5. Shrimati Vijaya Lakshmi Pandit.

#### Suggestion Scheme for Central Government Offices

\*317. **Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether a scheme providing for the award of merit certificates, letters of commendation and cash payments to persons for giving suggestions to improve administrative efficiency and maintaining integrity has been introduced; and

(b) if so, the broad outlines thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes, Sir.

(b) Details of the Scheme were placed in the Library of Parliament on the 5th August, 1964.

#### Observation of Finance Minister

- \*318. { **Shri Kapur Singh:**  
**Shri P. K. Deo:**  
**Shri Buta Singh:**  
**Shri Gulshan:**

Will the Minister of Home Affairs be pleased to state:

(a) whether in a recent speech in Madras the Union Finance Minister observed "very often the law stands to aid law-breakers"; and

(b) if so, the circumstances under which the Union Minister was forced to make such an observation?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). The observations made by the Finance Minister at Madras have not been correctly reported in the Press. The Minister referred to procedural provisions of law which occasionally make convictions difficult even in perfectly good cases.

#### Summary Trials of Defaulting Traders

- \*319. { **Shri Dharmalingam:**  
**Shri D. S. Patil:**  
**Shri P. C. Borooah:**  
**Shri P. R. Chakraverti:**

Will the Minister of Home Affairs be pleased to state:

(a) the number of cases tried so far under the Ordinance for summary trial of unscrupulous traders and abetting public servants;

(b) whether all States have set up special magistrates for this purpose; and

(c) the reasons for delay in bringing the erring traders under the Ordinance?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) None reported so far.

(b) Thirteen States have so far done this.

(c) There has been no avoidable delay.

#### Cabinet Secretary's Visit to Orissa

- \*320. { **Shrimati Renuka Barkataki:**  
**Shri Surendranath Dwivedy**  
**Shri P. C. Borooah:**  
**Shri Hukam Chand Kachhavaia:**  
**Shri Tan Singh:**  
**Shrimati Jyotsna Chanda:**  
**Shri Ram Harkh Yadav:**  
**Shri Vishwa Nath Pandey:**  
**Shri Ravindra Varma:**  
**Shri P. Venkatasubbaiah:**

Will the Minister of Home Affairs be pleased to state:

(a) whether Government deputed the Cabinet Secretary to make an on-the-spot study of the law and order situation in Orissa; and

(b) if so, the steps Government propose to take on the basis of the study and the report of the officer?

**The Minister of Home Affairs (Shri Nanda):** (a) Yes, Sir.

(b) Shri Khara did not submit a written report. He made a report to me orally. No specific action was taken on the basis of Shri Khara's oral report. But it was one of the factors which influence me to visit Orissa.

#### Youth Festival

- \*321. { Shri Solanki:  
Shri Tan Singh:  
Shri Yamuna Prasad  
Mandal:  
Shri Sidheshwar Prasad:

Will the Minister of Education be pleased to state:

(a) the total expenditure incurred on organising the Inter-University Youth Festival in New Delhi this year;

(b) the details of expenditure on administration;

(c) whether there has been a growing demand from different Universities that the Youth Festival should be organised by the Universities themselves under the supervision of the University Grants Commission rather than the Government of India; and

(d) the reaction of Government thereto and whether Madras University boycotted the Festival this year?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) Actual expenditure is not yet known but it is estimated at about Rs. 1,80,000.

(b) Officers and Staff (Including Over-time allowance):

About Rs. 12,000.

Telephones, Stationery, Transport for Staff etc.:

About Rs. 4,000.

(c) The Inter-University Board passed a Resolution in December, 1963 recommending to Government that the Youth Festivals should be organised on Regional basis and the organisation be left to the Universities in the Regions concerned.

(d) It was felt that replacing the existing Inter-University Youth Festival by Regional Festivals will go against the spirit of emotional integration. However, this Ministry is already giving grants for holding Inter-Collegiate Youth Festivals.

It is incorrect to say that the University of Madras boycotted the Festival this year. The University, however, regretted its inability to participate in the Festival, as it felt that its participation would interfere with the academic studies of the students for the preparation of Selection Examinations etc.

#### खनन इंजीनियरी संस्थाओं में हड़ताल

- \* 322. { श्री किशन पटनायक :  
श्री राम सेवक यादव :  
श्री काशीराम गुप्त :

क्या शिक्षा मंत्री 18 नवम्बर, 1964 के तारांकित प्रश्न संख्या 61 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) धनबाद-वाराणसी तथा जोधपुर की खनन इंजीनियरी संस्थाओं में हुई उड़ताल को समाप्त कराने के लिए क्या कदम उठाये गये हैं ; और

(ख) विद्यार्थियों ने क्या मांगें पेश की थीं तथा उन पर सरकार की क्या प्रतिक्रिया है ?

शिक्षा मन्त्री (श्री मु० क० चागला) :

(क) प्राप्त सूचना के अनुसार, खनन इंजीनियरी विद्यार्थी संघ, 23 नवम्बर, 1964 से हड़ताल समाप्त करने और अपना अध्ययन जारी रखने के लिए सहमत हो गया है।

(ख) विद्यार्थियों की मुख्य शिकायत स्नातक होने के बाद उपयुक्त रोजगार की सुविधाओं की कमी के संबंध में है। खनन इंजीनियरी शिक्षा के संयुक्त बोर्ड द्वारा इसकी विस्तृत जांच की जा रही है और बोर्ड

को सिफारिशें दिसम्बर के अन्त तक प्राप्त होने की संभावना है।

**Unrecognised Educational Institutions**

- \*323. { Shri P. R. Chakraverti:  
 Shri P. C. Borooah:  
 Shri Y. S. Chaudhury:

Will the Minister of Education be pleased to state:

(a) whether Government have decided to bring forward legislation to ban unrecognised educational institutions from conducting examinations or awarding diplomas or certificates;

(b) whether a model legislation has been sent to all the States for their guidance; and

(c) whether the States have been advised to give recognition by issuing licences to the institutions which conformed to proper standards?

**The Minister of Education (Shri M. C. Chagla):** (a) to (c). One of the items discussed by the Central Advisory Board of Education in its meeting held at Bangalore on 11th and 12th October, 1964, related to "Corrupt practices in educational institutions". While discussing this item, one of the members raised the issue of spurious institutions though it was not an item in the Board's agenda as such. The exact wording of the recommendation is as under:

"...States should take necessary action, including legislation to prevent unauthorised people from setting up institutions, conducting examinations, awarding diplomas and certificates and adopting names such as Universities, Vice-Chancellors, etc...."

The recommendation is being forwarded to the State Governments for examination and suitable action.

Government of India will draft a model legislation for these purposes in consultation with the State Governments. Whether the proposed

legislation will cover the point raised in part (c) of the question is not yet settled.

**Pay Commission for Primary Teachers**

- \*324. { Shri P. C. Borooah:  
 Shri P. R. Chakraverti:  
 Shri Hem Raj:  
 Shrimati Renuka Barkataki:  
 Shri Y. S. Chaudhary:

Will the Minister of Education be pleased state:

(a) whether it is a fact that a Pay Revision Committee is proposed to be set up to inquire into the pay structure and other allowances of over 16 lakh primary school teachers in the country; and

(b) if so, the precise constitution and terms of reference of the proposed body?

**The Minister of Education (Shri M. C. Chagla):** (a) No such decision has been taken.

(b) Does not arise.

**Legislative Measures in Kerala**

- \*325. { Shri P. R. Chakraverti:  
 Shri P. C. Borooah:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government have decided to replace the two ordinances promulgated by the Kerala Government by President's Acts;

(b) how far the Parliament's Consultative Committee on Kerala has been associated with the determination of administrative policy in Kerala; and

(c) whether the Committee has discussed other legislative measures that were due to come up before the State Assembly before it was dissolved?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes, Sir. This has already been done.

(b) The Consultative Committee is not in any way associated with the determination of the administrative policy in relation to Kerala Affairs.

(c) The Committee did not discuss but took note of the further legislative measures proposed for enactment as President's Acts.

#### Pay Anomalies in Kerala

782. { Shri A. V. Raghavan:  
Shri Pottekkatt:

Will the Minister of Home Affairs be pleased to state:

(a) whether there is a large number of junior officials in Kerala who are drawing more salary than their seniors;

(b) if so, what is their number with reference to each department; and

(c) the steps taken to rectify this anomaly?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). Some cases of the kind have come to notice but information regarding their number is not available.

(c) Anomalies of the kind are not unusual and have occurred elsewhere also. No action is considered necessary.

#### नालन्दा महाविहार

783. { श्री सिद्धेश्वर प्रसाद :  
श्री रामेश्वर टांडिया :  
श्री रामचन्द्र बलिक :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नालन्दा महाविहार के पुनर्गठन के लिये नियुक्त समिति ने अपनी सिफारिश दे दी है ;

(ख) यदि हां, तो वे क्या हैं, और उन के प्रति सरकार की क्या प्रतिक्रिया है ; और

(ग) उक्त सिफारिशों के अनुसार अब तक क्या कार्यवाही की गई है ?

शिक्षा मन्त्रालय में सांस्कृतिक-कार्य मन्त्री (श्री हजरतबीस) : (क) जी, हां ।

(ख) और (ग) समिति ने नव बालन्दा महाविहार और ह्येनसांग स्मारक भवन के पूर्ण और सम्मिलित विकास की सिफारिश की है । यह विकास प्रबन्ध एक सामान्य शिक्षा बोर्ड के अधीन बौद्ध शिक्षाओं में अनुसंधान तथा ज्ञान के केन्द्र के रूप में होगा । समिति पंजीयन अधिनियम के अन्तर्गत यह बोर्ड रजिस्टर्ड स्वायत्त संस्था होगी । समिति की सिफारिशें बिहार सरकार के परामर्श से भारत सरकार के विचाराधीन हैं ।

#### Dr. Narlikar and Dr. Chandrasekhar

784. **Shri Karni Singhji:** Will the Minister of Education be pleased to state:

(a) whether Dr. Narlikar has accepted the invitation of the Indian Council for Cultural Relations to visit India and if so, his programme; and

(b) whether Dr. Chandrasekhar has also been extended any invitation to visit India and if so, his response thereto?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir. He is expected to arrive in India around February 6, 1965 for about five weeks. A programme of specialised and popular lectures in Delhi, Aligarh, Varanasi, Calcutta, Madras, Bangalore,

Hyderabad, Ahmedabad and Bombay and a series of seminars in New Delhi is being drawn up in consultation with him.

(b) No invitation has been extended to Dr. Chandrasekhar by the Indian Council of Cultural Relations.

#### **Polytechnics in Orissa**

**785. Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) the number of Polytechnics opened in the State of Orissa as on 30th October, 1964;

(b) whether there is any proposal under consideration of the Central Government to open new polytechnics in the same State during the remaining period of the Third Plan;

(c) the number of students admitted so far in the polytechnics in Orissa; and

(d) the total amount given or proposed to be given to the Government of Orissa for this purpose during 1964-65?

**The Minister of Education (Shri M. C. Chagla):** (a) Seven polytechnics are functioning in Orissa at present.

(b) The Third Five Year Plan of Orissa envisages two more polytechnics at Bolangir and Khurda and a Women's polytechnic at Bhubaneswar.

(c) 859 students were admitted in 1963-64.

(d) The proposed plant outlay on polytechnics in 1964-65 is Rs. 46.85 lakhs. The Central Government will bear 50 per cent of the actual expenditure.

#### **Aid to Educational Institutes in Orissa**

**786. Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) the number of educational institutes of Orissa which applied for non-recurring grants during 1963-64 and 1964-65 so far; and

(b) the amount sanctioned in each case?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). Educational institutes are of many kinds, from primary schools to Universities; and grants to these are given through a number of organisations like local bodies, the State Government, and the Central Government. To collect information about grants given to all educational institutes through all these organisations will entail an expenditure of time and labour that will not be commensurate with the results to be obtained.

#### **Aid to Orissa**

**787. Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) the amount of grant or aid sanctioned to the Government of Orissa and the purposes for which it was given from 1960-61 to 1964-65, so far, year-wise;

(b) the terms and conditions, if any, for the grant or aid; and

(c) whether the question of increasing the Central grants or aid in future is under consideration?

**The Minister of Education (Shri M. C. Chagla):** (a) to (c). Grants to State Governments are given by several Ministries for a variety of purposes. The time and labour necessary to collect the information will not be commensurate with the results.

#### **Secondary Education in Orissa**

**788. Shri Rama Chandra Mallick:** Will the Minister of Education be pleased to state:

(a) whether any financial assistance has been given to the Government of Orissa for promoting of

Secondary education in Orissa during the Third Five Year Plan period; and

(b) if so, the total amount thereof?

**The Minister of Education (Shri M. C. Chagla):** (a) Yes, Sir.

(b) Rs. 4,28,415 (upto October, 1964).

This is in addition to the central assistance for the State Plan which is not given scheme-wise.

#### Post-matric Scholarships to SC & ST Students

**789. Shri D. S. Patil:** Will the Minister of Education be pleased to state:

(a) whether any grant has been given to the Government of Maharashtra for 1964-65 for post-Matric scholarships to Scheduled Castes and Scheduled Tribes and other Backward Class students in Maharashtra;

(b) if so, the amount thereof; and

(c) whether the same has been fully distributed among the students?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir.

(b) Rs. 21,47,400.

(c) The scholarship is paid by the State Government throughout the year, therefore, whether the amount is fully disbursed or not will be known only after the financial year 1964-65 is over.

#### Multipurpose Schools in Maharashtra

**790. Shri D. S. Patil:** Will the Minister of Education be pleased to state:

(a) the number of multipurpose schools opened since this scheme was started in Maharashtra;

(b) whether any financial assistance was given to the Government of Maharashtra for the same purpose during the Third Plan period; and

(c) if so, the details thereof?

**The Minister of Education (Shri M. C. Chagla):** (a) According to the information available upto 15-3-1964, the number of multi-purpose schools in Maharashtra is 331.

(b) and (c). Under the Centrally sponsored scheme of strengthening multi-purpose schools, a grant of Rs. 2 lakhs was approved and Rs. 1 lakh was sanctioned to the Government of Maharashtra in May 1964 for the development of Shree Amulakh Amichand Bhimji Vividhalakshi Vidyalaya, Bombay as an experimental model school.

#### मन्त्रियों की विदेश यात्रा

791. { श्री विभूति मिश्र :  
श्री क० ना० तिवारी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) 1 अप्रैल, 1952 से 10 अक्टूबर, 1964 तक केन्द्रीय सरकार के मंत्रिमंडल में मंत्रियों, राज्य-मंत्रियों और उपमंत्रियों ने किन-किन देशों की यात्रा की ;

(ख) प्रत्येक मामले में विदेशी मुद्रा को मिला कर कुल कितना खर्चा हुआ ;

(ग) क्या मंत्रियों द्वारा विदेश यात्रा के बारे में कोई नियम बनाए गए हैं ; और

(घ) यदि हां, तो उन का व्योरा क्या है ?

गृह-कार्य मन्त्रालय में राज्य-मन्त्री (श्री हाथी) : (क) और (ख) इतनी लम्बी अवधि के लिए सूचना एकत्रित करने में जो समय और परिश्रम लगेगा, वह यह समझा जाता है, परिणामों के अनुरूप नहीं होगा, विशेष कर क्योंकि इसी प्रकार की सूचना कुछ अवधियों के लिए पहले दी जा चुकी है ।

(ग) जी नहीं ।

(घ) प्रश्न ही नहीं उठता ।



**Oil Exploration in Karaikal**

**792. Shri M. G. Thengondar:** Will the Minister of Petroleum and Chemicals be pleased to state the progress so far made in the drilling operations undertaken for exploration of oil near Karaikal (Union Territory)?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** Karaikal Well No. 1 was spudded in on 14-8-1964 and completed at a depth of 1770 metres on 15-10-1964. Two sands have been tested so far and further testing is in progress.

**Tikamgarh Archaeological Findings**

**793. { Shri Uikiy:  
Shri Radhelal Vyas:  
Shri Babunath Singh:  
Shri R. S. Tiwary:**

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 220 on the 9th September, 1964 and state the steps taken to protect the 9th Century A.D. archaeological findings excavated at Tikamgarh in Madhya Pradesh?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajar-mavis):** Details of ownership, serial numbers etc. of plots of monuments discovered are being collected and the monuments will be protected as soon as the data is finalised.

**Fertilizer Plant at Korba**

**794. { Shri Uikiy:  
Shri Radhelal Vyas:  
Shri Babunath Singh:  
Shri R. S. Tiwary:  
Shri R. S. Pandey:**

Will the Minister of Petroleum and Chemicals be pleased to refer to the reply given to Unstarred Question No. 693 on the 16th September, 1964 and state:

(a) whether Government have finalised consideration of the preliminary

report on fertilizer plant at Korba; and

(b) if so, the decision arrived at?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) No.

(b) Does not arise.

**Office of the U.P.S.C.**

**796. { Shri Vishram Prasad:  
Shri Bagri:**

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1973 on the 8th April, 1964 and state:

(a) whether it is a fact that at the initial stage of decentralisation the Home Ministry took a decision that the office of the U.P.S.C. should remain with the Ministry;

(b) whether it is also a fact that the Ministry decided afterwards, when U.P.S.C. authorities approached them to accord their office a separate entity;

(c) whether it is also a fact that in the Senior Staff Welfare Council, the Secretary of U.P.S.C. as a Chairman of Council agreed to refer the matter to Government for merger of the U.P.S.C. office with the Home Ministry; and

(d) if so, whether the matter has been referred to the Ministry and the decision taken thereon?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). At the initial stage of decentralisation, it was proposed that the office of the U.P.S.C. should remain with the Ministry of Home Affairs. Before the rules were finalised, however, U.P.S.C. proposed that their office might be treated as a separate unit. This was accepted.

(c) No, Sir.

(d) Does not arise.

**Corruption in Dandakaranya Project**

797. { Shri Vidya Charan Shukla:  
Shri S. M. Banerjee:  
Shri Daji:

} Dr. P. Srinivasan:  
Shri P. G. Sen:  
Shri Ram Sewak:

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

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

(a) whether the Central Intelligence Bureau raided certain premises in Raipur and seized documents and papers in connection with certain cases of corruption and embezzlement handed over to it by Shri Saibal Gupta, the former Chairman of Dandakaranya Project;

(a) whether the Indian Institute of Biochemistry and Experimental Medicines in Calcutta has developed an oral vaccine which gives immunity against cholera; and

(b) what is the present stage of investigation in this matter; and

(b) if so, whether it has been tried?

(c) the particulars of the report and the names of the firms and persons involved?

**The Minister of Education (Shri M. C. Chagla):** (a) Work carried out at the Institute using animals has shown that immunity against cholera may be achieved by the use of a live oral vaccine developed at the Institute.

**The Minister of Rehabilitation (Shri Tyagi):** (a) Yes; premises of certain firms of Raipur were searched by Bhubneswar Branch of the Central Bureau of Investigation and not Central Intelligence Bureau, and some documents were seized. These searches were held in connection with certain cases registered on the basis of information of the Central Bureau of Investigation. Subsequently Shri S. K. Gupta also sent some complaints relating to the same cases.

(b) A preliminary test of the safety of the vaccine for human use has been made in a trial on ten human volunteers. The vaccine was found safe. The work is however still in an experimental stage.

**Plastic Industry**

799. **Shri P. C. Borooah:** Will the Minister of **Petroleum and Chemicals** be pleased to state:

(b) The cases are still under investigation and in the interest of the cases it is not desirable to disclose the details.

(c) It is not advisable to disclose the details of the report or the names of the Firms whose premises were searched and the names of the persons concerned for the reasons given above.

(a) whether it is a fact that plastic industry in the country is suffering for want of polythylene;

(b) the requirement and availability of polythylene during 1963-64 and 1964-65; and

(c) the steps being taken to meet the shortage, if any?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) There has been a shortage of polythylene in the country during the last one year.

(b) The requirements and availability of polythylene during 1963-64 and 1964-65 (April-July, 1964) have been as follows:

Period	Requirement	Availability (Indigenous production and imports)
1963-64	10,000/11,000 tonnes	8,100 tonnes
1964-65	11,000/12,000 tonnes	5,000 tonnes (April-July, 1964)

**Oral Vaccine against Cholera**

798. { Shri B. G. Dubey:  
Shri Yashpal Singh:  
Shri Oza:

(c) The shortfall in indigenous production is attributable to short supply of alcohol to one of the two factories producing polythylene. Arrangements have been made for the supply of adequate quantities of alcohol from indigenous sources and by imports, to this factory. Arrangements have also been made to import about 2,000 tonnes of polythylene from rupee sources through the State Trading Corporation.

दिल्ली के न्यायालयों में हिन्दी का प्रयोग

801. { श्री विश्राम प्रसाद :  
श्री बागड़ी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) इस समय दिल्ली के न्यायालयों में हिन्दी के प्रयोग के लिए क्या व्यवस्था है ; और

(ख) इन न्यायालयों में हिन्दी का प्रयोग बढ़ाने के लिए क्या कदम उठाये जा रहे हैं ?

गृह-कार्य मन्त्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : (क) दिल्ली की फौजदारी और रेवेन्यू अदालतों हिन्दी में भी आवेदन-पत्र स्वीकार करती हैं। ग्वाहों की ग्वाही, अपराधियों के ब्यान इत्यादि कुछ मजिस्ट्रेटों द्वारा हिन्दी में लिए जाते हैं। सम्मन हिन्दी और उर्दू में जारी किए जाते हैं।

(ख) दीवानी अदालतों में हिन्दी को लागू करने का प्रश्न अभी पंजाब हाई कोर्ट के विचाराधीन है। डिप्टी कमिश्नर के अधीन मजिस्ट्रेटों को जहाँ तक हो सके, कोर्ट के काम को हिन्दी में करने के लिए कहा गया है।

#### Gauhati Refinery

802. **Shri Vishram Prasad:** Will the Minister of Petroleum and Chemicals

be pleased to refer to the reply given to Starred Question No. 89 on the 9th September, 1964 and state:

(a) whether Government have examined the offer made by the Rumanian Government for the expansion of the Gauhati refinery; and

(b) if so, the main features thereof?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) and (b). This offer is still under examination and a decision thereon is expected to be taken shortly.

#### Protection of National Plants

803. **Shri Vishram Prasad:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 179 on the 9th September, 1964 and state:

(a) whether Government have since considered and finalised the proposal to set up a Central security force for the protection and guarding of national plants; and

(b) when these will be set up?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). The matter is still under consideration.

#### Rural Institutes

804. { **Shri Vishram Prasad:**  
**Shri Bagri:**

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 225 on the 9th September, 1964 and state:

(a) whether Government have since considered the proposals for the setting up of two rural institutes and for up-grading the existing agricultural science courses; and

(b) if so, details thereof?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). A statement is laid on the Table of the House.

## STATEMENT

## I. Establishment of two new Rural Institutes

The question of the reorganisation of the Scheme of Rural Higher Education has been under the consideration of the Government of India, in consultation with the University Grants Commission, for some time past. The Committee set up by the Commission to assess the standard and scope of education imparted by the Rural Institutes has *inter-alia* recommended the establishment of two or three 'deemed' universities of which the existing Rural Institutes may form constituent units. The Committee has further suggested that during the Fourth Five Year Plan period the existing Rural Institutes should be helped to consolidate their position and should have well-equipped laboratories etc. to enable them to function as effective centres of higher education in their specialised fields and that no new institutes should be established unless there were compelling reasons to do so. The National Council for Rural Higher Education, which considered the report of the aforesaid Committee in its last meeting held on the 12th September, 1964, has endorsed these recommendations.

The question of setting up two new Rural Institutes is being considered further, in consultation with the appropriate authorities, in the light of these recommendations.

## II. Upgrading the existing Agricultural Science Course

On the recommendations of the National Council for Rural Higher Education it has been decided that no changes be made in the present courses of the Rural Institute till they start functioning under the new set up.

## Privileges of Ex-Rulers

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

Will the Minister of Home Affairs be pleased to state:

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(a) whether Government intend to curtail the princely privileges, other than privy purses;

(b) if so, what are such privileges which are under consideration; and

(c) when a decision is likely to be taken?

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

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

## Lathi Charge in Netaji Nagar New Delhi

**806. Shri Yashpal Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether his attention has been drawn towards certain press reports alleging the connivance of police with milkmen of Netaji Nagar, New Delhi, as a result of which residents of that locality were lathi-charged and stoned by the owners of dairies on the 2nd October, 1964;

(b) if so, whether any inquiry has been ordered in the matter; and

(c) the steps taken to see that such things are not repeated?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) On the morning of 2nd October, 1964, a quarrel arose between the owners of some dairies and their customers. The milk vendors are alleged to have assaulted some two of whom received minor injuries.

(b) A case has been registered and is under investigation.

(c) The local police are exercising continuous vigilance.

## United School Organisation

**807. Shri Rameshwar Tantia:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that a conference of the United School Organi-

sation was held in New Delhi on the 11th October, 1964;

(b) if so, whether any report has been submitted to the Government of India; and

(c) the reaction of Government thereto?

**The Minister of Education (Shri M. C. Chagla):** (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

**Administrative Reforms Divisions in States**

808. { **Shri Rameshwar Tantia:**  
**Shri Harish Chandra Mathur:**  
**Shri Onkar Lal Berwa:**  
**Shri Gulshan:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Central Government have asked the State Governments to set up administrative reforms divisions under the direct charge of Chief Ministers;

(b) if so, the reaction of the State Governments thereto;

(c) what will be the main objects and functions of these Divisions; and

(d) whether the Centre will have any hand in supervising these Divisions?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes, Sir. A suggestion in this direction was made for the consideration of the State Governments.

(b) The reactions of the State Governments have been varied from one of finding their existing arrangements or practices adequate as in the case of Gujarat, Kerala, Uttar Pradesh and Madras to one of accepting the proposal for setting up fresh machinery for effecting administrative improvements as in the case of Andhra Pradesh and Mysore. Assam

proposes to consider the matter further after the report of its Administrative Reforms Committee set up in March 1964 becomes available. Final reactions of the remaining States are yet to be received.

(c) Broadly, these will be concerned with effecting continuous improvements in administration in the States' sphere; but, it is essentially for the State Governments to lay down their precise objectives and scope of their functions.

(d) No, Sir. But the Centre's help and advice will be available for the setting up of the units, as also for training staff to man them. The Central Department of Administrative Reforms plans to maintain liaison with these units in order to ensure exchange of information and ideas, and also to arrange for joint studies in special cases.

**Squatters' Colony in Calcutta**

809. { **Shri S. C. Samanta:**  
**Shri Subodh Hansda:**  
**Shrimati Savitri Nigam:**  
**Shri M. L. Dwivedi:**

Will the Minister of Rehabilitation be pleased to state:

(a) whether the squatters' colony comprising of more than thirteen acres of land situated within the Calcutta Corporation area on the Raja Mohindra Road, Piakpara has been accepted for regularisation; and

(b) if not, the reasons therefor?

**The Minister of Rehabilitation (Shri Tyagi):** (a) and (b). Presumably, the Members are referring to Sahid and Arabinda Squatters' colonies in Paikpara within the Calcutta Corporation area. The total area of these two colonies is reported to be 15.40 acres. The proposal in respect of these colonies are under consideration in consultation with the State Government.

### Admission of Students

**810. Shri Surendra Pal Singh:** Will the Minister of Education be pleased to state:

(a) whether the Central Government have asked all the State Governments to remove all restrictions on the admission of students from any part of the country to educational and training institutes under their control; and

(b) if so, how the States have responded to this directive?

**The Minister of Education (Shri M. C. Chagla):** (a) Yes, Sir, in so far as technical institutions are concerned,

(b) Punjab, Kerala, Andhra Pradesh, Gujarat, Maharashtra and Mysore have agreed. Replies from the rest are awaited.

मोटर के पुर्जों की चोरी करने वालों का गिररोह

**811. श्री नवल प्रभाकर :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली में एक गिरोह मोटर के पुर्जों की चोरी करने में लगा हुआ है ; और

(ख) क्या इस सम्बन्ध में कोई गिरफ्तारियां की गई हैं ?

गृह-कार्य मन्त्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : (क) जी, हाँ ।

(ख) दस व्यक्ति गिरफ्तार किये गये हैं ।

### Practical Training Abroad

**812. Shri Daljit Singh:** Will the Minister of Education be pleased to state:

(a) the number of scholars sent abroad for practical training under the various scholarship schemes administered by his Ministry during 1964-65, so far;

(b) the number of Scheduled Castes and Scheduled Tribes amongst them; and

(c) the amount of stipend offered to each of them?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) 48.

(b) Nil.

(c) 14 for France—Rs. 750 p.m.

1 for U.S.S.R.—Rs. 789 p.m.

19 for West Germany under Federal Republic of Germany Scholarship Scheme—D.M. 400 p.m.

5 for West Germany under International Association for the Exchange of Student for Technical Experience—(There is no fixed amount, but the amount paid is adequate for the maintenance of the scholars).

3 for U.K. under M/s. Rolls Royce Limited Engineering Apprenticeships Scheme—£7-6-6 per week.

3 for U.K. under M/s. Rolls Royce Limited Graduate Apprenticeship Scheme—£750 per annum.

2 for U.K. under Federation of British Industries Overseas Scholarships Scheme—£700 per annum.

1 for Poland—Rs. 480 per month.

### Cases Pending in Courts of Port Blair

**813. { Shrimati Savitri Nigam:  
Shri M. L. Dwivedi:**

Will the Minister of Home Affairs be pleased to state:

(a) the number of civil and criminal cases/appeals separately pending in the courts of the Deputy Commissioner (Additional Sessions and District Judge), Additional District Magistrate and Sub-Judge (R.A.C.) and Treasury Officer (Magistrate and Sub-Judge) at Port Blair in the Andaman Islands as on 1st January, 1964 and the number of occasions each case/appeal was adjourned without any proceeding due to other pre-occu-

pations of the presiding officer of the court concerned; and

(b) What steps Government propose to take to mitigate the difficulties of litigants and accused persons arising from such delays in the administration of justice in the Islands?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) A statement is laid on the Table of the House. [*Placed in Library. See No. LT-3519/64.*]

(b) A separate post of District and Sessions Judge for the Islands is being created.

#### Illegal Carriage of Cargo from Andaman and Nicobar

814. { Shrimati Savitri Nigam;  
Shri M. L. Dwivedi:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that a ship of M/s. Akoojee Jadwet and Co. was recently found carrying from Car-Nicobar cargo of copra and/or betelnuts in excess of the quantities shown in the ship's Cargo Manifest;

(b) if so, the facts of the case;

(c) the action taken by Government against the ship or its owners; and

(d) the steps taken to prevent the recurrence of such unauthorised and illegal carriage of cargo by the ships of this firm from Nicobar and/or Andaman Islands?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) No such irregularity has come to notice of the Andamans Administration.

(b) to (d). Do not arise.

#### Stores Lost in Transit

815. { Shrimati Savitri Nigam;  
Shri M. L. Dwivedi:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that stores

valued at several lakhs of rupees shipped from Calcutta|Madras to Port Blair for the Andaman Public Works Department were lost in transit during the last two-three years; and

(b) if so, whether Government have investigated into the matter and if so, the result thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) The value of stores lost in transit during the last two years is about rupees one lakh Ninety-eight thousand;

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

#### Social Workers for Refugee Camps

816. { Shri P. R. Chakraverti;  
Shri P. C. Borooah:

Will the Minister of Rehabilitation be pleased to state:

(a) whether Government have taken steps to depute full time paid social workers in each of the camps run for the East Pakistan refugees stationed outside West Bengal, Tripura and Assam;

(b) the number of social workers so far appointed for the purpose and the terms of their appointment; and

(c) the camps where they are posted?

**The Minister of Rehabilitation (Shri Tyagi):** (a) Social workers and Welfare Officers; Social Education Organisers, whose duties cover some aspects of social work, have been appointed as full time paid workers in some of the camps for new migrants from East Pakistan. In addition Sewaks or Camp Assistants at the rate of one for every 200 families have also been sanctioned and most of them are already in position.

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

## C.S.I.R.

817. { Shri Bibhuti Mishra:  
Shri K. N. Tiwary:  
Shri P. R. Chakraverti:  
Shri P. C. Borooah:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the demands of the Council of Scientific and Industrial Research have been reduced by the Union Ministry of Finance to the extent of about Rs. 10 crores for this year and the next;

(b) if so, how far the new research schemes will have to be abandoned;

(c) whether the implementation of the Mudaliar Committee Report will be hampered as a result of this decision; and

(d) how far the foreign assistance promised in the shape of equipments and experts is likely to be affected?

**The Minister of Education (Shri M. C. Chagla):** (a) to (d). A Statement is laid on the Table of the House.

[Placed in Library. See No. LT-3520/64].

#### Correspondence Courses and Evening Classes

**818. Shri S. M. Banerjee:** Will the Minister of Education be pleased to state:

(a) whether the University Grants Commission has suggested starting of correspondence courses and evening classes by Universities;

(b) if so, whether this suggestion has been adopted by the Universities; and

(c) if not, the reason for delay?

**The Minister of Education (Shri M. C. Chagla):** (a) An Experts Committee appointed by the Government of India under the Chairmanship of Dr. D. S. Kothari, Chairman, University Grants Commission, recommended (i) that Correspondence Courses

leading to a degree should be started by universities, but that these should be run, in the first instance, by one University, namely University of Delhi; and (ii) that Evening Colleges|Classes should be organised in a variety of subjects.

(b) Yes, Sir. The University of Delhi is running Correspondence Courses for B.A. (Pass) Degree and a scheme has been formulated for giving assistance for running Evening Colleges|Classes. The State Governments and Universities have been addressed in this connection.

(c) Does not arise.

#### Arrests under D.I.R. in J. & K.

**819. Shri Bhagwat Jha Azad:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have been informed as to how many persons with political background have been in prisons under the Defence of India Rules in the State of Jammu and Kashmir; and

(b) whether Government of India have gone into the causes of arrest of such political prisoners?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). According to information available, 12 persons were in detention on 15-10-1964 under the Defence of India Rules but no person is ever detained or arrested on the grounds that he has a political background nor is a prisoner classified as 'political prisoner'.

#### Engineering Course in Jodhpur University

**820. Shri D. D. Puri:** Will the Minister of Education be pleased to state:

(a) whether Government's attention has been drawn to the reported decision of the Jodhpur University to declare as promoted all students who had failed in Engineering courses;



(b) if so, the considerations which prompted the University to take such an unusual decision; and

(c) whether such actions are not likely to undermine educational standards, particularly in Engineering courses?

**The Minister of Education (Shri M. C. Chagla):** (a) to (c). The report of the University is awaited.

#### I.C.S. and I.A.S. Officers

**821. Shri Subodh Hansda:** Will the Minister of Home Affairs be pleased to state:

(a) whether there have been cases of corruption against the I.C.S. and I.A.S. Officers during the last two years;

(b) if so, the number of such cases and the nature of charges made against those officers; and

(c) whether any of these officers have been discharged on the charge of corruption and if so, the number thereof?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

#### Assessment of Teachers' Service

**822.** { Shri P. C. Borooah;  
Shri P. R. Chakraverti:

Will the Minister of Education be pleased to state:

(a) whether the Central Government have made an assessment of the prize punishment formula adopted by the Punjab Government under which the teachers are punished or rewarded on the basis of examination results of classes under their charge;

(b) whether it is a fact that it has produced a lot of resentment among the teaching personnel; and

(c) whether Government have indicated their own reaction to the Punjab formula?

**The Minister of Education (Shri M. C. Chagla):** (a) to (c). The Government of India has not made any assessment of the formula adopted by the Punjab Government. However, in view of the criticism which it evoked, a Committee appointed by the State Government is reported to be reviewing the matter.

#### Find of Gold Coins

**823.** { Shri P. R. Chakraverti;  
Shri P. C. Borooah;  
Maharajkumar Vijaya  
Ananda:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that a girl, digging in a field near the temple of Lord Mahavir of Angani, four miles from Jhansi, found 320 gold coins;

(b) whether these coins have been examined to find out if these date back to the time of King Harsha; and

(c) if so, the result thereof?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir, 318 coins of silver mixed with copper were found by two girls of Dariyapur, near Jhansi.

(b) and (c). Yes, Sir, 313 date to Prince Mahipaladeva (1103-28 A.D.) and 5 to King Madanyaromma (1128-62 A.D.).

#### होम गार्ड

**824.** { श्री श्रीकार लाल बेरवा :  
श्री गुलशन :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि समस्त देश में इस समय तक कुल कितने होम-गार्ड भर्ती किये गये हैं ?

गृह-कार्य मन्त्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : 2,90,117 ।

### Confidential Reports

**825. Shri Bhagwat Jha Azad:** Will the Minister of Home Affairs be pleased to state:

(a) whether the confidential reports in Government departments are written in Calendar year ending with December; and

(b) if so, why in the C.P.W.D. the same are written at the end of the financial year?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). The instructions are that the confidential reports in every department should be recorded annually, preferably for the financial year. But the departments are free to prescribe the financial year, or the calendar year for this purpose, according to their special requirements. Actually, the C.P.W.D. are maintaining the reports of Engineers and Architects for the financial year and those of other officers for the calendar year according to a long standing convention of that department.

### Age-limit for Vice-Chancellors

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

(a) whether there is any proposal under consideration of Government to fix the age-limit for the Vice-Chancellors of Universities; and

(b) if so, when a decision will be taken in the matter?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). The Government is considering the whole question of the appointment of Vice-Chancellors of Universities and in this connection is awaiting the report of Model Act for Universities Committee set up by the Ministry. Appropriate action will be taken after the receipt of the report of the Committee which is expected shortly.

### Burglary at Calcutta Art Gallery

**827. Maharajkumar Vijaya Ananda:** Will the Minister of Education be pleased to state:

(a) whether Government have completed the investigation in connection with the burglary that took place in August, 1962 in the Art Gallery in Calcutta;

(b) the reasons for the delay in the investigation;

(c) whether the culprits have been apprehended; and

(d) the punishments awarded to the culprits?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) and (b). The investigation of the case was closed in November, 1963 by the Calcutta Police as their efforts to recover the stolen articles did not yield any result. There was no delay on the part of the Board of Trustees as the matter was reported to the Police immediately after the theft.

(c) No, Sir.

(d) Does not arise.

### Oceanic Research

**828. Maharajkumar Vijaya Ananda:** Will the Minister of Education be pleased to state:

(a) how far the Indian National Committee on Oceanic Research has been successful in the field of physical and biological oceanography and meteorology during 1963-64; and

(b) whether the Committee has made any additions to 'INS Kistna' and 'R.V. Baruna' which are already doing useful research work so as to intensify the research work as contemplated by them?

**The Minister of Education (Shri M. C. Chagla):** (a) The Indian National Committee on Oceanic Research has framed the National Programme in Oceanography which is being executed in connection with India's parti-

icipation in the International Indian Ocean Expedition. The programme covers all the major disciplines in modern Oceanography. During the year 1963-64, INS KISTNA and RV VARUNA carried out a number of cruises covering a large number of sections in the Arabian Sea, Indian Ocean (North of equator) and Bay of Bengal including Andaman Sea. So far 175 scientists have participated in these cruises and carried out investigations in various disciplines, including physical, biological, Marine geology and geophysics.

(b) It has not been possible to augment the strength of the research vessels.

#### International Indian Ocean Expedition

**829. Maharajkumar Vijaya Ananda:** Will the Minister of Education be pleased to state:

(a) the result of the survey conducted by the International Indian Ocean Expedition in the Bay of Bengal, the Arabian Sea and the northern part of the Indian Ocean;

(b) whether the data so far collected have been utilised for any utilitarian purposes;

(c) if so, the details thereof; and

(d) the financial contribution, if any, made by India to the International Organisation for this research work?

**The Minister of Education (Shri M. C. Chagla):** (a) Scientific results of a technical nature have revealed information on the Physics, Chemistry, Biology and the configuration of the Ocean and the continental shelves of Bay of Bengal and Arabian Sea, and basic data relating to the formation of monsoon has been collected.

(b) It is too early to attempt application of the results for utilitarian purposes.

(c) Does not arise.

(d) No financial contribution has been made to the International Or-

ganisation, but responsibility has been taken for developing the Meteorological Centre at Bombay and the Biological Centre at Ernakulam for the receipt and interpretation of data and material collected during the Expedition.

#### Indian Scientists

**830. Shri Y. S. Chaudhary:** Will the Minister of Home Affairs be pleased to state:

(a) a broad outline of the ten-point programme formulated by Government to curb the migration of Indian scientists abroad; and

(b) the success achieved so far in implementing the same?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) and (b). There is no ten-point programme as such. Government have however taken various steps to encourage Indian scientists and technologists to return to India. A statement outlining the steps taken is laid on the Table of the House. [Placed in Library. See No. LT-3521/64].

#### Resettlement of Migrants

**831.** { **Shri Hukam Chand**  
**Kachhavalaya:**  
**Shrimati Minimata:**  
**Shri Uikey:**  
**Shri Chandak:**  
**Shri Vidya Charan Shukla:**

Will the Minister of Rehabilitation be pleased to state:

(a) whether the Government of Madhya Pradesh have suggested resettlement of new migrants in the works connected with the construction of Hydro-Electric Project in the Chit-rakot in Indravati Basin; and

(b) if so, the number of families so far resettled?

**The Minister of Rehabilitation (Shri Tyagi):** (a) and (b). The Government of Madhya Pradesh proposed that the

work on the Chitrakut Hydro-Electric Project should be started, and accelerated assistance outside the plan sanctioned for the purpose with a view to provide employment to migrants in connection therewith. Accordingly, examination of the Project has been taken up and a team of experts including representatives of the Governments of Madhya Pradesh and Orissa has been set up to make a rapid appraisal of various alternative schemes for the utilisation of the Indravati and Sabri Basins. The report of the team is awaited. Action for the commencement of the work and employment of new migrants in connection therewith will be taken on receipt of the report.

#### National Laboratories

832. { Shri A. V. Raghavan:  
{ Shri Pottekkatt:

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

(a) whether there is any proposal to set up National laboratories in the States where there are none;

(b) if so, whether there is any proposal to set up a laboratory in Kerala; and

(c) when and where the same will be set up?

**The Minister of Education (Shri M. C. Chagla):** (a) There is no such proposal.

(b) The Working Group for Scientific Research in the CSIR for the IVth Five Year Plan has recommended setting up of a Regional Research Laboratory in Kerala during the IVth Five Year Plan period.

(c) This will be considered after a decision to set up the Laboratory is taken.

#### Trespass by East Pakistanis

833. { Shri D. C. Sharma:  
{ Shri Surendra Pal Singh:

Will the Minister of **Home Affairs**

be pleased to state:

(a) whether about 15 armed Pakistani trespassers intruded into the Indian reserved forests, Fulcumari, on the Tripura-East Pakistan border on the 23rd October, 1964 and attempted to attack the Indian border Police who challenged them for felling down valuable trees; and

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

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes, by fifteen/twenty Pak. nationals, on the 22nd October, 1964, and not on 23rd October, 1964.

(b) A protest has been lodged with the East Pakistan Government.

#### High Pressure Gas

834. **Shri Rameshwar Tantia:** Will the Minister of **Education** be pleased to state:

(a) an outline of the experiments being carried on by the Central Fuel Research Institute for the manufacture of high pressure gas;

(b) whether any estimate has been prepared for distribution of domestic gas; and

(c) the programme of Government in regard to the manufacture and distribution of gas?

**The Minister of Education (Shri M. C. Chagla):** (a) The Central Fuel Research Institute, Jealgora has been engaged in research on production of gas from coal. A pilot plant was installed in March, 1964, for conducting investigations on the complete gasification characteristics of Indian coals under high pressure. A number of tests have been made with the Plant on coals from different sources, and the future programme of investigations includes tests with various other types of coals from different coal fields of India and with lignites, lignite briquettes etc.

(b) and (c). The Central Fuel Research Institute has also examined the problem of manufacture and distribution of gas in a report entitled "A Plan for Supply of Domestic Fuel for Major Urban townships of India". The report is under consideration of a Committee set up by the Government of India for the purpose.

#### Staff Welfare Council

**835. Shri Bishwanath Roy:** Will the Minister of Home Affairs be pleased to state:

(a) whether the introduction of staff Welfare Council of the Government employees has been successful; and

(b) whether it is a fact that the majority of the members of the Welfare Council (Senior) of Union Public Service Commission employees have resigned?

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) Yes.

(b) No.

#### High Court Judges (Conditions of Service) Act

**836. { Shri A. V. Raghavan:  
Shri Pottekatt:**

Will the Minister of Home Affairs be pleased to state:

(a) whether there is any proposal to amend the High Court Judges (Conditions of Service) Act, 1954;

(b) whether judges will be allowed to contribute to the General Provident Fund instead of the State Provident Fund; and

(c) what other recommendations made by the conference of the Chief Justices have been accepted?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) and (b). It is proposed to amend Section 20 of the High Court Judges (Conditions of Service) Act, 1954 so as to enable a Service Judge to sub-

scribe to the General Provident Fund (Central Services) instead of the State Provident Fund, if he so desires. An amending Bill to this effect is proposed to be introduced in the House shortly.

(c) The other recommendations are under consideration.

#### Sindri Fertilizer Factory

**837. Shri A. P. Sharma:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the Chairman, Sindri Fertilizer Corporation did not act according to the advice of the Bihar Government due to which the recent labour trouble arose at Sindri Fertilizer Factory; and

(b) if so, the steps Government have taken to advise Sindri Management and other Public Undertaking Managements to be guided by the Labour Departments of the respective States in which they are located so that there should be a harmonious relationship between the labour and managements and all the disputes are settled by means of negotiations and conciliation and not by strikes or lock-outs?

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** (a) No. The Bihar Govt. were continuously kept informed and whatever advice they tendered was duly listened to.

(b) Does not arise.

#### Archaeological Excavation at Morena

**838. Maharajkumar Vijaya Ananda:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the suggestions of the Directorate of Archaeology, Government of Madhya Pradesh to excavate sites at Kauntwar (Morena) in Madhya Pradesh where it is reported to have rich deposits of potteries pertaining to the beginning of the Christian era has not been taken in hand for want of funds;

(b) whether the non-implementation of this excavation programme is only for a short period; and

(c) if so, when the excavation work would commence?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) No, Sir. As for all such cases, the proposal will be placed before the Standing Committee of the Central Advisory Board of Archaeology to be held on 11th December, 1964 for scrutiny and recommendation for undertaking the excavation.

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

**Kashmiris Residing in Pak-occupied Area**

**839. Maharajkumar Vijaya Ananda:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government have taken any action to relax the visa rules in respect of people of Kashmir origin residing in the Pakistan occupied area of the State; and

(b) if so, the details thereon?

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

(b) Does not arise.

**Indo-U.S. Educational Foundation**

840. { Shrimati Savitri Nigam:  
Maharajkumar Vijaya Ananda:  
Shri P. C. Borooah:  
Shri P. R. Chakraverti:  
Shri Hem Barua:  
Shri Y. S. Chaudhary:

Will the Minister of Education be pleased to state:

(a) whether Government have received proposals from the Ambassador of U.S.A. for utilising part of the rupee fund from surplus food sales under PL. 480 for granting of scholarship, text books printing and research grants;

(b) the details of the scheme; and

(c) when the scheme is likely to take effect?

**The Minister of Education (Shri M. C. Chagla):** (a) to (c). Some time ago the American Ambassador mentioned the possibility of setting up an Indo-U.S. Educational Foundation for educational, scientific and allied activities, to be financed out of the U.S. held P.L. 480 rupees. In this connection a team of Americans headed by Dr. Hermann Wells had exploratory talks with officers of the Government of India. Recently certain draft proposals, evidently based on the recommendations of the team, were discussed by the officers of U.S. Embassy in India with the officers of the Government of India with a view to formulating a scheme that could be put up to the two Governments for consideration. Broadly, the idea is to use some of the U.S. held funds for the purpose of promoting educational and research activities in this country through an independent binational foundation which will make grants for the purpose. The entire question is still in the exploratory stage.

**Chief Justice of Madras High Court**

**841. Shri Pottakkatt:** Will the Minister of Home Affairs be pleased to state:

(a) whether a memorandum from the opposition Members of Parliament was presented to the President urging that an inquiry be held to determine the age of Shri S. Ramachandra Ayyar, Chief Justice of Madras;

(b) if so, whether any inquiry has been conducted;

(c) whether any writ petition is pending in the Madras High Court touching on this subject; and

(d) the main averments in the Writ Petition?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes.

(b) Before an inquiry under Article 217(3) of the Constitution could be made Shri S. Ramachandra Ayyar tendered the resignation of his office of Chief Justice of Madras High Court.

(c) and (d). Government have no official intimation in the matter.

### Two-Year High School Certificate Examination

842. { Shri Daji:  
Shrimati Vimla Devi:

Will the Minister of Education be pleased to state:

(a) whether the Central Board of Secondary Education has decided to revive the two-year High School Certificate Examination which was abandoned last year; and

(b) if so, the reasons therefor?

**The Minister of Education (Shri M. C. Chagla):** (a) No, Sir.

(b) Does not arise.

### Merger of Kulu Region with H.P.

843. **Shri J. B. S. Bist:** Will the Minister of Home Affairs be pleased to state:

(a) whether the attention of the Government has been drawn to the reports of large scale demonstrations in Kulu regions of Punjab for immediate merger with Himachal Pradesh; and

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

**The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra):** (a) According to a report published by a daily on the 20th October, 1964 when the Chief Minister, Punjab, visited Kulu and Manali, certain people while welcoming him raised slogans in support of a demand for the merger of Kulu Valley in Himachal Pradesh. Another report which appeared in the same daily on 21st October, 1964, also indicated that the Chief Minister, Punjab, considered

this demand as wholly unjustified and detrimental to the interest and well-being of the people of this area.

(b) The Government of India do not propose to alter the boundaries of Punjab and Himachal Pradesh as determined under the States Reorganisation Act, 1956.

### Ex-Premier of J. & K.

844. **Shri Sham Lal Saraf:** Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware that Bakshi Ghulam Mohammad, Ex-Premier of Jammu and Kashmir, now detained in Udampur Jail, has been suffering for some time from acute nasal trouble;

(b) whether he wrote to the Central Government seeking permission to go to Bombay for undergoing treatment by an Eye, Ear and Nose Specialist; and

(c) the action Government have taken in the matter?

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** (a) Yes.

(b) No specific request for permission to go to Bombay has been received. Some time back, the Prime Minister received a letter from Bakshi Ghulam Mohammad in which he had mentioned that prior to his arrest he was intending to go to Bombay for treatment.

(c) Jammu and Kashmir Government are seized of the matter and they have taken appropriate steps for his treatment.

दिल्ली में न्यायपालिका का कार्यपालिका से अलग किया जाना

845. श्री राम सेवक यादव : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :-

(क) क्या यह सच है कि दिल्ली राज्य में न्यायपालिका को कार्यपालिका से अलग

किए जाने की रूप-रेखा तैयार की जा चुकी है ;

(ख) यदि हाँ, तो वह रूप-रेखा क्या है ; और

(ग) यह योजना कब से लागू की जायेगी ?

गृह-कार्य मन्त्रालय में उममन्त्री (श्री ल० ना० मिश्र) : (क) से (ग). दिल्ली प्रशासन से इस विषय पर मुझाव की प्रतीक्षा की जा रही है ।

#### National Physical Laboratory

846. { Shri H. N. Mukerjee:  
Shri J. B. S. Bist:  
Shri Hukam Chand  
Kachhavaia:

Will the Minister of Education be pleased to state:

(a) whether he has received a representation from almost the entire body of scientists employed in the National Physical Laboratory urging Government to persuade the present incumbent Dr. Kichlu to continue as Director; and

(b) whether any decision has been taken in this regard?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). A representation signed by 46 members of Scientific staff of the National Physical Laboratory was received on 25th September, 1964.

Dr. Kichlu submitted his resignation on 26th February 1964 and later, on 25th August, 1964, he desired that his earlier resignation of February, 1964 may be accepted and he may be relieved of his post. The resignation was accepted and he was informed that he would be relieved as soon as his successor was appointed. Dr. Kichlu, however, desired on 1st October, 1964 that he may be relieved from 3rd October, 1964. This was done. No action on the representation was, therefore, considered necessary.

#### Rehabilitation Benefits

**847. Shrimati Renu Chakravartty:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that Government of West Bengal has opposed any sort of rehabilitation benefits being granted to the new refugees of 1964 such as granting of stipends for schooling of children, house plots and house building loans for their rehabilitation; and

(b) whether in view of the fact that about 50 per cent of these new migrants have remained in West Bengal with their relatives, Government propose to review the matter again?

**The Minister of Rehabilitation (Shri Tyagi):** (a) and (b). The Government of West Bengal, have never opposed the grant of rehabilitation benefits to the new migrants. It is, however, a fact that the State of West Bengal, having reached a saturation point, the Government of India decided, in consultation with the Government of West Bengal, that all new migrants entering West Bengal, who need relief or rehabilitation benefits, should be settled in States outside West Bengal. There have been no significant developments since then necessitating a review of the position.

#### Land Acquisition for Rehabilitation

**848. Shrimati Renu Chakravartty:** Will the Minister of Rehabilitation be pleased to state:

(a) the steps taken by Government to expedite land acquisition for rehabilitation of old refugees who are awaiting house building plots;

(b) whether this is not considered a part of the residuary problem; and

(c) whether it is a fact that the low ceiling rates being insisted upon by State Government for acquisition of land is the main difficulty in acquiring plots?

**The Minister of Rehabilitation (Shri Tyagi):** (a) and (b). It is presumed



that the Member refers to the cases of old migrants in West Bengal. Certain categories of these families viz., the rehabilitable families from homes and the families of squatters who are eligible for alternative accommodation are considered for allotment of homestead plots. Where necessary, the Government of West Bengal acquire lands for this purpose under the existing laws. The acquisition proceedings are to be completed according to statutory provisions and the State Government take suitable steps to expedite action.

The Government of India provide funds for the cost of acquisition for the above purpose as part of the residuary problem.

(c) No. Where the cost of acquisition is high as compared to the ceiling fixed for individual plots, the State Government have been advised to reduce the size of the individual plots to keep within the ceiling.

#### Foreign Teachers in Darjeeling Area

**849. Shrimati Renu Chakravartty:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that he promised to intervene on behalf of three foreign teachers who have over-stayed in Darjeeling which is a strategic area, on the grounds that teaching will suffer if they are removed before the end of term; and

(b) if so, the circumstances for giving such special consideration?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). At the request of the High Commissioner for the United Kingdom in India, the question of permitting the teachers working under the Voluntary Service Overseas Scheme to continue their work was recommended to the Home Minister for consideration. The High Commissioner has since been advised to discuss the matter with the Home Minister.

#### Pakistani Infiltrations

**850. { Shri Vishwa Nath Pandey:  
Shri Jena:**

Will the Minister of Home Affairs be pleased to state:

(a) the number of Pakistani infiltrators staying in Rajasthan and Assam States till the 31st October, 1964; and

(b) the action taken against them?

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

(a) and (b). The number of Pakistani infiltrators was about 1,35,000 in Assam and 200 in Rajasthan as on 31st October, 1964. Necessary action to prosecute and evict them under the Foreigners Act, 1946, is being taken.

#### Grants to U.P. Universities

**851. Shri Vishwa Nath Pandey:** Will the Minister of Education be pleased to state:

(a) the amount of grants sanctioned by the University Grants Commission for various Colleges and Universities in Uttar Pradesh during 1963-64 and the names of the recipient Colleges and Universities; and

(b) the amount earmarked for disbursement to these Institutions during 1964-65?

**The Minister of Education (Shri M. C. Chagla):** (a) The required information is given in the statement laid on the Table of the House. [*Placed in Library. See No. LT-3522/64.*]

(b) No specific grants are earmarked in advance. Grants are paid every year to Universities and Colleges on the basis of the merits of their proposals and the progress reported in the implementation of approved schemes.

#### Educational Grants to U.P.

**852. Shri Vishwa Nath Pandey:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Uttar Pradesh Government have written to the Central Government regarding their inability in regard to the spreading of primary and secondary education and providing more facilities to the teachers according to the plan targets for want of funds;

(b) whether the Government of Uttar Pradesh have also requested for the grant of financial aid to achieve the plan target; and

(c) if so, the reaction of the Central Government thereto?

**The Minister of Education (Shri M. C. Chagla):** (a) No such communication has been received from the Government of Uttar Pradesh.

(b) and (c). Central assistance on the agreed basis is given to all States (including Uttar Pradesh) for the State Plan Schemes relating to general education in the normal course. The annual plans of development are proposed, discussed and finalised in joint discussions between State and Central Government representatives.

#### Post-Matric Scholarships to S.C. & S.T. Students of U.P.

**853. Shri Vishwa Nath Pandey:** Will the Minister of Education be pleased to state:

(a) whether any grant has been given to the Uttar Pradesh Government for 1964-65 for Post-Matric Scholarships for Scheduled Castes and Scheduled Tribes and other backward Class students in Uttar Pradesh;

(b) if so, the amount given so far; and

(c) whether the same has been fully distributed among the students?

**The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis):** (a) Yes, Sir. Grant has been sanctioned for Scheduled Castes and Other Economically Backward Classes students. No grant has been sanctioned for Scheduled Tribes as

there are no Scheduled Tribes in Uttar Pradesh.

(b) Rs. 39,95,600.

(c) The scholarship is paid by the State Government throughout the year, therefore, whether the amount is fully disbursed or not will be known only after the financial year 1964-65 is over.

#### Training of Primary Teachers in U.P.

**854. Shri Vishwa Nath Pandey:** Will the Minister of Education be pleased to state:

(a) whether any grant or loan has been given by the Centre to the Government of Uttar Pradesh to improve and expand the training facilities for primary teachers during the Third Five Year Plan;

(b) if so, the total amount so far given; and

(c) the expenditure to be incurred by the Government of Uttar Pradesh in this connection?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). Central Assistance to the States is released on the basis of actual expenditure on a particular head of development and not for each State Scheme separately. As Teachers' Training Programme at the Primary Stage forms a part of the educational development programme in the State Sector, it is not possible to indicate separately the Central Assistance released for this particular Scheme. No loan has been given to the Government of U.P. for expansion of teacher training facilities.

(c) The State Government proposed a sum of Rs. 399.44 lakhs for the schemes of Primary Teachers' Training in their Third Five Year Plan.

#### Engineering Degrees

**855. Shri Hem Raj:** Will the Minister of Education be pleased to state:

(a) the number of various institutions which are awarding mining en-

gineering degrees to students in the country, State-wise and University-wise;

(b) the number of students who graduated from these institutions during the First, Second and Third Plan periods;

(c) the number of students who thereafter took the statutory examination after requisite practical training and the number which came out successful;

(d) the number of mining engineering graduates who failed in the said examination; and

(e) the scope of absorption of such successful and unsuccessful persons?

**The Minister of Education (Shri M. C. Chagla):** (a) and (b). The required information is furnished in the statement placed in the Library. [See No. LT-3523/64].

(c) 526 candidates appeared in the First Class and 811 candidates in the Second Class Managership Examinations held from August 1960 to June, 1964. 152 candidates passed the First Class Certificate and 433 candidates passed the Second Class Certificate.

(d) 374 candidates in the First Class Certificate and 378 candidates in the Second Class Certificate examinations.

(e) This matter is being examined in detail by the Joint Board of Mining Engineering Education.

#### **Drilling at Badaun**

**856. Shri K. C. Pant:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that drilling at Badaun (U.P.) has been abandoned recently;

(b) if so, the reasons therefor; and

(c) whether no further drilling would be held in that area?

**The Minister of Petroleum and Chemicals (Shri Humayun Kabir):** (a) Yes, Sir.

(b) The testing of Ujhani deep well No. 1 close to Badaun did not indicate the presence of any hydrocarbons.

(c) No further drilling is envisaged in the Badaun area for the present.

#### **Girl Guides Mountaineering Expedition**

857. { **Shri Ram Sewak:**  
**Shri P. G. Sen:**  
**Shri R. G. Dubey:**  
**Shri Yashpal Singh:**

Will the Minister of Education be pleased to state:

(a) whether it is a fact that a seven member girl guides mountaineering expedition climbed up a 22,420 feet high western Himalayan peak on the 10th October, 1964;

(b) if so, a brief account of the expedition; and

(c) the nature of assistance rendered by Government to the expedition?

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

(a) Yes, Sir.

(b) A statement is as under:

#### **STATEMENT**

A seven member girl guide team sponsored by the Bharat Scouts and Guides undertook a mountaineering expedition to climb MRIGTHUNI (22,420 feet). The members of the team consisted of:

- (i) Miss Usha Sarpeshkar—Mysore.
- (ii) Miss Rani Bhagwandas—Andhra Pradesh.
- (iii) Miss Sudha Nerurkar—Central Railways.
- (iv) Miss Durga Gurung—Assam.
- (v) Mrs. Sharda Kedar—Central Railways.
- (vi) Miss Khurshid Umrigar—Maharashtra, Secretary Treasurer.

(vii) Mrs. Joyce Dunsheath—Guide Commissioner U.K. (Leader).

All the young participants attended basic and advanced training courses at the Himalayan Mountaineering Institute, Darjeeling, before undertaking the expedition.

(c) The Ministry of Education gave an ad hoc grant of Rs. 12,000 and the Defence Ministry provided free services of a doctor.

#### Recovery of Detonators in Delhi

858. { Shri Ram Sewak:  
Shri P. G. Sen:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Delhi Police recently arrested two persons in Civil Lines, Delhi and recovered eight live detonators from their jhuggi;

(b) whether investigation into this matter has since been completed; and

(c) if so, the result thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes, Sir.

(b) and (c). Investigation has been completed and a case put in court.

#### Artificial Rains

859. Shri M. L. Jadhav: Will the Minister of Education be pleased to state:

(a) the efforts being made in the country to provide artificial rains for crops;

(b) whether any experiments are being made in this behalf; and

(c) if so, the results achieved so far?

The Minister of Education (Shri M. C. Chagla): (a) to (c). A Rain and Cloud Physics Research Unit has been set up by the Council of Scientific and Industrial Research. The efforts being made so far are only in the stage of scientific research. Ex-

periments on artificial rain making have not progressed as yet to the stage to enable field operations being undertaken with certainty of success to provide artificial rain for raising crops.

#### Rajasthan Krya Vikraya Sangh

860. { Shri Yashpal Singh:  
Shri P. C. Borooah:  
Shri Onkar Lal Berwa:  
Shri Bade:  
Shri A. P. Singh:  
Shri S. L. Verma:

Will the Minister of Home Affairs be pleased to state:

(a) whether a memorandum has been presented by certain M.L.As of Rajasthan urging an inquiry into the purchase and sale of gur by the Rajasthan Krya Vikraya Sangh; and

(b) if so, the action proposed to be taken thereon?

The Minister of State in the Ministry of Home Affairs (Shri Hathi): (a) and (b). Certain M.L.As. of Rajasthan met the Home Minister and presented a memorandum to him relating to the subject mentioned in the question. The Home Minister explained to them that the matter was one in the sphere of responsibility of the State Government

#### गोआ में पुराने गिरजाघर

861. श्री प्रकाशचर शारदा : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि गोआ एवं अन्य राज्यों में पुराने गिरजाघरों की मरम्मत का कार्य पुरातत्व विभाग द्वारा कराने का निर्णय किया गया है ;

(ख) क्या ऐसा निर्णय बम्बई में होने वाले ईसाइयों के सम्मेलन को ध्यान में रख कर किया गया है ; और

(ग) यदि हां, तो इस प्रयोजन के लिये कितनी राशि नियत की गई थी ?

शिक्षा मन्त्रालय में सांस्कृतिक-कार्य मन्त्री (श्री हजरतबीस): (क) जी हां, पुरातत्व शारतीय सर्वेक्षण द्वारा गोआ में पुराने गिरजाघरों की मरम्मत करने का निर्णय किया गया है।

(ख) जी नहीं।

(ग) इन गिरजाघरों की मरम्मत के वास्ते बजट में कोई अलग व्यवस्था नहीं की गई है।

#### Chandra Sekharaiya Report on C.S.I.R.

862. **Shri D. D. Mantri:** Will the Minister of Education be pleased to state:

(a) whether Government have considered the report of Professor S. V. Chandrasekhara Auja member of the Fourth Plan working group on the C.S.I.R. working and the state of research in the country;

(b) if so, the main recommendations made in the said report; and

(c) whether any action has been taken to implement any of these recommendations so far?

**The Minister of Education (Shri M. C. Chagla):** (a) Prof. S. V. Chandrasekhara Auja of the Indian Institute of Science, Bangalore and a member of the Working Group on Scientific Research for drawing the Fourth Five Year Plan of the Council of Scientific and Industrial Research submitted a Note for consideration of the Working Group.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-3524/64].

#### Cashier of the Ministry of Education

863. { Shrimati Laxmi Bai:  
Shrimati Renuka Barkataki:

Will the Minister of Education be pleased to state:

(a) whether the mystery about a certain cashier of the Ministry who

was believed to have been drowned in the Jamuna and who later on reappeared, has been solved; and

(b) if so, the facts of the case?

**The Ministry of Education (Shri M. C. Chagla):** (a) and (b). The official involved has been traced and put under arrest. He is now on bail, and the matter is under investigation by the Special Police Establishment.

#### Vigyan Mandirs in M.P.

864. **Shri R. S. Pandey:** Will the Minister of Education be pleased to state:

(a) the number of Vigyan Mandirs presently functioning in Madhya Pradesh;

(b) whether the Central Government propose to establish more Vigyan Mandirs in that State; and

(c) if so, the places suggested for the purpose by the State Government?

**The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan):** (a) Two.

(b) Yes, if the State Government takes initiative and sends proposals to the Centre.

(c) No proposals have been received so far from the State Government.

#### अन्तर्राष्ट्रीय छात्रावास, दिल्ली

865. { श्री श्रीकार लाल बंरवा :  
श्री हुस्म चन्द कछवाय :  
श्री श्रीकार सिंह :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 1 नवम्बर, 1964 को अन्तर्राष्ट्रीय छात्रावास में कुछ उपद्रव हुआ था ;

(ख) यदि हां, तो उसका क्या कारण था ; और

(ग) सरकार द्वारा इस सम्बन्ध में क्या कदम उठाए गए हैं ?

शिक्षा मन्त्रालय में सांस्कृतिक-कार्य मन्त्री (श्री हज़रतनवीस): (क) दिल्ली के इन्टरनेशनल स्टुडेन्ट्स हाउस में 31 अक्तूबर, 1964 की शाम को कुछ झगड़ा हुआ और कनाट प्लेस में ओडियन सिनेमा के बाहर विदेशी विद्यार्थियों के दो दलों के बीच 2 नवम्बर, 1964 को एक मामूली सी घटना हुई थी।

(ख) झगड़े का प्रत्यक्ष कारण था एक रिहायशी विद्यार्थी द्वारा पटाखा छोड़ना, जो इन्टरनेशनल स्टुडेन्ट्स हाउस के कुछ अन्य विद्यार्थियों को बुरा लगा।

(ग) दिल्ली इन्टरनेशनल स्टुडेन्ट्स हाउस सोसायटी के अध्यक्ष द्वारा स्थापित समिति ने, जिसमें सरकार का प्रतिनिधि भी शामिल था, झगड़े की जांच की थी। परिणाम-स्वरूप संबंधित विद्यार्थियों ने खेद प्रकट किया है और उन की माफी स्वीकार कर ली गई है। झगड़े के कारण जिन थोड़े से विद्यार्थियों ने छात्रावास छोड़ दिया था, वे वापिस आ गए हैं और वातावरण अब पहले की तरह सामान्य है।

#### Training of Elementary Teachers

866. **Shrimati Jyotsna Chanda:** Will the Minister of Education be pleased to state:

(a) whether Government propose to train more elementary teachers during the Third Plan period;

(b) if so, their number and which States will take up this programme;

(c) whether Government propose to train more secondary teachers during the remaining period of the Third Plan; and

(d) What are the estimated requirements of primary and secondary teachers in the Fourth Plan?

**The Minister of Education (Shri M. C. Chagla):** (a) Yes, Sir.

(b) These details are being finalis-

ed in consultation with State Governments.

(c) Yes, Sir.

(d) These details are being finalised by the State Governments and the overall requirements will be based on the proposals of State Governments.

#### Summer Schools

867. **Shri Tan Singh:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 351 on the 23rd September, 1964 and state:

(a) the number of summer schools opened in the country; and

(b) the State-wise break-up there?

**The Minister of Education (Shri M. C. Chagla):** (a) Thirty two Summer Institutes for Science teachers in Schools and Colleges were held in 1964.

(b) Andhra	3
Assam	1
Bihar	1
Delhi	2
Gujarat	4
Kerala	1
Madras	3
Madhya Pradesh	1
Maharashtra	3
Mysore	2
Punjab	2
Rajasthan	1
Orissa	1
Uttar Pradesh	3
West Bengal	4

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#### Historical Monuments of Assam

868. **Shrimati Renuka Barkataki:** Will the Minister of Education be pleased to state:

(a) whether a survey of the historical monuments of Assam has been conducted to determine the monuments that have to be protected with Central assistance; and

(b) if so, the monuments protected and preserved with Central assistance?

The Minister of Cultural Affairs in the Ministry of Education (Shri Hajarnavis): (a) and (b). No, Sir but so far 55 Monuments|Sites in Assam are protected by the Archaeological Survey of India and as more monuments worthy of protection come to the notice of the Survey they will be duly considered for protection.

#### Hindi Knowing Employees

869. Shri Surendra Pal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that in order to give incentive for learning Hindi, advance increments are being given only to such of the Government employees who hail from non-Hindi-speaking States; and

(b) if so, the reasons for giving a different treatment to the people who hail from Hindi-speaking States but in their schools|colleges had opted for languages other than Hindi and have passed Prabod|Praveen|Pragya Examinations only after joining Hindi classes under the scheme sponsored by Government in their offices|Ministries.

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) There is no reference to non-Hindi-speaking States in the Government order issued on the subject. The incentive is meant for non-Hindi-knowing non-gazetted employees of the Central Government. It has accordingly been provided that an employee who has already passed the matriculation or an equivalent or a higher examination conducted by a Board or University or a private body with Hindi as an elective, regular, additional or optional subject and an employee whose mother tongue is Hindi and who can express himself well in Hindi will not be entitled to the benefit of this order. A copy of Home Ministry's Office Memorandum dated 18th April 1964 is placed in the Library. [See No. LT-3525/64].

(b) Does not arise.

#### Hindi Learning Scheme

870. Shri Surendra Pal Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether under Government's sponsored Hindi learning Scheme advance increments are being given to only such of the Central Government's employees who pass Probod|Praveen|Pragya examination after a certain specified date; and

(b) if so, the reasons why advance increments are not being given to all the Government employees who have passed the Hindi Examination under the said Scheme so far?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Government have issued orders in April 1964 regarding grant of personal pay, equal in amount to one increment, absorbable in future increases in pay to the non-gazetted Central Government employees on passing Hindi Pragya, Hindi Typewriting on Hindi Stenography examinations conducted from June 1964 onwards under the Hindi Teaching Scheme of the Home Ministry.

(b) The Scheme is intended to provide incentives to present and future trainees. The question of giving such incentives to trainees who passed out earlier does not, therefore, arise.

#### हिन्दी पुस्तकों का प्रकाशन

871. श्री इरुम चन्व कञ्जराय : क्या शिक्षा मंत्री यह बताने को कृपा करेंगे कि :

(क) क्या यह सच है कि 1963 में तत्कालीन शिक्षा मंत्री ने पंसद् में यह घोषणा की थी कि हिन्दी निदेशालय प्रति वर्ष 50 पुस्तकें प्रकाशित करेगा ;

(ख) यदि हां, तो हिन्दी निदेशालय द्वारा 1962 और 1963 में कितनी पुस्तकें प्रकाशित की गईं ; और

(ग) यदि हां, तो इस निदेशालय पर प्रति वर्ष कितना व्यय होता है ?

शिक्षा मन्त्रालय में उप-मंत्री (श्री भक्त वर्शन) : (क) और (ख). 23 मार्च 1963 को लोक सभा में इस मन्त्रालय की 1963-64 के लिए बजट की मांगों पर बोलते हुए भूतपूर्व शिक्षा मंत्री (डा० कालूलाल श्री माली) ने यह आशा व्यक्त की थी कि 1963-64 के वित्तीय वर्ष के अन्त तक लगभग 50 पुस्तकें तैयार हो जायेंगी परन्तु, 1963-64 वर्ष के अन्त तक, निदेशालय 33 पुस्तकों का अनुवाद और रचना पूरी कर सका, जिनमें से केवल 7 पुस्तकें प्रकाशित की गईं और 5 छप रही थीं। क्योंकि पुस्तक प्रकाशन का कार्य, वास्तव में 1963-64 में ही आरम्भ हुआ था; इसलिए 1962 और 1963 की संख्याएं देने का प्रश्न नहीं उठता।

(ग) निदेशालय; वैज्ञानिक तथा तकनीकी शब्दावली तैयार करने में लगे वैज्ञानिक तथा तकनीकी शब्दावली आयोग के सचिवालय के रूप में कार्य करता है।

निदेशालय और वैज्ञानिक तथा तकनीकी शब्दावली आयोग पर हुआ वर्ष वार खर्च रिम्नलिखित है :-

1960-61	-	7,07,632	रुपये
1961-62	-	9,91,499	रुपये
1962-63	-	12,47,001	रुपये
1963-64	-	14,18,898	रुपये
1964-65	-		
(31-10-64 तक)		9,91,662	रुपये

12 hrs.

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

(i) PROTEST STRIKE BY JUTE WORKERS OF WEST BENGAL AGAINST NON-PAYMENT OF BONUS AND DEARNESS ALLOWANCE.

**Shri Dinen Bhattacharya (Serampore):** I call the attention of the Minister of Labour and Employment

to the following matter of urgent public importance, and I request that he may make a statement thereon:

Protest strike on the 1st December, 1964 by jute workers of West Bengal as a protest against the non-payment of bonus and dearness allowance.

**The Minister of Labour and Employment (Shri D. Sanjivayya):** Sir, the information is being collected and if you will permit me, I will make a statement tomorrow either after the Question Hour or at 5 O' Clock.

**Mr. Speaker:** All right. I will put it tomorrow or the day after.

12.02 hrs.

#### RE OPERATION OF ARTICLE 370

**श्री प्रकाशवीर शास्त्री (बिजनौर) :** मैं आपके एक निर्णय के प्रति आपका ध्यान दिलाना चाहता हूँ।

**अध्यक्ष महोदय :** इस तरह तो यही चलता रहेगा।

**श्री प्रकाशवीर शास्त्री :** वह इस से सम्बन्धित नहीं है। मैं आपके एक निर्णय के प्रति आपका ध्यान दिलाना चाहता हूँ।

आपने सरकार को यह कहा था कि जब हाउस चल रहा हो, तब कोई भी महत्वपूर्ण निर्णय यदि हो, तो उसकी सूचना पहले लोक-सभा को दी जाय। कल सरकार ने आर्टिकल 370 के सम्बन्ध में निर्णय किया है। आज के समाचारपत्रों में यह समाचार आया है लेकिन हाउस को सरकार ने पहले सूचित नहीं किया। मैं आपकी व्यवस्था चाहता हूँ कि क्या इस प्रकार के महत्वपूर्ण प्रश्नों के निर्णय पहले बाहर चले जाएं और बाद में सदन के सामने आवें? दो दिन बाद तो सरकार को इस पर वक्तव्य देना ही देना था।



**अध्यक्ष महोदय :** श्री प्रकाशवीर शास्त्री का बिल चल रहा है, परसें वह फिर हाउस के सामने आ रहा है, चाहे गलत हो या दुरुस्त, गवर्नमेंट को इस बारे में एक पालिसी बनानी है कि उसने उस के बारे में क्या एटीच्यूट लेना है। अगर अब गवर्नमेंट अपने में अन्दर बैठ कर फँसला करती है कि वह श्री प्रकाशवीर शास्त्री के उस प्राइवेट बिल को अपोज करेगी तो मुझे समझ में नहीं आता कि मैं उसमें कैसे कोई दखल दे सकता हूँ। जब परसें वह बिल हाउस के सामने आयेगा तो गवर्नमेंट अपना एक एटीच्यूट लेकर खड़ी होगी और सम्बन्धित मन्त्री महोदय कहेंगे कि वह इस को अपोज करना चाहते हैं या क्या करना चाहते हैं ?

**श्री प्रकाशवीर शास्त्री :** समाचारपत्रों में यह बात कैसे चली गई कि गवर्नमेंट ने उसको अपोज करने का फँसला कर लिया है ?

**अध्यक्ष महोदय :** समाचारपत्रों में कैसे चला गया मैं इस बारे में क्या कह सकता हूँ ? हो सकता है कि समाचारपत्र हमारी चोरी कर के ले गये हों या गवर्नमेंट ने खुद डर के दे दिया हो इसकी बात तो अलहदा है। कोई डिस्मिशन गवर्नमेंट अपने कैबिनेट के अन्दर लेती है तो हैरानी तो इस बात की है कि उसके बारे में समाचारपत्रों को पहले पता चल जाता है और हमें पता नहीं चलता है।

**डा० राम मनोहर लोहिया (फर्रुखा-वाद) :** अध्यक्ष महोदय, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ...

**अध्यक्ष महोदय :** डाक्टर साहब, मैंने बहुत दफ्ते कहा कि जब मैं दूसरी चीज बुलाऊँ, एक बन्द हो गयी हो, दूसरी शुरू होने को हो तो उस वक्त कोई व्यवस्था का प्रश्न नहीं उठ सकता है।

**डा० राम मनोहर लोहिया :** मेरे लिए कोई वक्त और रह नहीं जाता है कि मैं अपने

निम्ना प्रस्ताव के सम्बन्ध में आपका ध्यान दिलाऊँ। मैं इस वक्त आप को वह व्यवस्थाएँ बतलाऊंगा जिनके कि मुताबिक यह मेरा विषय यहाँ पर आना चाहिए।

**अध्यक्ष महोदय :** मैं इस वक्त उसे नहीं ले रहा हूँ। मैं उसे कंसिडर कर रहा हूँ। माननीय सदस्य जरा इन्तजार करें। एक, आध दिन में उन्हें जवाब भी मिल जायेगा। वे इस बात पर न घबरायें। सुबह मुझे नोटिस मिल गया है, मैंने विचार किया है और मैं अभी भी उसे कंसिडर कर रहा हूँ इसलिए माननीय सदस्य इस बात को अभी लाने की कोशिश न करें।

**डा० राम मनोहर लोहिया :** एक चीज याद रखिये। इसके ऊपर कोई 17-18 दिन हो गये हैं और एक दूसरी बात...

**अध्यक्ष महोदय :** माननीय सदस्य जो यह 17-18 दिन की बात कहते हैं तो पहले ही दिन मैंने उसको नामंजूर कर दिया था और आप उसके लिए रिप्रेजेंट भी करते रहे हैं इसलिए उनका यह कहना सही नहीं है कि 17-18 रोज हो गये हैं और अभी तक इस पर कोई डिस्मिशन नहीं किया गया है। पहले ही दिन जब मुझे माननीय सदस्य से इसका नोटिस मिला था तो उन्हें इत्तिला दे दी गई थी कि वह नामंजूर हो गया है।

**डा० राम मनोहर लोहिया :** जब आप विचार करें तो यह जरूरी है कि हमारी राय और लोकसभा में जो और लोग भी इस पर बोलना चाहें उनकी राय भी आपके सामने रहे।

**अध्यक्ष महोदय :** फिर तो यह होगा कि उसका फँसला भी लोकसभा ही करेगी और जाहिर है कि लोकसभा मंजूरिटी की राय से फँसला करेगी और मैं फिर उसमें नहीं आ सकूंगा।

**डा० राम मनोहर लोहिया :** वह आपकी इच्छा है। अगर यह मंजूर हो तो मुझे कोई

ऐतरोज नहीं है। अगर हाँ उस इसमें सहमत हो तो आप कर सकते हैं। (इंटरप्रांस)

मैं आप से अर्ज करना चाहता हूँ कि मैं अपने हक पर खड़ा हूँ। मुझे किसी प्रकार की घमकी से कोई मतलब नहीं। मैं जानता हूँ कि बंधुसंख्या मेरी बात को खत्म कर सकती है लेकिन आखिर इस तरह से मुझे कहने के मानी क्या है ?

**अध्यक्ष महोदय :** इसके यह मानी हुए कि जब मैं एक फंसला लेता हूँ इतना विचार करके और आपको फिर सुनाता हूँ और फिर उसके बाद फंसला लेता हूँ तो जब आप कहें कि आप को हक है कि आप की राय यहां सुनी जाय और यहां अन्य लोग जो इस बारे में बोलना चाहते हैं उनकी राय भी सुनी जाय तो उसके बाद और चारा ही क्या रह जाता है कि फंसला भी हाउस ही दे।

**डा० राम मनोहर लोहिया :** मेरी समझ में इस वक्त एक अध्यक्ष होने के नाते आप का यह कर्तव्य है कि आप राय सुन लें और फिर उसके बाद आप अपना फंसला दें। यह कोई जरूरी नहीं है कि सब की राय लेने के के बाद लोकसभा ही इस तरह के मामलों में फंसला किया करे।

**अध्यक्ष महोदय :** मुझे तीन साल काम करते ही गये और इसलिए मुझे कुछ तो पता चल ही गया है कि क्या मेरे हक व फरायज हैं। बहरहाल जैसा मैंने कहा अब इस वक्त मैं डाक्टर साहब को नहीं सुनूंगा।

**डा० राम मनोहर लोहिया :** मेरी सुनाई कब होगी ? मैं देख रहा हूँ कि इस मामले में मेरे साथ अन्याय हो रहा है और कायदे-कानून टूट रहे हैं।

**अध्यक्ष महोदय :** अगर वह टूट रहे हैं तो फिर माननीय सदस्य को हक हासिल है कि वे मेरे बरखिलाफ मोशन लायें लेकिन यह तो नहीं होना चाहिए कि सं तरह से वे बोलते ही चले जायं।

**डा० राम मनोहर लोहिया :** वह आखिरी मंजिल होती है मैं नहीं चाहता कि मैं उस पर अभी जाऊं।

**अध्यक्ष महोदय :** आपने पहले जो प्रस्ताव दिया था उसे मैंने नामंजूर कर दिया था और उसकी इतिला दे दी गई थी। अब माननीय सदस्य का जो नया प्रस्ताव आया है उसे मैं फिर देख रहा हूँ और मैंने अभी आपसे कहा है कि मैं उस पर थोड़ा वक्त लेकर आज ही या कल को उन्हें इस बारे में इतिला दे दूंगा। इसलिए माननीय सदस्य का यह कहना कि उन्होंने डिमीशन के लिए 17-18 दिन इंतजार किया है वह दुस्त नहीं है क्योंकि उनके पहले वाले नोटिस को तो मैं पहले ही दिन नामंजूर कर चुका था। मेरी वह राय है। बार बार इसको सोचा है। आप से भी परामर्श किया है और उसके बाद ही मैं अपने उस नतीजे पर पहुंचा हूँ लेकिन उससे भी अगर माननीय सदस्य को तसल्ली नहीं है तो यह मेरी बदकिस्मती है। इस समय अब आप बैठ जाइये।

**पुनर्वास मंत्री (श्री त्यागी) :** बैठ जाइये।

**डा० राम मनोहर लोहिया :** त्यागी जी महाराज, जब आप अध्यक्ष बने तब यह बात आप कह सकते हैं . . . . .

**Shri D. C. Sharma (Gurdaspur):** Sir, on a point of order. Can a Member address another across the House like that?

**डा० राम मनोहर लोहिया :** यह झुंड के जोर से मैं बैठने वाला नहीं हूँ। मैं इससे पहले भी कई बार आपको अर्ज कर चुका हूँ कि झुंड के जोर से मैं कभी नहीं बैठूंगा।

**अध्यक्ष महोदय :** डाक्टर साहब, आप न मेरे कहने पर बैठेंगे, न झुंड के कहने पर बैठेंगे, वैसे इस पार्लियामेंट को जो उन्होंने झुंड का नाम लेकर कहा है उसे मैं निहायत अनुचित समझता हूँ।

डा० राम मनोहर लोहिया : मैं पालि-  
यामेंट को झुंड नहीं कह रहा हूँ। मैं तो बहु-  
संख्यक लोगों को झुंड कह रहा हूँ, वह बहु-  
संख्यक जो कि मेरे एक कायदे के रास्ते में  
रूकावट डाल रहे हैं।

अध्यक्ष महोदय : मैं माननीय सदस्य  
से कह रहा हूँ कि वे मेरा कहना मान लें और  
इस वक्त वे बैठ जायें। उन्होंने जो मेरे पास  
प्रस्ताव नया भेजा है और जो मुझे उन्होंने  
प्रश्न पूछे हैं मैं उन पर विचार कर रहा हूँ।  
उनका जो पहला प्रस्ताव था उसे मैं मंजूर  
नहीं कर सका था और वह इतिला  
मैंने उनको पहले ही दे दी थी। उस के  
बाद उन्होंने मुझे लिखा उस पर मैंने विचार  
कर लिया उस का फंसला अब कुछ नहीं  
होना है। अब जो उन्होंने मुझे अपना नया  
प्रस्ताव भेजा है जैसा मैंने अभी उनसे कहा  
मैं उस पर अभी विचार कर रहा हूँ और  
उनको सायद आज या कल उसके बारे में  
पता लग जायेगा।

डा० राम मनोहर लोहिया : ठीक है। प्राप  
तो जानते ही हैं कि मेरी आखिर तक कोशिश  
रहती है कि मैं दबता चला जाऊँ। ठीक है  
मैं आज और कल और दब रहा हूँ।

**The Minister of Home Affairs (Shri Nanda):** May I say a word on the point raised by the hon. Member Shri Prakash Vir Shastri? I would like to make it clear that no decision of the Government has been taken on that. Therefore, that question does not arise. We discuss, and we go on discussing, and we consider. No decision has been taken on that.

**Mr. Speaker:** Why should the papers give such an impression?

**Shri Nanda:** They can interpret anything in any way.

**Mr. Speaker:** Those papers and those editors also must see that . . .

**Shri D. C. Sharma:** Have they been briefed by anybody connected with the Prime Minister or the Home Minister?

**Mr. Speaker:** Now, this question has been asked as to whether any of the Members of the Cabinet has briefed any of these papers?

**The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha):** How can they brief them? That would be a wrong thing, and that is not the procedure. No decision has been taken on this.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATION UNDER ALL INDIA SERVICES ACT

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** I beg to lay on the Table a copy of Notification No. GSR. 1518 dated the 28th October, 1964, making certain amendment to Schedule III to the Indian Administrative Service (Pay) Service Rules, 1954, under sub-section (2) of section 3 of the All India Services Act, 1951. [Placed in Library. See No. LT-3515/64].

##### ANNUAL REPORT OF FERTILISERS AND CHEMICALS, TRAVANCORE LIMITED, ELOOR AND REVIEW BY GOVERNMENT THEREON

**The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan):** I beg to lay on the Table a copy each of the following papers:—

- (i) Annual Report of the Fertilizers and Chemicals, Travancore Limited, Eloor, for the year 1963-64, along with the Audited Accounts and the comments of the Comptroller and Auditor-General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (ii) Review by the Government on the working of the above Company. [Placed in Library. See No. LT-3516/64].

##### MEMORANDUM ON FOURTH FIVE YEAR PLAN

**The Minister of Planning (Shri B. B. Bhagat):** I beg to lay on the Table a copy of Memorandum on the Fourth

Five Year Plan. [Placed in Library. See No. LT-3517/64].

12.18 hrs.

MESSAGES FROM RAJYA SABHA

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

- (i) 'In accordance with the provisions of rule 115 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 30th November, 1964, agreed to the following amendments made by the Lok Sabha at its sitting held on the 17th November, 1964, in the Industrial Disputes (Amendment) Bill, 1964:—

Clause 19

1. That at page 7—

for clause 19, substitute—

Substitution of new section 33C

19. For section 33C of the principal Act, the following shall be substituted, namely:

Recovery of money due from an employer

"33C. (1) Where any money is due to a workman from an employer under a settlement or an award or under the provisions of Chapter VA, the workman himself or any other person authorised by him in writing in this behalf, or, in the case of the death of the workman, his assignee or heirs may, without prejudice to any other mode of recovery, make an application to the appropriate Government for the recovery of the money due to him, and if the appropriate Government is satisfied that any money is so due, it shall issue a certificate for that amount to the Collector who shall proceed to recover the

same in the same manner as an arrear of land revenue:

Provided that every such application shall be made within one year from the date on which the money became due to the workman from the employer:

Provided further that any such application may be entertained after the expiry of the said period of one year, if the appropriate Government is satisfied that the applicant had sufficient cause for not making the application within the said period.

(2) Where any workman is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money and if any question arises as to the amount of money due or as to the amount at which such benefit should be computed, then the question may, subject to any rules that may be made under this Act, be decided by such Labour Court as may be specified in this behalf by the appropriate Government.

(3) For the purposes of computing the money value of a benefit, the Labour Court may, if it so thinks fit, appoint a commissioner who shall, after taking such evidence as may be necessary, submit a report to the Labour Court and the Labour Court shall determine the amount after considering the report of the commissioner and other circumstances of the case.

(4) The decision of the Labour Court shall be forwarded by it to the appropriate Government and any amount found due by the Labour Court may be recovered in the manner provided for in sub-section (1)

(5) Where workmen employed under the same employer are

[Secretary]

entitled to receive from him any money or any benefit capable of being computed in terms of money, then, subject to such rules as may be made in this behalf, a single application for the recovery of the amount due may be made on behalf of or in respect of any number of such workmen.

*Explanation.*—In this section "Labour Court" includes any court constituted under any law relating to investigation and settlement of industrial disputes in force in any State."

**Clause 20**

2. That at page 8,—

(i) line 10,—

after "shall be laid" insert "as soon as may be after it is made";

(ii) line 12,—

omit "or more".

(iii) line 14,—

for "successive sessions aforesaid", substitute "session immediately following".

(ii) 'In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Official Trustees (Amendment) Bill, 1964, which has been passed by the Rajya Sabha at its sitting held on the 30th November, 1964.'

**OFFICIAL TRUSTEES (AMENDMENT) BILL AS PASSED BY RAJYA SABHA**

**Secretary:** Sir, I lay on the Table of the House the Official Trustees (Amendment) Bill, 1964, as passed by Rajya Sabha.

12.20 hrs.

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS  
FIFTY-SECOND REPORT**

**Shri Krishnamoorthy Rao** (Shimoga): I beg to present the Fifty-second Report of the Committee on Private Members' Bills and Resolutions.

12.20½ hrs.

**APPROPRIATION (No. 6) BILL, 1964**

**The Minister of Finance (Shri T. T. Krishnamachari):** Sir, 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 services of the financial year 1964-65, be taken into consideration."

**Mr. Speaker:** Motion moved:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1964-65, be taken into consideration."

12.21 hrs.

**CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE—Contd.**

(ii) RECENT DEVELOPMENT IN BHUTAN

**Mr. Speaker:** I have to submit to the House that I got an intimation from the Minister of State in the Ministry of External Affairs that she wanted to make a statement on the situation in Bhutan, and she wanted to have this opportunity to make that statement.

**Shrimati Renuka Ray** (Malda): I have sent a calling-attention-notice on that.

**Mr. Speaker:** I have been receiving many calling-attention-notices on this subject, and I have been disallowing

\*Moved with the recommendation of the President.

all those notices on the plea that it was an internal affair. I must say with a certain amount of pain that the Government also represented that this was an internal affair and this should not be given publicity and we should not raise it. I disallowed all those notices. But suddenly I learnt in the morning after I had disallowed all those notices, that the hon. Minister wanted to make a statement.

**Mr. S. M. Banerjee** (Kanpur): We should also be allowed to put questions.

**Mr. Speaker:** Of course, I shall allow questions, if I allow that statement to be made.

It might be that there might be pressures or there might be other reasons. This situation has arisen that so far as I learn, that statement is going to be made in the other House. Therefore I shall be asked for an explanation as to why I had disallowed them when the same statement was being made there. But when Government have represented to me that it is not in the country's interest or public interest that such a statement should be made or such a calling-attention-notice should be discussed, and I agree with them and disallow those notices, how is it that they come up again suddenly and say that the hon. Minister wants to make a statement? That certainly puts me in a very awkward position.

**Shri T. T. Krishnamachari:** May I submit that you had formulated the motion for my Bill but not put it to vote?

**Mr. Speaker:** Yes, I had, but I was getting messages that the hon. Minister wanted to make a statement. There were other pressures also. Since that statement is going to be made in the Rajya Sabha, if I do not allow it now, I would be put in a difficult situation later on when that statement is made in the other House.

**Shri Hari Vishnu Kamath** (Hosangabad): By your leave, I am one of those Members who had given a call attention notice, and you had disallowed it. I submit that in view of the latest developments, it is no longer an internal affair because the Bhutan Government has requested the India Government for assistance in getting the officers, civil and military, who have fled the country apprehended.

**Mr. Speaker:** When can the statement be made?

**The Minister of State in the Ministry of External Affairs** (Shrimati Lakshmi Menon): Any time you direct.

**Mr. Speaker:** Would 5 P.M. be convenient?

**Shrimati Lakshmi Menon:** The statement will be made in the other House at 12.30.

**Mr. Speaker:** I will ask the Minister to make the statement here just now.

**Shri Rajendranath Barua, Shri Yogendra Jha, Shri Hukam Chand Kachwai, Shri Ramchandra Vithal Bade, Shri P. C. Borooah, Shri Rameshwar Tantia, Shri Yashpal Singh, Shri Parkash Vir Shastri, Shri N. H. Samnani, Shri Inder J. Malhotra, Sardar Kapur Singh, Shri Narendra Singh Mahida, Shri Hem Barua, Shrimati Renuka Ray, Shri Krishna Pal Singh, Shri Nath Pai, Shri Hari Vishnu Kamath and Shri N. C. Chatterjee** have sent notices calling attention. In response to this a statement is being made. I will allow each of these Members to ask a question.

**The Minister of State in the Ministry of External Affairs** (Shrimati Lakshmi Menon): Government understand the concern displayed by many Members of the House about recent developments in Bhutan.

On November 27, an authoritative statement was issued by the Druk

[Shrimati Lakshmi Menon]

Gyalpo's Government which should set at rest any fear or apprehension or any further speculation about these developments in Bhutan, which are internal in character. As the statement issued by the Druk Gyalpo's Government on November 27 said, the situation in Bhutan is fully under control. Altogether, two Army Officers, including the Deputy Commander-in-Chief of Bhutan Army, and four civilian officers fled the country. They appear to have done so under an exaggerated sense of fear of action that may be taken against them on the King's return from Switzerland for dereliction of duty during his absence. The statement added that the King has taken steps to replace the officers, who deserted their duty.

To the best of Government of India's knowledge, there is no disturbance or disorder of any kind whatever in Bhutan. The King has resumed full responsibility for the administration.

Our relations with Bhutan, one of our closest and nearest neighbours, are most cordial and friendly. The King of Bhutan is deeply interested in the modernisation of his country and the rapid economic, social and educational advancement of his people. In this task the Government of India remain committed and anxious to give all possible assistance to the Government of Bhutan.

**Mr. Speaker:** The situation is a delicate one and so in putting questions Members would kindly be discreet.

श्री बड़े (झारखण) क्या शासन के पास इस प्रकार की इन्फर्मेशन है कि भूटान में चाइना के दो व्यापारी आए थे और वे अब भाग गये हैं और इसमें चाइना का कुछ हाथ है ?

**Shrimati Lakshmi Menon:** We have no information.

**Shri Hari Vishnu Kamath (Hosangabad):** Is it not a fact that the

Government of Bhutan has asked the India Government for assistance in getting those officers, civil and military, who have fled the country, apprehended? If so, what sort of assistance exactly have they in mind? Have they made it clear? Have they also asked Government to ascertain the whereabouts of these people and get them apprehended?

**Shrimati Lakshmi Menon:** If the Government of Bhutan ask the Government of India for any assistance, that will be given.

**Shri Hari Vishnu Kamath:** She is beating about the bush, evading,.....

**Mr. Speaker:** I am getting it clarified.

**Shri Hari Vishnu Kamath:** It has become routine with them now a days.

**Mr. Speaker:** The question is whether the Bhutan Government have asked our Government to give them some assistance in order to apprehend those that have gone out.

**Shrimati Lakshmi Menon:** No, Sir.

**Shri Hari Vishnu Kamath:** Then the press reports are incorrect.

**Shri Hem Barua (Gauhati):** The situation in Bhutan is a matter of great concern to us because it is reported that China is involved in it. May I know whether the Government have information that four Chinese, some of them were working under the Bhutanese Government, have been arrested due to involvement in this matter, and also that the Commissioner of South Bhutan is guilty of, as reported in the newspapers, amassing arms and ammunitions, if so, what is the actual position regarding this?

**Shrimati Lakshmi Menon:** I have given in the statement the actual position. The rest, all these other things

that the hon. Member has raised, are really all internal matters with which we have nothing to do.

**Shri Hem Barua:** She has said that it is an internal matter. I have a humble submission to make there. I have said specifically that there are instances of Chinese being involved in this matter, and because of China's attitude towards our country, it is a matter of great concern to us also, as much as for Bhutan. Therefore....

**Mr. Speaker:** Has the Minister any information whether any Chinese are involved in this whole affairs?

**Shrimati Lakshmi Menon:** No, Sir. I have already said we have no information.

**Shri Nath Pai (Rajapur):** Have Government tried to find out the veracity of reports in a section of the papers that the present developments in Bhutan are the result of the efforts of a group which wanted to bring about basic changes in the relationship that exists between India and Bhutan, or are the present developments only a storm in a tea cup, being the result of the adventures of a cine star? What is the truth?

**Shrimati Lakshmi Menon:** The latter part of the question is the truth.

**Shri Nath Pai:** The first part of the question stands?

**Mr. Speaker:** Hon. Members ought to be careful that they do not put such catchy questions that the Minister must be caught in it one way or the other.

**Shri Hari Vishnu Kamath:** The Minister also should be clever enough not to be caught.

**Mr. Speaker:** The Minister also should be careful in this respect. I actually feel—I am not certainly a judge in that respect, if it is for the Government—that the answer ought to have been carefully made.

**Shri Nath Pai:** I disclaim any intention of catching anybody. I only want to elicit opinion.

**Shri Hari Vishnu Kamath:** If the Minister is willing to be caught, how can we help it.

**श्री यशपाल सिंह (कैराना) :** अध्यक्ष महोदय, मुझे पता नहीं है कि नाजूक सवाल और कठोर सवाल के बीच में कौन सी रेखा है।

**अध्यक्ष महोदय :** माननीय सदस्य सवाल करें।

**श्री यशपाल सिंह :** क्या सरकार के ध्यान में यह बात है कि भूटान की रायल फ़ेमिली के बच्चे पीकिंग में एड्रूकेशन हासिल कर रहे हैं ?

**Shrimati Lakshmi Menon:** How does it arise?

**Shri Krishnapal Singh (Jalesar):** If this information which the Minister has given to us does not prove absolutely correct, later on have we got adequate forces in the area to deal with any eventuality that may arise?

**Mr. Speaker:** Which information? I could not follow myself.

**Shri Krishnapal Singh:** Information about the developments.

**Mr. Speaker:** Is there any agency to get that information? To certain questions the Minister has said she has no information. Have we got adequate agency to get information?

**Shrimati Lakshmi Menon:** We have got our Political Officer in Sikkim, who also deals with Bhutan.

12.30 hrs.

APPROPRIATION (NO. 6) BILL,  
 1964—Contd.

**Shri Ranga (Chittoor):** I would like to have some information from the hon. Minister. This is a huge sum which the hon. Minister is asking the House to vote, to be spent from the Consolidated Fund.



[Shri Ranga ]

The House has already passed all the supplementary demands. We would like to know how this money is going to be obtained by the Government. Is it from out of the surplus revenues they have been able to collect from the budgetary sanctions that we had already given? Is it that they have been able to collect very much more than they could meet these demands also from out of the surplus in the revenues that they have derived or is it from the ways and means advances that the Reserve Bank of India would be making available to them and if so, to what extent and in what manner? Or is it going to be met by deficit financing and resorting to the Nasik Press? We would like to have enlightenment in regard to this matter.

When Parliament passes the budget and the demands and sanctions this money, Parliament has always been pressing that Government should not propose the imposition of fresh taxes over and above their day to day, month to month and year to year demands and there should not be too much of over-collections. That has been our general complaint throughout year after year. We also find year after year that they have been able to collect so much more than had been anticipated by the Government. Every time the former Finance Minister used to say that there is no harm at all if something more came to be collected, because that would be utilised for nation-building purposes. But that is not the proper budgetary procedure. Therefore, the House has been taking exception to it and giving exhortations to the successive Finance Ministers that they should ask only for that much amount of money and possibly a little more or a little less, but not in such substantial sums, as would be needed to finance the expenditure that is sanctioned by Parliament. But unfortunately, it has not been observed in practice. Therefore, we would like to have a detailed statement from the Minister—if he likes on the present occasion or on

some other occasion—as to what budgetary policy he would like to be pursuing in coming to this House and asking for sanctioning various grants and also for the acceptance of his taxation proposals, so that he would not be collecting from the public so much more than what would be needed, with which it would be possible for him to finance such huge expenditure for which he gets sanction from this House through the supplementary grants.

**Shri S. M. Banerjee:** Sir, let me lend my support to what Mr. Ranga has said. In addition, I would like to know from the Minister one or two things. When the supplementary demands were being discussed, a number of Members including myself, Mr. Dandekar and others, raised the question of payment of enhanced D.A. under the demand for the Atomic Energy Department. Sir, we were assured in this House on 26th by the Minister, and on the day when we were having the discussion on the supplementary grants....

**Mr. Speaker:** Under the Appropriation, Bill. How can he discuss the supplementary demands?

**Shri S. M. Banerjee:** May I invite your kind attention to rule 218(4)? It says:

“The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grounds covered by the Bill...”

**Mr. Speaker:** But there has been a discussion on the supplementary demands. Mr. Ranga raised, of course, a pertinent question. All matters would be of public importance no doubt.....

**Shri S. M. Banerjee:** My submission comes under,

"Administrative policy implied in the grounds covered by the Bill".

The question of dearness allowance is covered by the Bill. If you look at the schedule, a certain sum is asked for to meet the enhanced D.A. given to the employees of the Department of Atomic Energy. We got no answer to our point from Mr. Bhagat also.

**Mr. Speaker:** Let him read the rule further. It says:

"which have not already been raised while the relevant demands for grants were under discussion."

He himself says that he raised it. I do not doubt it is a matter of public importance, but we spent 4 hours discussing those demands.

**Shri S. M. Banerjee:** I abide by your decision, Sir. Today this question has become a matter of grave public importance. You must have seen in today's newspapers that the Cabinet has taken a decision to wait for the Das Commission's report to raise the D.A. That is contrary to the assurances given by the Minister. First of all, I want to know from the Minister whether Cabinet has taken a decision to defer increasing the D.A. till the Das Commission report is submitted. If that is correct, my submission will be, today 22 lakh Central Government employees who have earned this increase in D.A. according to the Pay Commission formula are being denied this concession only because of the prestige of the Government of India. They have appointed a Commission, but to us this is a sort of dead commission, because nobody has submitted any memorandum. I would like to tell the Minister that this will result in great agitation and great discontent among the Central Government employees.

**Mr. Speaker:** He has given that warning already. We have heard it.

**Shri Nath Pai:** (Rajapur): I would very much endorse the plea which

Mr. Banerjee has made that the Finance Minister tries to enlighten the House as to the exact position and as to what ameliorative measures Government is contemplating to give to the employees in view of the accepted rise in cost of living and the failure of the Commission to make a report. I do not want to elaborate on it, because in his speech yesterday, he himself was rather courageous enough to say that the hardships are genuine and the situation is a grave one. If he shows that awareness about the economic situation in general, he would very well appreciate the hardships to fixed income-groups. I want to have a reply from him in this regard.

Then, Sir, within the ambit strictly laid down by the rule, the latter part of which you have brought to our notice. I would like to point out that there is a grant for the Ministry of Steel, Mines and Heavy Industries. Repeatedly we have tried to emphasise the Parliament's keen desire that it is the Indian engineering skill which should be cultivated, encouraged and developed. We do not want to import ready-made large-scale toys at which we look with wonder and admiration like steel plants. The Finance Minister is one of the few Cabinet Ministers who knows the significance and implications of developing Indian engineering skill. He has been associated with the development of steel ever since the Rourkela plant was started. Sir, does not the Government feel very small in facing the Russian team? We should make it clear that while we take help, we are not beggars. We want assistance, but that should not reduce us to the position of beggars and as one eminent journal has pointed out, let us not approach the nations which give us aid with a spirit of inferiority complex. The Russians must be told, "We need your help, but we need equally to develop Indian Engineering skill". The continued association and participation in designing and engineering by Indian engineers is something on which the

[Shri Nath Pai]

Finance Minister should satisfy the House. I am saying this in connection with Bokaro.

There is one little point which, though generally covered, has not been specifically mentioned. I am referring to what the Prime Minister and the Government spokesmen have offered by way of comment on the development of atomic energy. Where as they are going to concentrate and make more funds available, about which there cannot be two opinions in the House or in the country that we continue our research in the atomic field, what the Prime Minister has, I am afraid, said has added to confusion rather than any kind of clarity on this issue. He made two statements.....

**Mr. Speaker:** Now he is going for away from the Bill.

**Shri Nath Pai:** Atomic energy is there.

**Mr. Speaker:** Atomic energy is there, but that has already been discussed and there is nothing new.

**Shri Nath Pai:** Sir, I will conclude by referring to the two statements made by the Prime Minister. The Prime Minister told the House that he agrees with Shri Masani. The Prime Minister does not want the bomb. That is not Shri Masani's position. Shri Masani does want a bomb, an American bomb; he does not want an Indian bomb. I would like the Government to analyse it, to study it carefully.....

**Shri Ranga:** Because Shri Masani's name has been mentioned, may I be permitted to say, Sir.....

**Mr. Speaker:** No, no.

**Shri Nath Pai:** May I point out to Professor Ranga who is a very senior

Member, the exact wording. He said: "Therefore, we should ask for the umbrella".

**Shri Ranga:** We do not want to waste our resources in the manufacture of the bomb; that is our stand.

**Mr. Speaker:** Order, order. The hon. Member should conclude now.

**Shri Nath Pai:** Sir, Shri Ranga's interruption should not lead you to cartail my time.

**Mr. Speaker:** He himself said that he was going to conclude.

**Shri Nath Pai:** I want the Government not to make ad hoc statements on this vital issue. Sometimes we speak from a sentimental approach rather than looking at it from the rational side. I will conclude. Mr. Speaker, by pointing out that the Prime Minister also said that atomic warheads are something which he would like to have. After having said that he does not want to have....

**Mr. Speaker:** This cannot be the occasion to comment on the speech made by the Prime Minister.

**Shri Nath Pai:** We are going to vote for atomic energy research.

**Mr. Speaker:** These demands have already been voted.

**Shri Nath Pai:** I do not think I need quote the rule for you. I am pointing out that these aspects of the Demands were not covered. I want to say that atomic warheads are the last stage of sophisticated development in atomic research. Let not Government accept suggestions which are a contradiction.....

**Shri Ranga:** Let not the hon. Member.....

**Shri Nath Pai:** I do not think I am infallible. I also make mistakes.

**Shri Ranga:** We can also talk.

**Shri Nath Pai:** Who denies you that right?

**Shri Ranga:** I am talking to the Speaker.

**Shri Nath Pai:** I am also talking to the Speaker. When they see the implications, Mr. Speaker . . . (*Interruptions*). Sir, I will not be interrupted like this.

**Mr. Speaker:** Those controversies are not to be taken up now.

**Shri Nath Pai:** If I am interrupted I will play the game.

**Mr. Speaker:** Game should not be played.

**Shri Nath Pai:** I am sorry, Sir. I did not interrupt him when he spoke. May I, therefore, conclude with this submission, Sir, that on the points that I have made the Finance Minister should try to shed some light and remove the confusion which speaks of more contradiction or lack of thinking on the part of Government rather than any co-ordinated collective thinking.

**Shri Narendra Singh Mahida (Anand):** Sir, I would like to correct Shri Nath Pai. Shri Masani never said that bomb should be taken from America. He mentioned "either Russia or America".

**Shri Nambiar (Tiruchirapalli):** What is the meaning of "umbrella".

**Shri Bade (Khargone):** He said that if Russia does not give us then we have to take it from America.

**Mr. Speaker:** Order, order. When America was mentioned one hon. Member stood up and when Russia was mentioned another hon. Member stood up.

**Shri T. T. Krishnamachari:** Sir, the point made by the leader of the Swatantra Party in regard to large sums of money voted is met like 1687(Ai)LSD—5.

this. I can mention to him that the sum voted under Demand No. 125 is in the nature of a revolving fund for the purchase of foodgrains and it will come back again. Therefore, the resources needed would be there. It is more or less self-financing. But the totality of the transaction has to be given and that is why we have given this amount which would cover the total transaction even if it is on the outside limit.

He raised the question of budgetary policy and asked whether we are collecting more taxes than what we need. I do not think within the next 25 years any Finance Minister would be there who would be collecting more taxes than we need. We are collecting taxes and we are also borrowing a large amount of money. Therefore, we are never likely to collect all the taxes we need which will cover also all our borrowings. If he wants to discuss this matter further as a question of budgetary policy, I would suggest to him that the month of March would be ideal for the purpose.

With regard to dearness allowance I had answered that question. So far as any claims that the government servants may make, those claims will be considered. But the point about it is that the Government have not made up their mind as to whether they should await the arbitrator's decision. Whether the arbitrator is somebody whom the hon. Member likes or not is a different matter. The Government have appointed an arbitrator and whether his decision should be awaited is under consideration.

**Shri S. M. Banerjee:** I never said that.

**Shri T. T. Krishnamachari:** I am sorry, Sir, I am not yielding. Whether the arbitrator's decision should be accepted or not is a matter for the Government to consider.

[Shri T. T. Krishnamachari]

So far as atomic energy is concerned, again the hon. Member has raised a question of policy. In fact, I do not want to get deeper into this matter. I think the Prime Minister's statement is extremely clear. One day he dealt with all aspects including, what we might call, our own philosophic approach to the problem. On the second day he was extremely clear, when he intervened in the debate on foreign policy, that the economics of the proposition should be considered. That practically rules out the question of our entering into this atom bomb race.

Sir, I have nothing further to add.

**Shri Nath Pai:** What about steel?

**Shri Hari Vishnu Kamath:** Sir, you have held on many an occasion that the Minister should answer the points raised.

**Mr. Speaker:** Because I had held that all these points should not have been raised here I did not stress that. I shall now put the motion to the House.

**Shri Hari Vishnu Kamath:** Sir, when a vote is taken there should be quorum in the House.

**Shri Nambiar:** Always.

**Shri Hari Vishnu Kamath:** I wonder whether there is one. When you are voting crores of rupees there should be at least quorum in the House.

**Shri Nambiar:** If the money is less quorum need not be there.

**Mr. Speaker:** The bell is being rung.

Now there is quorum and I shall put the motion to the vote of the House. 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 services of the financial year 1964-65 be taken into consideration".

*The motion was adopted.*

**Mr. 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 T. T. Krishnamachari:** Sir, I move:

"That the Bill be passed."

**Mr. Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

12.50 hrs.

RE: ESSENTIAL COMMODITIES  
(AMENDMENT) ORDINANCE

**Mr. Speaker:** Yesterday Shri Kamath had raised a point on which Shri Hathi wanted to say something.

**The Minister of State in the Ministry of Home Affairs (Shri Hathi):** Yesterday Shri Kamath had raised the point as to why the statement does not include the reasons for amending the Criminal Law Amendment Act in addition to the Essential Commodities Act. The statement contained the reasons for both. The only reason for his impression that it did not cover both was, whereas Item No. 10 said that "Shri C. Subramaniam to move for leave to introduce a Bill further to amend the Essential Commodities Act, 1955 and the Criminal Law Amendment Act, 1962", item No. 11 mentioned only the Essential Commodities (Amendment) Ordinance, 1964. Now, the short title of the Ordinance is, as is mentioned in that list, the Essential Commodities (Amend-

Ordinance, 1964 (No. 3 of 1964); the short title of the Bill is also the same. The long title for both are also the same. While introducing the Bill, the Minister in charge mentioned the long title. mentioned the short title. Otherwise, both the long title and the short title are identical and the reasons have been given.

**Shri Hari Vishnu Kamath** (Hoshangabad): By your leave, an important point arises out of the statement just now made, and that is this. As far as I am aware, the list of business or agenda is drafted, prepared and finalised in the Lok Sabha Secretariat and it bears the imprimatur of the Secretary. So, any error appearing in the agenda or the list of business will be laid at the door of the Secretary. It is not clear whether in this case it has been the responsibility of the Ministry or of this Secretariat. Where did the mistake creep in?

**Mr. Speaker:** He has stated that. So, he can only say that even if the mistake had been made in the Ministry, it ought to have been corrected by this Secretariat, our office.

**Shri Hari Vishnu Kamath:** Who made the mistake?

**Mr. Speaker:** The Ministry.

**Shri Hari Vishnu Kamath:** Let the Minister admit that. In one place the long title was quoted and in another place the short title.

**Shri Hathi:** I admit it I do not want to blame the Secretariat here.

**Shri H. V. Kamath:** Then it is alright.

12.52 hrs.

WEALTH-TAX (AMENDMENT)  
 BILL—contd.

**Mr. Speaker:** The House will now take up clause by clause consideration.

Out of 5 hours allotted, 3 hours and 40 minutes have been taken and 1 hour and 20 minutes now remain.

**Clause 2.—(Amendment of section 2).**

*Amendments made*

(i) Page 2,—

omit lines 7 and 8 (41).

(ii) Page 2, line 9,—

omit "(ii)". (42).

(*Shri B. R. Bhagat*)

**Shri Man Sinh P. Patel** (Mehsana): As my amendment No. 22 had been incorporated in the Government amendment, I am not moving it.

**Mr. Speaker:** The question is:

"That clause 2, as amended, stand part of the Bill"

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clause 3 was added to the Bill.*

**Clause 4.—(Amendment of section 4).**

**Shri N. Dandekar:** I beg to move:

Page 4,—

after line 11, insert—

'(aa) the following proviso shall be inserted at the end, namely:—

"Provided that the provisions of this section shall not apply to any transfer made before the 1st April, 1964." (23).

The object of this amendment, very briefly, is this. The present Act states that certain transfers of property by the husband to the wife, by the father to his children or by a male person in the long-term interests of his wife and children should be included in the wealth of the transferor. The new amendment applies this to an "individual" so that whether the transferor is a male or female, transfers by both are taken in. So far the principle is all right. Now I come to the amend-

[Shri N. Dandeker]

ment which I have proposed. At the time the Wealth-tax Act was passed, transfers made until the date on which that Act came into force were excluded. Correspondingly, the only object of the amendment that I have brought is to say that the provisions of this section, namely, transfer section whereby the transferred property would be included in the property of the transferor shall not apply to transfers made before the 1st April 1964. I hope Government will find it possible to accept it. It is exactly in accordance with the provisions of the Wealth-tax Act, at the time it was brought in, in relation to transfers which took place before the Wealth-tax Act came into force. My amendment aims at precisely the same thing.

**The Minister of Planning (Shri B. R. Bhagat):** We are not in a position to accept this amendment. The Wealth-tax Act has been in operation since 1957. In the other amendments that we have proposed we have already tried to give effect to some of the exemptions made applicable in the Gift Tax Act. This will be effective in respect of the transfers to which the increased rates of taxes introduced by the Finance Act, 1964 and the latter Act will be applicable. It will considerably mitigate the effect of section 4. Therefore, it is not possible to accept this amendment.

*Amendments made:*

(i) Page 3,

for lines 27 to 34, substitute,—

‘(a) in sub-section (1)—

(i) for the words “there shall be included, as belonging to him”, the words “there shall be included, as belonging to that individual” shall be substituted;

(ii) in clause (a)—

(A) for sub-clauses (i), (ii) and (iii), the following sub-

clauses shall be substituted, namely:— (1).

(ii) Page 4,—

after line 11, insert—

‘(B) the following proviso shall be inserted at the end, namely:—

“Provided that where the transfer of such assets or any part thereof is either chargeable to gift-tax under the Gift-tax Act, 1958 (18 of 1958) or is not chargeable under section 5 of that Act, for any assessment year commencing after the 31st day of March, 1964, the value of such assets or part thereof, as the case may be, shall not be included in computing the net wealth of the individual.”; (2)

(Shri B. R. Bhagat)

**Mr. Speaker:** I will now put amendment No. 23 of Shri Dandeker to the vote of the House.

*Amendment No. 23 was put and negatived.*

**Mr. Speaker:** The question is:

“That clause 4, as amended, stand part of the Bill”.

*The motion was adopted.*

*Clause 4, as amended, was added to the Bill.*

**Clause 5.—(Amendment of section 5).**

**Shri N. Dandeker:** I beg to move:

Page 5,—after line 6, insert—

‘(iii) the following further proviso shall be inserted at the end, namely:—

“Provided further that the value of shares of a newly established Company held by the assessee shall not be assessed for Wealth-

tax for a period of five years from the establishment of the Company in question."'. (24).

I would like to say just one word about this. The object of this amendment is the same as the one contained in the Principal Act, with purely a verbal change. When the Wealth-tax Act came in, investments in new industrial undertakings were excluded from the term "wealth". I am asking for a similar exclusion in this particular clause. The point I wish to make is this. I think there is every need to give encouragement for investment in new undertakings. I am sure the Government is aware that among the many reasons for the slackening of general industrial growth and for the extremely slack activity in the stock exchanges over the last year or two has been the fact that new investments are not coming in. Now, in the original Wealth-tax Act new investments in industrial undertakings were excluded precisely for the reason that investments in such undertakings should be encouraged. The amendment which I have moved is to the same effect. I have some knowledge of the effect which this sort of provision in the original Wealth-tax Act did have upon the extent to which private investors at all levels, whether assesses or not, were attracted to new industrial undertakings.

13 hrs.

I have also experience, particularly over the last two years, how company floatations have become increasingly difficult and how it is almost impossible to raise additional capital without going to institutional lenders. I do hope that Government will see the point that whatever may be the case for encouraging industrial development, an essential element in such industrial development is that investment for the first five years in it should be exempt from wealth-tax.

The reason for asking for that is not something theoretical but the practical

fact that almost every company of any consequence that has been floated in recent years does not pay any dividend during the first four or five years. There may be exceptions, but in most cases, particularly in heavy engineering and in industry where the period of gestation and the period of initial development is long, there are no dividends in the first three to five years. The original provisions in the Wealth-tax Act whereby investments in new undertakings were exempted was, I think, very sound and the amendment that I have suggested is to restore that by way of a simple proviso such as I have proposed.

**Shri B. R. Bhagat:** I am sorry, I am not able to accept this amendment because, as the hon. Member has said, it will restore the original position of the Act when it was passed in 1957. It is true that at that time the Wealth-tax Act contemplated exemption, but in 1961 when the Income-tax (Amendment) Act was passed, section 84 of the Income-tax Act provided sufficient exemptions to new companies. Therefore, taking the two together, at that time it was considered that it will be a better way of providing relief.

**Shri N. Dandekar:** I have not told him about the income-tax at all; I have told him about the wealth-tax.

**Shri B. R. Bhagat:** I am giving the reason, namely, that in 1961 when the Income-tax Act was amended, section 84 provided similar exemptions to new undertakings. Therefore at that time it was felt that both these concessions were not necessary and this exemption under the Wealth-tax Act is being taken away. There is no case, according to me, for its restoration.

**Mr. Speaker:** I will put the amendment of Shri Dandekar (No. 24) to the vote of the House.

**Amendment No. 24 was put and negatived.**



**Mr. Speaker:** The question is.

"That clause 5 stand part of the Bill".

*The motion was adopted.*

*Clause 5 was added to the Bill.*

**Mr. Speaker:** I shall now put clauses 6 to 17 to the vote of the House. There are no amendments to them.

**Shri N. Dandekar:** Sir, I want to oppose clause 7, the whole of it. Clause 7 is concerned with the amendment of section 7 of the principal Act in a most important way and I will ask the indulgence of the House to allow me to expound why I think it is altogether wrong.

Section 7 of the Wealth Tax Act, which is basic to the charging of wealth-tax, is concerned with the manner in which the value of an asset for the purposes of wealth-tax computation is to be determined. The section reads as follows—I am reading sub-section (1) of section 7 of the principal Act, that is, the Wealth-tax Act:—

"The value of any asset, other than cash, for the purposes of this Act, shall be estimated to be the price which is the opinion of the Wealth-tax Officer it would fetch if sold in the open market on the valuation date."

Clause 7, sub-clause (a) of the amending Bill seeks to insert the words—

"Subject to any rules made in this behalf".

as the opening words of sub-section (1) of section 7 of the Wealth-tax Act.

I submit that this would virtually destroy sub-section (1) of section 7 of the Act completely. I cannot understand how the price of an asset which in the opinion of the Wealth-tax Officer it would fetch if sold in the open

market on the valuation date can be the subject of rules to be framed by the Central Board of Direct Taxes. What the section requires is the price which in the opinion of the Wealth-tax Officer, not of the Central Board of Direct Taxes or anybody else, that assets would fetch if sold in the open market. If one has some regard to the meaning of those words which still remain the principal provision in section 7 as regards valuation, the insertion of the words "Subject to any rules made in this behalf" seems to me somewhat ridiculous. But I do not merely want to say that it is ridiculous; I think, it destroys the whole section, the entire basis and it renders it infructuous.

However, I imagine that the constitutionality of it has been examined. Whatever may be the *ultra vires* or *intra vires* nature of the proposed rules according to which somehow the value at which the asset can be sold in the open market will be determined in accordance with the rules, it seems an incredible proposition that somebody can propound rules as to the value at which an asset can be sold in the open market. I myself think such Rules would be *ultra vires*.

But I do not wish to leave it at that; I wish to say that it destroys the entire fundamental basis for the valuation of assets in reference to which an assessment has to be made. Either the Government must say that the value of an asset should what they think it is and leave it at that; or they must say that the valuation of the asset shall be in accordance with the principles laid down in section 7 of the principal Act itself.

As I said yesterday, I am aware that in regard to certain specific assets there could be practical difficulties of ascertaining their value in accordance with this particular provision, namely, what they would fetch, in accordance with the opinion of the Wealth-tax Officer, if sold in the open market. And I would fully understand it, if

the proposal was for the removal of doubts in regard to such peculiar type of assets. I may mention, for instance the valuation of interest in expectancy in a reversionary estate; there is also difficulty, for instance, about the valuation of pensionary benefits where it is a commutable pension. I could name two or three other types of assets where there could be great difficulty in opinion about what they would fetch if sold in the open market. But in order that, in those particular cases, guidelines may properly be laid down by way of rules for the purposes of their valuation; the proposition that the entire net or gross estate minus debts of a person should be valued in accordance with executive rules while, at the same time, piously chanting that such value would be the price which it would fetch, if sold in the open market, seems to me to render the whole thing utterly meaningless.

I do feel that it is a very serious proposition. It is no more and no less than the proposition that the valuation of the net estate of a person for the purposes of assessment to wealth-tax shall be what the Central Government decides by framing rules on the subject.

Turning now to sub-section (2) of the principal Act, which is sought to be amended by sub-clause (b) of the proposed clause 7, the present sub-section (2) of the principal Act reads thus:—

“Notwithstanding anything contained in sub-section (1)—

which I have just now dealt with—

“where the assessee is carrying on a business for which accounts are maintained by him regularly, the Wealth-tax Officer may, instead of determining separately the value of each asset held by the assessee in such business, determine the net value of the assets of the business as a whole

having regard to the balance-sheet of such business as on the valuation date and making such adjustments therein as the circumstances of the case may require;”.

I think, this is an admirable sub-section. It gives to the Wealth-tax Officer adequate latitude in terms of the circumstances of the particular case to make adjustments to the net assets as shown in a balance-sheet drawn up by an assessee who maintains accounts regularly. It is now sought to amend it thus. Instead of the words “the circumstances of the case may require”, they wish to put in the words “may be prescribed”, that is to say, prescribed by rules.

Here again, a perfectly good provision of law which may present some difficulties in practice,—I have no doubt that it does present difficulties and I should be very surprised if assessment of taxation, whether it is of income, wealth, expenditure, gift or estate duty, did not present difficulties—is sought to be amended in this absurd manner. To get over the difficulties by abandoning the principles, and by saying that the valuation in given circumstances shall not be dependent upon the circumstances of the case but shall be dependent upon some kind of rules that may prescribe the mode of valuation, it seems to me, is virtually throwing out of the whole thing completely and allowing the tail to wag the dog.

I strongly oppose this clause and I submit that the Minister should agree that it ought not to be there.

**Dr. M. S. Aney (Nagpur):** I entirely agree with what Mr. Dandekar has just placed before the House. By having this amendment, it comes to this. There is already a well-defined criterion in the old Act as to how the value of any asset can be determined and that practice is that it shall be in accordance with the estimate of the price which in the opinion of the Wealth-tax Officer would fetch if sold in the open market. The price prevailing in

[Dr. M. S. Aney]

the open market is there and the Wealth-Tax Officer is required to base the estimate taking into consideration the price in the open market. That is the criterion for assessing the value. Now, this amendment comes to this. It says, it will be subject to such rules that may be prescribed. I cannot imagine if they have got any other criterion in their mind. They should let us know that. What is going to be the criterion then? We are required to give assent to this Bill but we must know what is the other criterion. The assesses are ignorant of what is the criterion which the Government is going to adopt in regard to the valuation of the assets. I think this is an innocuous position, a very ambiguous position. The language which was quite unequivocal and well-defined in the original Act is, on account of the change which is being made, being made uncertain. I do not think it is an improvement on the position of the Law as it is.

Similarly, by taking away the words "the circumstances of the case may require", the Government is taking away the basis on which it is possible for the Wealth-Tax Officers to come to a conclusion as regards the matter covered by sub-section (2) of the Act. Taking away the words "the circumstances of the case may require", what is the basis on which he has to estimate? It is as may be prescribed by the rules. It is all left to be determined later on under the rules to be prescribed of which we have no knowledge. We are called upon to give a blank cheque so far as this matter is concerned. I think the better course for the hon. Minister would be to accept the amendment moved by my hon. friend. With these words, I oppose this clause.

**Shri Nambiar:** I am sorry I have to differ with what my hon. friend Mr.

Dandeker has said on this question. Section 7 says:

"The value of any asset, other than cash, for the purpose of this Act, shall be estimated to be the price which in the opinion of the Wealth-Tax Officer it would fetch if sold in the open market.....".

It is not that it will be whatever the price that will be obtained if sold in the open market. Here, it says, "... in the opinion of the Wealth-tax Officer...". His opinion is being considered as to what it would fetch if sold in the open market. Therefore, that Wealth-Tax Officer is given a discretion to decide as to whether this would fetch such and such an amount. Here, by the insertion of the new clause, that opinion of the Wealth-Tax Officer is circumscribed by the rules to be framed thereunder. Therefore, he cannot have his own opinion. If the words "it would fetch if sold in the open market..." alone were there, then this amendment would be bad. If these words namely "In the opinion of the Wealth-tax Officer" continue to be there, then there must be an authority to qualify his opinion. Therefore, this amendment which has been brought in is proper. Otherwise, I would think the Wealth-Tax Officer would do things against the interest of the exchequer. That danger is there because he may be influenced by the assessee. In order to make it a little more strict and stringent, this amendment has been brought in.

With these words, I support this clause.

**Shri B. R. Bhagat:** Mr. Speaker, Sir, yesterday on the first-reading stage, this matter was raised and the Finance Minister elaborately dealt with this and, therefore, although the hon. Members have raised those points again, I would not like to go into elaborate details just repeating the arguments. But briefly, I would say that the con-

cept of market value in certain cases is difficult to determine. There are well-defined shares but they are private companies which are not quoted on the market and it is difficult to determine their market value. Even the market value as such fluctuates every day, from day to day, and, therefore, what is sought to be achieved is that instead of leaving any estimation of this market value to the valuers or the Wealth-Tax Officers who are guided by not well-defined principles but just by *ad hoc* basis and this basis may change from individual to individual, or from valuer to valuer, we will have the prescribed rules. What is being substituted is that a set of rules will be provided and the Finance Minister has assured the House that the rules will be equitable and fair and more than that these rules will be placed before the House and the Members can judge, before they are adopted, whether the rules are fair and equitable or not. This is a better basis of valuation.

**Shri N. Dandekar:** Not a basis at all.

**Mr. Speaker:** The question is:

"That clause 6 stand part of the Bill".

*The motion was adopted.*

*Clause 6 was added to the Bill*

**Mr. Speaker:** The question is:

"That clauses 7 to 17 stand part of the Bill".

*The motion was adopted.*

*Clauses 7 to 17 were added to the Bill*

**Clause 18.—**(Substitution of new section for section 18)

**Mr. Speaker:** Are there any amendments to be moved?

**Shri V. B. Gandhi** (Bombay Central South): I beg to move:

(i) Page 11, line 20—

omit "Commissioner or Appellate Tribunal". (5).

(i) Page 12, lines 4 and 5,—

omit "Commissioner or the Appellate Tribunal". (10).

(iii) "Page 12, line 39,—

for "two years" substitute "one year". (11).

**Mr. Speaker:** Any other amendments to be moved?

**Shri N. Dandekar:** My amendments are No. 25, 26, 27 and 28.

**Mr. Speaker:** Amendment No. 28 is the same as No. 11 which Mr. Gandhi has moved.

**Shri N. Dandekar:** That is right.

**Mr. Speaker:** Then, he may move Amendment Nos. 25, 26 and 27.

**Shri N. Dandekar:** I beg to move:

(i) Page 12, lines 4 and 5,—

omit "which shall not be less than ten per cent. but" (25).

(ii) Page 12, lines 10 and 11,—

omit "which shall not be less than twenty per cent. but" (26).

(iii) Page 12—

omit "lines 15 to 23" (27)

**Shri V. B. Gandhi:** I would like my two amendments No. 5 and 10 to be considered together for they deal with the same question.

13.19 hrs.

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

The object of these two amendments is to vest the power to impose penalties only in the Wealth-Tax Officer and the Appellate Assistant Commissioner. In the existing Act, the authorities which are vested with this power are the Wealth-Tax Officers, the Appellate Assistant Commissioners and the Commissioner and also the Appellate Tribunal. So, in this Bill also the same list is continued. But actually it seems that there has been some rethinking on this subject, and we see that in the Income-tax Act of 1961 under section 271—this Act is the parallel legislation—the name of the

[Shri V. B. Gandhi]

Commissioner has been omitted. And also, later on the Law Commission recommended that the name of the Appellate Tribunal should also be omitted from the list of authorities vested with the powers to impose those penalties.

I am quite sure that the Government has considered this question, since they have disregarded this latter thinking on the subject and chosen to retain the original four names in the list. At least, if they have any good reasons, they have not been made known to us. I would urge upon the Minister to please inform this House exactly how and why Government decided to retain the four names—that is, the names of the Wealth-Tax Officer, the appellate assistant commissioner, the commissioner and the appellate tribunal.

Now, Sir, I would go on to my amendment No. 9. I do not propose to move this amendment for the reason that yesterday in the House the Finance Minister expressed the opinion that that amendment would have a nugatory effect, and I accept that opinion so far as this amendment goes.

Then I come to the last amendment, that is No. 11. This amendment has for its object the reduction of the period which should be taken for passing an order imposing a penalty. The facts in this case are that in the Bill they ask for a period of two years for passing an order imposing a penalty in proceedings that have already been completed. I do not know why exactly, when the proceedings have been completed, it should take such a long time to pass an order imposing penalty. Actually we find that the Direct Taxes Administration (Enquiry) Committee also had considered this aspect and had recommended that the period should be reduced to one year. I think one year is a reasonably long period, and I would urge that Government should reconsider this matter. At least let us try this

period of one year for some time. If later on we find that it leads to difficulties and that the wealth-tax officers are not able to carry on their duties, we might consider changing it.

**Shri N. Dandekar:** Sir, I would like to say first of all one word in support of the amendments which Mr. Gandhi has moved, namely amendments Nos. 5 and 10 which go together. I think there has got to be really a limit to the number of officers from whom one can be expecting penalties being imposed. The proposal here would be that even if the assessee furnishes a satisfactory explanation to the wealth-tax officer, he will be open to be assaulted by the appellate assistant commissioner. That is the present law. But now, even if he sometimes gets past him, there will be on the one hand the Commissioner and, on the other, the Appellate Tribunal to contend with. I think we are overdoing it.

The people who originally deal with assessment are the wealth-tax officers. Their work is guided and supervised by Inspecting Assistant Commissioners, and their work is further subject to appellate jurisdiction and scrutiny by the Appellate Assistant Commissioners. That should be enough, I therefore, agree entirely with Mr. Gandhi's amendments, Nos. 5 and 10, that in the particular places referred to the words "Commissioner" or "Appellate Tribunal" may be deleted.

Then I would take up three of my amendments together, that is Nos. 25, 26 and 27. Amendments Nos. 25 and 26 are simple enough. They are concerned with omitting, in the proposed new section 18, the minimum imposition of fines that have been prescribed at the particular places referred to, namely, at page 12, lines 4 and 5 where it is said minimum penalty "shall not be less than ten per cent", and at lines 10 and 12 where it is said minimum penalty "shall not be less than twenty per cent".

Everybody knows that in practice the Department, quite rightly, has a yard-stick of measurement in regard to imposition of penalties in different types of cases. Everybody knows too, and quite properly again, that in the executive instructions to their officers they have laid down explicitly and executively that, in proper cases a minimum penalty of this size should be imposed. It is not therefore as if they have neither got departmental instructions, nor that they have no power to impose the level of penalties which they think to be proper.

What they are seeking to do by this amendment, which I have challenged, is to fetter the discretion of the appellate authorities. I think this is bad,—this type of legislation, as I was saying yesterday, and I have spoken of on other occasions,—the fettering of the discretion of the appellate authorities is most improper. You might as well say, if there is a penalty of so much, there shall be no appeal. It really comes to that.

Circumstances of particular cases vary over a very wide range. And, therefore, I do submit that these minimum penalties ought to be excluded, so that while the Department on its own has a minimum scale of penalties which will be imposed, of course the assessee would have the right to ventilate the matter if he thinks the penalty is excessive, by appeal to the appellate authorities. I therefore press these amendments.

Then Sir, my amendment No. 27 is concerned with deleting the whole of the "Explanation" that appears in the middle of page 12. It is, as I said yesterday and I must repeat, an extraordinary provision imposing penalties "unless an assessee proves that the failure to return the correct wealth did not arise from any fraud etc." How is an assessee to prove the negative, that it did not arise from any fraud? I have been thinking over this since yesterday, thinking over the answers given by the Finance Minister, and over various

permutations and combinations of the situation where a man may be suspected. It may be his valuation is wrong. But how is he to prove that this incorrect valuation did not arise from any fraud or any gross or wilful neglect on his part? But unless he does precisely that, he "shall be deemed" to have concealed the particulars of assets or furnished inaccurate particulars of assets or debts for the purpose of clause (c). But for the purpose of clause (c), what is really involved is that he "has concealed the particulars of any assets"—not value—"has concealed the particulars of any assets or furnished inaccurate particulars of any assets or debts".

I am entirely with the Government in their desire to slap down any attempt at concealing any assets or furnishing inaccurate particulars of assets. But when it is a question of valuation, I was told by the Finance Minister yesterday as well as today that the rules proposed under section 7 would not be rigid and are not virtually going to work out the valuation, but that they would merely provide guide-lines. There could, therefore, even when there are rules as to the mode of valuation, be differences of opinion as to the valuation, under particular rules, in relation to the facts of the case. It is obvious that an assessee, in the application of those rules, is going to take one view; and the Department, in application of those same rules, is going to take another view. This follows the natural course of events. But if the difference between the returned value,—I repeat, not the returned particulars of assets, not the returned quantum or number of assets or whatever it may be, but the value returned for disclosed assets,—happens to be less than the assessed value of the net wealth by more than 20 per cent, then this gentleman will have to prove, in order to get away the mischief of sub-section (3), such difference did not arise from any fraud and it did not arise from any gross or wilful neglect. I really do

[Shri N. Dandekar.]

not know how on earth anybody can proceed about establishing this sort of negative intention.

The second point that I would like to make is this. Repeatedly, yesterday it was pointed out or sought to excuse this "Explanation" by saying that this was on all fours with the provisions in the Income-tax Act. The Income-tax Act is concerned with ascertainment and assessment of income. But this Wealth Tax Act is concerned with two different things; one is the ascertainment of assets and particulars of assets, and the second is the valuation of those assets. In the Income-tax Act, where one is concerned with ascertaining the quantum income and nothing else, if it is stated that if one under-states his income by more than 20 per cent, one shall be deemed to have concealed his income, there is something to be said for it. I think that that is also going a little too far, but I am prepared to accede to the suggestion that there is something to be said for that. But in the Wealth-tax Act, when the assessee's return discloses the totality of his assets and the totality of his liabilities, and the man makes the best attempt in terms of stating their market value, when he makes the best attempt to ascertain what might conceivably be the opinion of the wealth-tax officer as to the market value, and hereafter when the Rules come in he also makes his best attempt, erring on his own side.—(I would admit that), to value the assets in accordance with the rules that might be framed hereafter, if there turns out to be a difference of more than 20 per cent,—this could happen in regard to one building alone in a place like Bombay, the difference in valuation can easily result in 20 per cent difference between the valuation that which the wealth-tax officer (erring on the side of revenue) may be disposed to place upon it and which the assessee may be disposed to place upon it—then the man is to

be deemed to have committed the grave offence of concealment of particulars of his assets or concealment of the asset itself; if he is unable to prove that this difference in valuation was not due to fraud or gross or wilful neglect. The analogy between the income-tax provision in that respect and this particular provision is totally devoid of any foundation. Therefore, I strongly urge this particular amendment for the deletion of the whole of this explanation at lines 15 to 23 at page 12.

Finally there is only one other matter dealing with clause 18 to which I must refer, and that is in regard to the amendment moved by Shri V. B. Gandhi, which reads thus:

Page 12, line 39, for 'two years' substitute 'one year'.

Just as I said earlier in connection with another amendment, that there has got to be a limited number of officers who can impose penalties on the assessee, similarly, there has got to be a limited period within which you can be exposed to penalties. You just cannot go on for two years. It is an intolerable position, with a longer period, on the one hand, and with whole lot of authorities reviewing this business over and over again, on the other and the assessee not being clear until all of them have had a go at it over a period of two years. As Shri V. B. Gandhi has explained, the Direct Taxes Administration Enquiry Committee, which particularly dealt with the administrative angle of this matter, and which is the angle now being pressed for asking for two years instead of one, clearly came to the conclusion that the period ought to be only one year. I, therefore, support the amendment which has been brought forward by Shri V. B. Gandhi.

Shri D. C. Sharma (Gurdaspur): I have listened to the speeches of the hon. Members, and after having

listened to them carefully I have come to the conclusion that they have some hypothetical cases in view while discussing these clauses.

**Shri N. Dandekar:** No, I have no case in view.

**Shri D. C. Sharma:** Or they have some cases in view which might arise in course of time to come. I feel that if the clauses are read as they are and if the words are construed as they are meant to be construed and if the intentions are understood as they are meant to be understood, there should be no difficulty in passing clause 18 as it stands. I feel that one of the fundamental principles in any taxation law everywhere is that penalty should be imposed for not giving returns in due time. I do not think that this amending Bill does anything unusual or preposterous in imposing a penalty like that. I feel also that in every Income-tax Act in every part of the world, penalty is imposed on those persons who do not reply to the notices in due time. That is what is being done here also. I do not think that any departure has been made in this clause 18 from the normal practices that pertain to incomes and assets in any part of the world. Therefore, I think that there should be no plea made in the interests of those who might be involved in this or who might not be involved in this.

Now, I come to the clause relating to penalty. The term 'penalty' is a very obnoxious one, and I agree with my hon. friend that the word 'penalty' should not be there. But can we think of any legislation which does not impose any penalty? I think that the Income-tax Act and all these Acts relating to taxation are slightly punitive in nature, if they are not mainly punitive, and I believe that if the penalties have been graduated, they have been

graduated in the interests of the assessee. I am very glad that Government have not imposed any blanket penalties on all those persons, but they have tried to adjust it to the circumstances of the case. I think that it is in the fitness of things that an adjustment has been made even in those cases where penalties are to be imposed. I feel that this has been done in the interests of the assessee. I feel that this clause is much more in the interests of the assessee than in the interests of Government. By looking at it from an impartial point of view, I can say that Government will suffer so far as revenue is concerned, but the assessee can have absolutely no fears on this score.

It has been said that so many authorities have been brought in. I myself do not like that so many officers should be brought in. But when I look at this clause, and I read it very carefully, I have to come to the conclusion that some of these officers are going to exercise what may be called appellate authority. Therefore, a wrong done by one authority can be undone by another authority. Though I do not like that their should be a multiplication of bureaucracy, and I do not like that there should be an addition to the force of Government servants in such numbers under every Bill, I think that this has been done here so that the assessee can seek justice from another person if he has suffered at the hands of one person.

Now, I come to the question of the period. It is said that two years have been given. After all, what are those two years? Assets are the result of accumulations of capital through long periods of time, and the longer the time it has taken for anybody to accumulate the assets, the easier it becomes for him to conceal those assets also, because all the assets are not like this gold which can be seen and which can be visualised. All the as-



[Shri D. C. Sharma]

sets are not to be found in account books, not in the bank books nor in the lockers nor in the Godrej safes which some of these persons keep. Sometimes these assets become subterranean; the assets have a knack of going underground; they become like a nuclear submarine which disappears under the water.

I respectfully submit that the two years' time is equitable and fair. If it had been three or four years there would have been much trouble; but I think the Government has been very equitable in placing the limit of two years. Therefore, I support the clause as it stands wholeheartedly.

**Dr. M. S. Aney:** I fully understand the propriety of cl. 18 and the various penalties prescribed therein. But in the course of my speech yesterday during the consideration stage, I took exception to the explanation. My main ground of opposition was that in prescribing this particular explanation, a fundamental principle of jurisprudence was ignored, namely, that the accused who comes even before a court is presumed innocent until the contrary is proved. But here in this explanation, if the valuation of the assets as computed by the assessee is different from the valuation fixed by the officer to the extent of more than 20 per cent, the assessee is presumed to be guilty of having concealed his income, and then punishments are prescribed. My point is that in the absence of a clear test or criterion for the fixation of the value of assets, there is an element of discretion involved on the part of the assessee as well as the assessing officer. These two men can have their own discretion. It may be that the standards by which the assessee judges what may be the value of his property will be different from the standard employed by the officer in the same case. Take, for example,

a house in a village. The owner thinks that its value is not much and it does not fetch much rent. In view of that, he has his own method of assessing its value. Whereas the other man may think that the house has a much bigger value and he applies his own artificial criteria and fixes the value accordingly. Therefore, it is possible that the two valuations may be different even to the extent of more than 20 per cent. But under this explanation, if the difference in valuation exceeds 20 per cent, the assessee is presumed guilty of having concealed his income. This, in my opinion, is a wrong presumption. Such an explanation which contains a wrong presumption which goes against the cardinal principles of jurisprudence should, I think, not find a place in the Bill. Subject to this, I am supporting the clause as it is which is based on normal practices in these matters.

**Shri Gauri Shankar Kakkar (Fatehpur):** I support the amendments moved by Shri Dandekar. Lately we have been noticing one trend, that our Government is drifting from established cardinal principles of jurisprudence. One of these principles is that unless a person is proved to be guilty, there should be no presumption of guilty. This clause is a departure from that principle. I fail to understand how the analogy of the Income Tax Act can apply. Here it is a case of valuation of property; the valuation differs from one property to another. It is unlike that of income where the valuation is based on a constant factor.

I would have welcomed a provision which would say that if there is a concealment of actual assets by the assessee, the property would be confiscated. But here is a case of a *bona fide*, innocent mistake. In calculating the value of assets, you sometimes include the buildings, other

immovable property and ornaments. The rules can never be specifically defined to cover all cases. Therefore, the valuation of these properties can be more or less than a certain amount which is arrived at by the assessing officer. That being so, it would be a very severe hardship if the explanation is allowed to remain in the statute book.

**Mr. Deputy-Speaker:** Shri Bhagat.

**Shri Nambiar:** I thought I would help the Minister in opposing the amendments.

**Mr. Deputy-Speaker:** He will reply.

**Shri B. R. Bhagat:** I am unable to accept the amendments for the simple reason that they will nullify the main effect of this Bill.

Apart from the merits, one of the reasons why some of these provisions have been put together is that there are similar provisions in the Gift Tax Act, and the Income-Tax Act. Correspondingly, it will serve two purposes. Administratively, it will be easier. Secondly, it will make more difficult fraudulent activities by assessees who want to play ducks and drakes with the law.

Coming to the amendments—the amendments of both the Members are similar—I will group them in two or three categories. The first one is powers to levy penalty. It has been said that it should not be given to more than one person, that a number of people should not be given the powers. Here exemptions can be given or penalties can be reduced. So, there is nothing wrong in giving them more powers. In this case, it is necessary that the Commissioners as well as the tribunal should have the power to impose penalties in case of concealment if it is found at their level. The powers of enhancement of assessment will not be sufficiently effective if these authorities are not vested with these powers of levying

penalties also. Therefore, I oppose the amendments in this respect.

Then, another category relates to the minimum penalty. For cases of failure to furnish the return or to furnish the required particulars, the minimum penalty is ten per cent which is the same as in the Income-tax Act. In the other case, it is 20 per cent for concealment of particulars of net wealth. This is the same as section 271 of the Income-tax Act. These minimum penalties are considered absolutely necessary because the penalties are reduced to such low figures by the appellate authorities that they become almost ridiculous or ineffective. Therefore, such minimum penalty is necessary.

Then I come to this question of the Explanation which was dealt with by a number of hon. Members. I must say to begin with that this Explanation merely draws a presumption in such cases. It is open to the assessee to rebut the presumption.

**Shri S. N. Dandekar:** That is precisely the point.

**Shri B. R. Bhagat:** That is why I say it cuts both ways, both in the hon. Member's favour as well as in mine. So, it is only a presumption, and it can always be rebutted by the assessee if the mistake is either innocent or *bona fide*.

**Dr. M. S. Aney:** You put the onus on the wrong side.

**Shri B. R. Bhagat:** As the hon. Member said, there can be a difference in the market value or the valuation of properties, a genuine difference of more than 20 per cent. In such cases, he says to have such a provision like that will be very hard. The effort in this scheme is that the valuation in such cases will be sought to be made more precise, and will not be dependent upon the circumstances, or by the *ad hoc* principles adopted by varying valuers or other Wealth Tax officers, but will be guided by certain principles adopted by the House. In such circumstances,

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from our practical experience, a variation of more than 20 per cent will not be *bona fide*. That is the rationale of keeping this 80 per cent. These sections are very substantial ones, and to reduce them would be defeating the purpose.

The last question is about the period. I agree with the hon. Member that in some cases the period of one year may not be absolutely adequate. So, 'two years' has been put in as a compromise, and it should be accepted.

**Mr. Deputy-Speaker:** I put amendments Nos. 5, 25, 26 and 27 to the House.

*The amendments Nos. 5, 25, 26 and 27 were put and negatived.*

**Mr. Deputy-Speaker:** I put amendments Nos. 10 and 11 to the House.

*Amendments Nos. 10 and 11 were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That Clause 18 stand part of the Bill."

*The motion was adopted.*

*Clause 18 was added to the Bill.*

**Mr. Deputy-Speaker:** The question is:

"That Clauses 19 to 25 stand part of the Bill."

*The motion was adopted.*

*Clauses 19 to 25 were added to the Bill.*

**Clause 26—** (Amendment of section 27).

**Shri N. Dandekar:** I beg to move:

Page 19, line 27,—

for "sixty days" substitute "ninety days". (29)

The only reason for moving this amendment is that when matters

have gone in appeal to the Appellate Tribunal, and from there one has to consider whether the matter should be taken to the High Court, there is a good deal of careful consideration required. One does not lightly jump into this kind of thing, and consequently, the amendment which I have proposed will give a period of 90 days, both to the department and to the assessee to consider whether they will require the appellate tribunal to refer a particular case to the High Court. In other words, I think 60 days is cutting it rather fine, and I think 90 days are necessary.

**Shri B. R. Bhagat:** This period of 60 days has been put in the Gift Tax Act, and the Income-tax Act, and therefore, for the sake of uniformity it is necessary that it should be 60 days.

**Shri Hari Vishnu Kamath:** Is it sacrosanct?

**Shri B. G. Bhagat:** Not sacrosanct.

**Mr. Deputy-Speaker:** I put amendment No. 29 to the House.

*Amendment No. 29 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That Clause 26 stand part of the Bill."

*The motion was adopted.*

*Clause 26 was added to the Bill.*

**Clause 27—** (Insertion of new Sections 29A and 29B).

**Shri N. Dandekar:** I beg to move: Page 20,—

omit lines 22 to 25. (30)

The new clause 29A, sought to be omitted by this amendment, reads:

"Notwithstanding that a reference has been made to the High Court or the Supreme Court, or

an appeal has been preferred to the Supreme Court, wealth-tax shall be payable in accordance with the assessment made in the case."

I am sorry I have only one word to describe this. I think this is monstrous. The case is so serious that the appellate tribunal, after having decided the case itself in appeal, considers it a fit case, either on a motion by the Commissioner or on a motion by the assessee, for reference to the High Court or the Supreme Court, or an appeal has been preferred to the Supreme Court. Nevertheless, it is suggested that the wealth tax shall be payable in accordance with the assessment made in the case. It seems utterly monstrous, and I hope that the House will approve of this amendment to delete this new clause.

**Shri N. C. Chatterjee** (Burdwan): I think there is good deal of force in the contention of my hon. friend who has just now spoken.

You cannot go to the High Court unless the tribunal has applied its mind to the propositions, and you cannot generally have a reference unless there are serious questions of law involved. Also, you cannot go to the Supreme Court unless the High Court certifies that the case is such that there are important points which require consideration and adjudication by the highest court in India. In such a case, I do not think it will be proper—I would ask the Minister to reconsider it—to levy a compulsory exaction of the wealth tax which has been assessed by the lower tribunal.

The new clause 29A says:

"Notwithstanding that a reference has been made to the High Court...."

That is, notwithstanding the certificate granted by the appellate tribunal that this is a matter which requires consideration of the highest court in the State or of the Supreme Court, when the High Court has lift-

ed the ban or the Supreme Court has granted special leave under article 136 because there are very important questions which require adjudication and final decision by the highest tribunal in India, or an appeal has been preferred to the Supreme Court, notwithstanding all this, the wealth tax will be payable in accordance with the assessment made in that case.

I submit that that should be left to the High Court or the Supreme Court. Trust the High Court, the highest tribunal in the State, or the Supreme Court, which has got seized of the matter.

Generally, there is a stay application made, but an appeal does not mean an automatic stay, and it only means that the assessee has to point out to the courts that there are sufficient and cogent grounds for granting a stay, pending the final decision of the court. That is the normal law even in income-tax and other cases. Why should there be a deviation in the case of wealth-tax? Let us leave it to the judgment of the High Court and Supreme Court. Usually it is very difficult to get a stay unless you furnish the security. To make it compulsory, to take away the jurisdiction of the High Court and the Supreme Court. I submit, is not correct. Not showing due deference to the highest courts in this country and having a provision not in consonance with the provisions we have adopted in other cases is not correct. There is too much of slavish imitation of the Income-tax Act. It should not be held to be *pari materia*. I support the amendment moved by the last speaker.

14 hrs.

**Shri B. R. Bhagat:** With due deference to the opinions expressed by the hon. Member who is an eminent lawyer himself, may I say there is no question of showing any lack of deference to the High Court and Supreme Court. The point is, in any case, we have accepted this principle that if a tax is due, an appeal

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is made and an order is passed, it has to be paid. It is for this reason that we have provided in the wealth-tax a relief that when the High Court orders the refund after due consideration, the refund will be paid immediately and if it is not paid within a period, Government will pay interest on it. When that concession has been given, if we provide that in such cases they may not pay the tax, it will make collection of taxes very difficult.

I shall assure the hon. Member that there is no lack of deference shown to the High Court. For the reasons I have explained, I am sorry I cannot accept the amendment.

**Mr. Deputy-Speaker:** I shall now put amendment No. 30 to the House.

*Amendment No. 30 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 27 stand part of the Bill."

*The motion was adopted.*

*Clause 27 was added to the Bill.*

**Clause 28—** (Substitution of new sections for sections 30, 31 and 32).

**Shri Narain Dandekar:** I have two amendments Nos. 33 and 34.

I beg to move:

(i) Page 21, omit lines 16 to 23. (33). -

(ii) Page 22, line 16, for "may, in his discretion, and" substitute "shall". 34).

My first amendment is that lines 16 to 23 should be omitted. This is in line with my earlier amendment.

The proviso which I seek to amend reads:—

"Provided that, where the Wealth-tax Officer has any reason

to believe that it will be detrimental to revenue if the full period of thirty-five days aforesaid is allowed, he may with the previous approval of the Inspecting Assistant Commissioner, direct that the sum specified in the notice of demand shall be paid within such period being a period less than the period of thirty-five days aforesaid, as may be specified by him in the notice of demand."

The short point is this. An assessment is made. The ordinary rule is that one gets 35 days within which to pay the tax. In the month of March, all the officers are naturally anxious that the money should come in before the 31st March. Not merely the assessing officer, but the Inspecting Assistant Commissioner and the Commissioner are all naturally anxious,—and I fully share their anxiety and desire—that if possible, with the co-operation of the assessee, the money should come in well before 35 days. But the provision here is "If the wealth-tax officer has any reason to believe that it would be detrimental to revenue". He says to himself, "if I do not get this money before 31st March, the whole Government of India's budget is going to be affected." And hence he will require the assessee to pay the assessed tax forthwith. He can make an assessment in the last week of March and ask the assessee to pay the money by 31st March. It is a most incredible provision that while the statute normally allows 35 days, because the wealth-tax office thinks this period is going to be detrimental to the revenues of the Government of India, he wants this money to be paid in less than a period of 35 days. I think there must be some consideration shown to the assessee, because these days you have to produce money for all kinds of tax demands—self-assessment, provisional assessment, regular assessment, advance payment

of tax, etc. and revision of all these every time a later pending assessment is made. Then on the top of all these, the Government now say that if the wealth-tax officer or income-tax officer thinks that it would be detrimental to the revenue, that is to say, that the Government of India's budget calculations would be upset, the officer can say, "pay up within 24 hours." The provision says "being a period less than 35 days". I do not think this kind of provision ought to be supported. Therefore, I have moved for the deletion of lines 16 to 23 of this clause.

So far as amendment No. 34 is concerned, it has been misprinted in the list of amendments. They have repeated the whole of the amendment of Mr. Masani. The amendment I handed over was merely for the deletion of the words "may, in his discretion, and". I have confirmed this with the office and they have agreed. If my amendment is accepted, this particular clause would read as follows:

"Where an assessee has presented an appeal under section 23, the Wealth-tax Officer shall, subject to such conditions as he may think fit to impose in the circumstances of the case, treat the assessee as not being in default in respect of the amount in dispute in the appeal, even though the time for payment has expired, as long as such appeal remains undisposed of."

There are two points. One is that it is only the amount in dispute in appeal. Unless, therefore, the entire assessment is in dispute in appeal, it is not the case that the assessee will be in default "in regard to the whole of it;" he is "in default" only in regard to the amount that is in appeal. Whereas the section, as it is, gives to the wealth-tax officer a discretion—the words are "may, in his discretion and subject to such conditions"—I am suggesting, instead of "may", in

his discretion, and" it should be "shall, followed by subject to such conditions he may think fit to impose". I agree he ought to have a right to impose appropriate conditions, according to the circumstances of the case so as to treat an assessee as not being in default in respect of the amount in dispute in appeal, even though the time for appeal has expired.

**Shri B. R. Bhagat:** Sir, I think the first amendment is entirely misconceived. It is not contemplated that in order to get the money before the 31st March, the wealth-tax officer will reduce the period of 35 days. It is meant for this case in which the wealth-tax officer has a *bona-fide* fear that the assessee will alienate the assets. Even in that case, he has to take the orders of his superior officer—the Inspecting Assistant Commissioner—and he cannot do it on his own. It is only to safeguard against alienation of assets by the assessee that this provision is meant.

**Shri Narain Dandekar:** I am happy to hear that.

**Shri B. R. Bhagat:** Regarding the other amendment, I cannot accept it, because he wants to take away the discretion of the Wealth-tax Officer. The effect of it will be that it will make it obligatory on the officer to treat the assessee as not in default in all cases in respect of the amount disputed in appeal. The amendment will enable assessee to delay payment of taxes by going on appeal on frivolous grounds. I am sorry I cannot accept it.

**Mr. Deputy-Speaker:** Shall I put the amendments to the vote of the House?

**Shri Narain Dandekar:** In view of the assurance given by the hon. Minister, I withdraw my amendment No. 34.

**Mr. Deputy-Speaker:** Has he the leave of the House to withdraw it?

**Some hon. Members:** Yes.

*Amendment No. 34 was, by leave, withdrawn.*

**Mr. Deputy-Speaker:** I will put amendment No. 33 to the House.

*Amendment No. 33 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 28 stand part of the Bill."

*The motion was adopted.*

*Clause 28 was added to the Bill.*

*Clause 29 was added to the Bill.*

**Clause 30—** (*Insertion of new Chapter VIIA*)

**Shri Narain Dandekar:** I have two amendments Nos. 35 and 36.

I beg to move:

- (i) Page 23, omit lines 20 to 26. (35).
- (ii) Page 24, omit lines 3 to 10. (36).

My first amendment seeks to omit lines 20 to 26. It is a curious provision that is now proposed in the new section 34(2). It says:

"Where an order giving rise to a refund is the subject matter of an appeal or further proceeding or where any other proceeding under this Act is pending and the Wealth-tax Officer is of the opinion that the grant of the refund is likely to adversely affect the revenue, the Wealth-tax Officer may, with the previous approval of the Commissioner, withhold the refund....".

In other words, it amounts to saying: to assessee "whether it is head or tail you lose". The earlier proposition was that an assessee should be required to pay the tax assessed, even

when the matter is in appeal. Here it is the reverse. Where the assessee is due a refund but there are appeals, presumably by the department, or further proceeding or any other proceedings are pending under this Act and the Wealth-tax Officer is of the opinion that the grant of the refund is likely to adversely affect the revenue he may withhold the refund. I suggest this is really carrying this thing to a ridiculously savage level. I was regarded as one of the most tough Income-tax Commissioners; even so. If my officers had come with a proposal of this kind I would have said that it was a monstrous proposal. The man has got to lose his refund. He is entitled to the refund. The department may not agree with it, the department may have gone in appeal to the Appellate Commissioner, to the Tribunal, to the High Court or to the Supreme Court. But a refund due is a refund due, and it should be paid. That used to be my attitude. I see no reason why when a refund is actually due to an assessee, just because the department does not concede a particular point of law or a point of view on facts and the department is anxious to take the matter right up to the Supreme Court, the refund should be withheld. I put it to the Minister in the same way as he put it to me a little earlier when I withdrew one of my amendments to the earlier clause. Will not the Ministry or the department keep back the money belonging to the assessee by deliberately going up in appeal after appeal? I withdrew my earlier amendment when the Minister quite rightly pointed out that this is one way by which an assessee can abstain for a considerable period of time from payment of tax, by the simple device that he can go in appeal after appeal and postpone the payment of tax. I agree that that was a legitimate reason for that particular provision to be there in the earlier clause. Therefore, I withdrew my amendment. Here, I submit, this is an open invitation to the Wealth-tax Officers and Inspecting Assistant Commissioners,—one

knows that these days the Wealth-tax Officers hardly function or they function like puppets with the Inspecting Assistant Commissioners sitting at the back and pulling strings—to go in appeal and delay matters. If there is a big case of refund and the department feels that the amount is not to be repaid for as long as possible they can go on in appeal after appeal and stop the refund. I think this is a ridiculous if not an unjust clause and I do not think there can be any reasonable justification for a thing of this kind.

My other amendment, amendment No. 36, refers to page 24 and I am asking for the deletion of lines 3 to 10. It is concerned with sub-section (5) of the proposed new section. It says:

“Where under any of the provisions of this Act, a refund is found to be due to any person, the Wealth-tax Officer, Appellate Assistant Commissioner or Commissioner, as the case may be, may, in lieu of payment of the refund....”

This is another old gag that goes on.

“... in lieu of payment of the refund, set off the amount to be refunded or any part of that amount, against the sum, if any, remaining payable, under this Act by the person to whom the refund is due, after giving an intimation in writing to such person....”

There may be an item of tax outstanding—I am talking from personal experience—from an assessee to whom a refund is due. He may have gone in appeal on some ground or the other. This wretched man is going to have his refund struck off against the supposed amount due from him. Is it to be set off, say, against the first assessment stage or right upto the last stage, so that it would be adjusted against whatever is the ulti-

mate net amount estimated due from him? If the latter, it is obviously a reasonable thing to do. But what it says is:

“... set off the amount to be refunded or any part of that amount, against the sum, if any, remaining payable under this Act by the person to whom refund is due, after giving an intimation..”

Why issue a notice about it at all? The wretched man cannot do anything about it. Therefore, Sir, I suggest that these lines also should be deleted.

Shri N. C. Chatterjee: Sir, the first amendment suggested by my hon. friend is, I think, fair and I will request the hon. Minister to consider it. There should be no discrimination between the State and the citizen.

The revenue authorities are taking the power that even if there is an appeal pending or anything going on in the High Court or in the Supreme Court there shall be no stay, no question of any hiatus and no relief given pending that. But why should there be an invidious distinction made in favour of the revenue authorities? Here it says:

“Where an order giving rise to a refund is the subject matter of an appeal or further proceeding or where any other proceeding under this Act is pending and the Wealth-tax Officer is of the opinion that the grant of the refund is likely to adversely affect the revenue, the Wealth-tax Officer may, with the previous approval of the Commissioner....”

I think it will not be proper. It will be really something like expropriation, at least temporary. You have no business to retain the amount when the judicial authorities or quasi-judicial tribunal have held that the money should be paid to the citizen. It will not be fair to withhold it. You should not claim that power and make a discrimination of



[Shri N. C. Chatterjee]

this kind against a citizen who has got an order in his favour under appropriate law. That will be treating the order with scant courtesy. That should not be done. I would request the hon. Minister to consider this amendment favourably.

**Shri B. R. Bhagat:** With regard to the first amendment of the hon. Member, the principle of it has already been accepted by the House earlier when it passed the Income-tax Act in 1961 where a similar power is given. The rationale behind it is this. It does not give any absolute power to the officer. It is only an enabling provision. It gives him the discretion that in case he is satisfied, as is clearly stated, that the interest of revenue is likely to be prejudicially affected seriously he can act. It will be done only under exceptional circumstances. He cannot act indiscriminately, because he has to say that, say, in a particular case the refund will be withheld because later on there is no way of recovering it when he gets the order of the Commissioner. Therefore, it is only an enabling provision and not a substantive provision, and it will be used only in exceptional circumstances.

This second amendment seeks to remove a section which enables the Wealth-tax Officer to adjust the refund due against any other sum payable under the Act by the assessee. I think there cannot be any valid objection to adjust the refunds due against demands that become payable later on.

**Mr. Deputy-Speaker:** I shall put amendments Nos. 35 and 36 to the vote of the House.

*Amendments Nos. 35 and 36 were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 30 stand part of the Bill."

*The motion was adopted.*

*Clause 30 was added to the Bill.*

**Clause 31—**(Insertion of new section 34B).

**Shri Narain Dandekar:** Sir, I beg to move:

Page 24, lines 22 and 23—

omit "and without notice of the pendency of the proceeding under this Act". (37).

Sir, I am getting a little weary. In suggesting all these amendments, as I said yesterday, I expected it was going to be like hitting one's head against a brick wall. But I see now it is a stone wall. However, one has to do one's duty even if the Government would not accept it. I am proposing by way of an amendment to clause 31, to the new Section 34B, in the proviso, the deletion of the words:

"and without notice of the pendency of the proceeding under this Act."

Had it referred to immovable assets, I could have understood; because there is a necessity, in the first place compulsorily to have the stamped documents concerning them; and secondly in those documents the title of the conveyer has to be cited and he has to make solemn statements that there are no complications and things of an adverse kind pending against him and so on. But this proposed section talks of transfer of any of his assets of the assessee. Now, when one buys shares in the stock exchange, one just places an order with the broker. Now as most of the wealth-tax assessments are pending for three or four years, almost every seller of shares would be coming under that category. But if you purchase shares through a broker from such a wealth-tax assessee, that tran-

saction may be void, for the proviso says:

"Provided that such charge or transfer shall not be void if made for valuable consideration and without notice of the pendency of the proceeding under this Act."

I do not understand on whom is the obligation. Are you going to put an obligation on buyers of all sorts of assets and properties? The purchase of the property can be challenged as void by the tax authorities on the ground that wealth-tax assessment proceedings are pending against the seller. The principle about purchase in the open market is *caveat emptor*. The buyer beware. So, the buyer must look around and see whether there are any obligations or charges against that property. If you now say that the buyer has also to see whether any wealth-tax proceedings are pending against the seller, I think the working of stock exchanges they slow down or come to a standstill. All transactions in movable properties may slow down or come to a standstill. The difficulty has arisen because you are saying "all assets". If you restrict yourself to immovable property, then there is the protection to the buyer by way of solemn declarations in documents and averments of titles; and so, for anybody purchasing an immovable property the principle of *caveat emptor* is eminently applicable. But if this sort of legislation exists, making it applicable to movable property also, I think everybody who buys stocks and shares or other moveable property in the market should really make enquiries whether wealth-tax proceedings were pending against the seller. I think it is highly unreasonable, particularly when the transaction is "for valuable considerations". I would say where a transaction is for valuable considerations, that should be the end of the matter so far as the buyer is concerned. For example, if I buy anything for valuable considerations, that should be the end of the matter,

so far as I am concerned; having regard to the general law on the subject, I should not be asked to go and make enquiries whether any wealth-tax proceedings are pending against the seller, knowing fully well that two or three years wealth-tax assessments are usually pending against almost every wealth-tax assessee.

**Shri B. R. Bhagat:** I am sorry, I cannot accept these amendments. The hon. Member may describe me as a stone wall, but it is my duty to act according to the dictates of my own conscience. I am sorry there is complete disparity in the way of thinking between him and me. Therefore, he may think I am a stone wall and I may also think that probably he is not in line with current affairs.

**Shri Hari Vishnu Kamath:** A stone wall may speak for strength also.

**Shri B. R. Bhagat:** This amendment wants to remove one of the two conditions in which the transfer will not be void, the second condition, I may mention that similar conditions exist in the Income-tax Act. For the sake of uniformity and administrative convenience it is felt appropriate to have it here also. Otherwise too, the transfer would not be void if the person is not aware that some wealth-tax proceedings are pending. For example, a notice for filing of wealth-tax returns might have been issued which might not have reached the assessee when the sale took place. In such a case the transfer would not be void. However, if knowing that wealth-tax proceedings are pending a person sells his property, such a sale would be void. According to the proposed amendment of the hon. Member, no transfer will be void if made for valuable considerations. This will only enable assessees to effect transfers in order to defraud revenue. I am sorry, I cannot accept the amendments.

**Mr. Deputy-Speaker:** I will now put amendment No. 37 to the vote of the House.

Amendment No. 37 was put and negatived.

**Mr. Deputy-Speaker:** The question is:

"That clause 31 stand part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

Clause 32 was added to the Bill.

**Clause 33—**(Amendment of section 36).

**Shri N. Dandekar:** I beg to move:

(i) Page 26,—

omit lines 11 to 20. (38).

(ii) Page 26,—

(i) lines 28 and 29,—

for "with rigorous imprisonment for a term which may extend to two years:", substitute—

"with simple imprisonment which may extend to one year or fine which may extend to one thousand rupees or with both."

(ii) omit lines 30 to 33. (39).

Now, the point here is just two-fold. Under the Bill the words "punishable with simple imprisonment which may extend to one year, or with fine which may extend to one thousand rupees or with both" are going to be substituted by "punishable with rigorous imprisonment for a term which may extend to two years, provided that in the absence of special and adequate reasons to the contrary to be recorded in the judgment of the court, such imprisonment shall not be for less than six months". Really, are we not going too far in telling judges that they have to carry the burden on the question of considering whether the assessee ought to be imprisoned for less than six months? I thought we

in this country at any rate believe that the punishment must be commensurate with the gravity of the crime. Virtually, what this means is this, that it is assumed *ex hypothesi* that the minimum punishment for this sort of offence is to be six months and the burden is on the magistrate, or the judge to record special and adequate reasons if he is to award imprisonment for a lesser period. Which judge will take the trouble of justifying punishment for a lesser period by recording in his judgment special and adequate reasons? So, the result of this is we are going to have a situation in which all sorts of people involved in such cases will be sent to jail for a minimum period of six months. It is another example of the monstrous legislation that we have been recently having. I have no other words to describe this. I say that this ought not to be there.

Then I come to the next amendment. The new clause says:

"If a person abets or induces in any manner another person to make and deliver an account, statement or declaration relating to the particulars of any net wealth chargeable to tax which is false and which he either knows to be false or does not believe to be true, he shall be punishable with rigorous imprisonment for a term which may extend to two years."

I think the argument here is, if A gets it in the neck, surely B should also get it in the neck. Surely, there is difference between a person who commits an offence and a person who abets. Here we have reached a point where we are taking away completely the discretion of the judges in the judicial process, and I do think that this is really going beyond what it ought to be.

**Shri B. R. Bhagat:** I consider the punishment of fine and imprisonment

necessary for the administration of this Act, because it is necessary that a deterrent punishment should be there for offences under the wealth-tax Act.

**Shri N. C. Chatterjee:** May I ask for one clarification. I think there are similar provisions *pari materia* for the offenders in the Income-tax Act. Have you got similar provisions *pari materia* for abetment too in the Income-tax Act?

**Shri B. R. Bhagat:** I do not know. I think section 278 of the Income-tax Act is similar, so far as abetment is concerned. Abetment of an offence is considered as an equally serious offence. In other enactments like the Food Adulteration Act, Sea Customs Act and the Indian Penal Code the same punishment is given to the abettor. These punishments are necessary to make them effective and deterrent for the prevention of such offences.

**Mr. Deputy-Speaker:** I will now put amendment Nos. 38 and 39 to the vote of the House.

*Amendments Nos. 38 and 39 were put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 33 stands part of the Bill."

*The motion was adopted.*

*Clause 33 was added to the Bill.*

**Mr. Deputy-Speaker:** I will now put clauses 34 and 35 to the vote of the House.

**Shri N. Dandekar:** Sir, I would like to say a word on clause 34 or; perhaps, I could ask a question and if the Minister gives the answer, then it will be quite clear.

Clause 34 which introduces section 36A in the Wealth-tax Act is concerned with those persons who evade

or dodge taxes, come along, make a clean breast of it and want to get away with it. If you want to help them, I quite agree. Or, is it concerned with informants? It could quite as well read that it concerns those who have themselves dodged taxes, want to come clean, then only pretend to come clean and do not make all the disclosures that they ought to. If this kind of a thing is intended here, I entirely agree that they should not be helped. There cannot be any mercy for people of this kind.

**Shri B. R. Bhagat:** I think, informants do not come under this.

**Shri Hari Vishnu Kamath:** The Minister is not clear himself.

**Shri N. Dandekar:** This is with regard to the assesses?

**Shri B. R. Bhagat:** I think, the informant does not come under this.

**Shri N. C. Chatterjee:** I think, the hon. Minister is right. It does not cover informants. If you look at page 45, you will find that the note which is given says:

"Clause 34 introduces a new section 36A empowering the Central Government with a view to obtaining evidence of any person . . ."

**Shri N. Dandekar:** "Obtaining evidence" sounds to me doubtful.

**Shri N. C. Chatterjee:** "connected with concealment of particulars of net wealth or evasion of payment of tax on the net wealth, to tender to such person immunity from prosecution for any offence as also from the imposition of any penalty under the Act." The tender of immunity can be withdrawn if it appears to the Central Government that the person to whom the immunity was tendered has not complied with the conditions on which such immunity was granted. . . ."

[Shri N. C. Chatterjee]

Of course, I agree that the language is rather comprehensive and may rope in all sorts of people.

**Shri N. Dandekar:** If this is concerned with informers and approvers....

**Shri B. E. Bhagat:** Abettors, not informants.

**Shri N. Dandekar:** Let us not hedge around with words. It concerns approvers, a fellow who has given information....

**Shri B. E. Bhagat:** I said, "Abettors".

**Mr. Deputy-Speaker:** Abettor and not approver.

**Shri N. Dandekar:** Abettor is a person, who is defined quite rightly, who could be accused. It is like a case of murder where a person commits murder and turns approver. So, it applies to approvers and main assesseees but not to informers.

**Shri B. E. Bhagat:** Not to informers. I said, "Abettors".

**Shri N. Dandekar:** Then, I agree entirely.

**Mr. Deputy-Speaker:** The question is:

"That clauses 34 and 35 stand part of the Bill."

*The motion was adopted.*

*Clauses 34 and 35 were added to the Bill.*

**Clause 36—** (Insertion of new section 37A).

**Shri N. Dandekar:** Sir, I beg to move:

Page 29,—

omit lines 10 to 13. (40).

This clause introduces a new section, section 37A, and talks of the

powers of Inspecting Assistant Commissioners, Wealth-tax Officers etc. to enter and search. On the whole, I agree, the section is administratively necessary. It has been the experience undoubtedly of the Revenue Department that even though they have got information they find it difficult to pursue it because of the lack of power. But when you read this thing, you find that it is going too far. It reads:

"Where the Commissioner, in consequence of information"—

not definite information—

"in his possession, has reason to believe that—"

then I read sub-clause (c)—

"any person is in possession of any articles or things including money disproportionate to his known assets, particulars of which will be useful for, or relevant to, any proceeding under this Act,"—

proceedings not necessarily my own, somebody else's assessment. It was says:—"If he is in possession of any articles or things"; in other words, the briefs of a lawyer or the accounts and so on of an accountant. Where the Commissioner has reason to believe that—

"any person is in possession of any article or things including money disproportionate to his known assets, particulars of which will be useful for, or relevant to, any proceeding under this Act,"

then he, that is to say, the Commissioner not necessarily in consequence of having definite information but in consequence of information in his possession:—

"may authorise any Inspecting Assistant Commissioner or any Wealth-tax Officer to enter and search, with such assistance as he

may deem necessary, any building or place" etc.

But before I make any comment on this, I know that the Department is exceedingly handicapped by the lack of powers to pursue the information in terms of actually going and seeing things for themselves. Sub-clause (a) is quite all right, but sub-clause (c) is, I think, going too far. An otherwise excellent provision intended to arm the Department with necessary powers has been rendered bad by this kind of a thing because it could be the subject of really dreadful situations in terms of offices and buildings and so on of lawyers, bankers, accountants and all other professional advisers could be searched because the Commissioner may think that he is in possession of any article or thing. An article would include account-books, briefs, counsel's opinions, solicitor's opinions, written statements of the clients and so on. It says:

"articles or things including money."

I think, this should have been drafted a little more carefully. But, as it goes, it goes much too far and, I am sorry, I am unable to support this particular thing in an otherwise very good clause.

**Shri D. C. Sharma:** Sir, I do not think that sub-clause (c) goes very far. The whole trouble is arising from the fact people do not understand the significance and the all-pervasiveness of, what are called in modern language, anti-social crimes. I think, this is only a concession to that tendency which is prevailing all over the world, the tendency of anti-social crimes. Suppose, I have something which can implicate me in the court of law and I pass it on to some neighbour; then, has the court no authority to get hold of that neighbour so that it can recover that document from him? Suppose, I have got some valuable thing which may incriminate me in a court of law and I pass it on to somebody else so that I escape from the clutches

of law, should not the law have any power over that man who has got this kind of thing? Again, suppose, I have money and I pass that money on to somebody else and say, "If you keep this money, I will not have to pay so much of wealth-tax"; I do not think a person should be allowed to go scot-free if he can evade payment of due taxes by passing those things on to somebody else. These things are permitted in every kind of Code of Criminal Procedure; not only in any Code of Criminal procedure—I do not want to use the words 'criminal procedure'—in any code of anti-social laws.

Even those persons who assist or abet in this kind of a thing are as much liable to prosecution as anyone else. Of course, the hon. Minister used the word "abettor" and it may not be used here, but the fact of the matter is that there are some persons who will try to evade the provisions of this Act by taking shelter under some other person's umbrella. I think, those persons who give shelter under their umbrella to such persons should be as much liable to punishment as anybody else.

**Shri H. N. Mukerjee** (Calcutta Central): I have a feeling that this provision is rather important and Mr. Dandeker's objection should not be accepted by Government. I say this because if we err in this kind of legislation, it is better to err on the side of severity than on the side of leniency as it is in the implementation of whatever law we pass here that the real test will come and so far it has happened that in spite of provisions in the law being already there, the application has not been satisfactory. Therefore, it is rather better to have it put even in somewhat severe terms to which Mr. Dandeker takes objection.

I would not have intervened at this stage unless I had recently got to know of certain things which indicate how things are not pursued properly as far as the administration is concerned even when information is forthcoming

[Shri H. N. Mukerjee ]

and large sums of money in the possession of certain people change hands and heaven knows what happens afterwards. Very recently, I had occasion to have information from very reputable sources that a very rich community of Daudi Bohras in Calcutta had their spiritual proceptor, a gentleman whom I need not name, who is very well known to the Finance Ministry and when he was in Calcutta, according to the practice prevalent in the Bohra community, this gentleman, the head of the community is invited to certain houses and there is a competition amongst the rich Bohras to find out who can have this person as his guest and if he cannot be sent to somebody's house, then he is given a *nazrana* and there is, of course, a sumptuous dinner, and the *nazrana* is given in the shape of currency notes upto a very large amount, say Rs. 50,000 or even more in certain cases—it all depends upon the person who is involved. And the power of this person over his disciples extends so far that in Bombay some legislation had to be enacted because according to the order of the spiritual proceptor the body of a man who had been buried was exhumed because he was ex-communicated by some kind of peculiar spiritual process. This information came to us and the Income-tax Department also got intimation about it but I am sure that nothing seems to have been done. Very large sums of money change hands and this community which is very rich has got some peculiar religious, quasi-religious and pseudo-religious, conceptions about paying money to the spiritual leader and this is sometimes blackmailed to this extent by so-called spiritual processes. This is one example which came to us recently. I do hope the Ministry takes more notice of it. It shows how in very devious way the people who run business have to transfer such large sums of money. This having come to my notice, I felt fortified in the conviction which I have had for a long time that in regard to this kind of legislation if we err, let

us err on the side of severity and not on the side of leniency.

**Shri N. C. Chatterjee:** May I, sir, point out that Mr. Dandeker—and he has experience in this class of cases—recognises the necessity of conferring wide powers of seizures in some cases but the only apprehension he feels is, and there I think he is right, that it may lead to great abuse of power if it is uncanalised and the authorities have unfettered power particularly to make such an order to seize any papers from the lawyers' chamber, to enter into any chamber of any professional man, whether he be a doctor or an accountant or an advocate and to make a roving inspection of all things and so on. I do not think that is necessary or that is needed. I am not in favour of withholding the power. I am perfectly prepared to give reasonable and effective power. But at the same time I say that should not be abused. I shall appeal to the hon. Minister that when he frames rules under this clause a suitable indication should be made in the rules so that there should be no uncanalised, unfettered, power given to the authorities so that unnecessary harassment may not be caused. I have had the privilege to know about the Bohra prophet and it may be that in that case something has been done. Naturally, there has been some softness on the part of the department but only the enactment of a section will not do. It must be followed up by the effective steps to implement this Act.

**Shri B. R. Bhagat:** Mr. Deputy-Speaker, Sir, I think the power given is very precise. The main intention is that without any precise information there cannot be any search of this kind. It is not an unfettered power. The rules lay down the way in which the searches should be made. In this particular case, the Commissioner will not order for any search unless he has the precise information. This principle has been accepted in the Income-Tax Act and this is a very very valuable

provision of the Act particularly in the present situation when we have to check evasion, when we have to find out the undisclosed assets. This particular sub-section (c) refers to undisclosed assets. Unless we have this power, any detection of undisclosed assets which may have been the result of evaded taxes, will be very much difficult. But I can assure the House that the intention is being literally carried out that searches are not made in the briefs of lawyers or doctors. But certainly when a definite information is that they have large and undisclosed assets either in money or in some other form or accounts leading to the detection of those assets, in any profession, whether they are businessmen or lawyers or doctors, then the searches will be made and not otherwise.

**Mr. Deputy-Speaker:** I shall now put amendment No. 40 to the vote of the House.

*Amendment No. 40 was put and negatived.*

**Mr. Deputy-Speaker:** The question is:

"That clause 36 stand part of the Bill"

*The motion was adopted.*

*Clause 36 was added to the Bill.*

**Mr. Deputy-Speaker:** The question is:

"That clauses 37 to 41 stand part of the Bill".

*The motion was adopted.*

*Clauses 37 to 41 were added to the Bill.*

**Mr. Deputy-Speaker:** The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri B. R. Bhagat:** Sir, I move:

"That the Bill, as amended, be passed".

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed"

**Shri Narendra Singh Mahida:** There is no quorum in the House.

**Mr. Deputy-Speaker:** The bell is being run... Now there is quorum. The question is:

"That the Bill, as amended, be passed"

*The motion was adopted.*

*The Bill, as amended, was passed.*

14.50 hrs.

#### STANDARDS OF WEIGHTS AND MEASURES (AMENDMENT) BILL

**The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy):** Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill further to amend the Standards of Weights and Measures Act, 1956, be taken into consideration."

Sir, the Act when it was passed in 1956, defined the various standard units on the basis of the definitions prescribed for international adoption by the General Conferences on Weights and Measures. These general Conferences are held under an international agreement called the 'Metre Convention'. One of its functions is to lay down definitions of the various units of weights and measures for international use in science, technology and meteorology. These definitions are adopted by all signatory countries in their laws relating to weights and measures. India has signed the 'Metric Convention'. We have, therefore,



[Shri S. V. Ramaswamy]

based the Standards of Weights and Measures Act, 1956, on the international definitions.

This Act defines the units of length, volume, mass, time, electric current, temperature, etc.

It defines the metre as meaning the distance at zero degree centigrade and under normal atmospheric pressure between the axes of two median lines traced on the platinum-iridium bar deposited at the International Bureau of Weights and Measures and declared international prototype of the metre by the First General Conference of Weights and Measures.

The Eleventh General Conference on Weights and Measures held in October 1960 recommended a radical change in the definition of the metre. The Government of India was represented at the Conference by the late Prof. K. S. Krishnan, Director, National Physical Laboratory. The new definition of the metre accepted by the Eleventh General Conference is based on the wave-length of the radiation of the Krypton isotope. The new definition which is now included in the Bill enables the metre to be defined in terms of a natural physical constant rather than a physical sample as done so far.

The new definition also enables measurements to be made more accurately than could be done under the previous definition. This is in keeping with the new and accurate techniques of measurements that are being evolved in the world for various scientific and technological purposes.

As a result of this new definition the certification of the national prototype in terms of the international prototype also has to be done in a different manner. The change in sub-section (2) of section 3 takes care of this point.

The Eleventh General Conference on Weights and Measures also suggest-

ed a minor change in the definition of the second, which is the unit of time. The present definition as given in sub-section (2) of section 5, is now being defined more accurately by extending its accuracy to one more place of decimal. This higher accuracy is required for scientific purposes. Sub-section (2) of section 5 is, therefore, being amended to give a more accurate definition of the second.

The Ministry of Defence proposed that the 'nautical mile' should be recognised by law as a unit of distance in navigation by air and sea. Even in countries which have adopted the metric system of weights and measures, the nautical mile is used as the unit of distance in navigation. It is, therefore, proposed, as suggested by the Defence Ministry, to provide that the 'nautical mile' which is equal to 1852 metres may be used as a unit of distance for navigation by sea or air.

In view of the requirements of science and the international acceptance of the definitions, it is submitted that this House may consider and pass the Amendment Bill.

"It is a small, non-controversial Bill. Sir, I move.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Standards of Weights and Measures Act, 1956, be taken into consideration."

**Shri Narendra Singh Mahida (Anand):** Mr. Deputy-Speaker, Sir, I welcome this measure which is a way towards one world. All international States have agreed to bring about controversial measures like weights and measures, and we certainly welcome the action on the part of our Government towards this move of unifying the world.

But my contention is that sometimes standards of weights and measures introduced are not understood in our villages. We have made changes in our standards in weights which are not much understood in

our rural areas. The same is the case about the metre. I am not sure whether many Members will understand the difference between a yard and a metre.

These are my suggestions to the hon. Minister that our farmers may not lose by way of these changes in sale of their crop or in the purchase of cloth etc. This measure may be popularised—standards of weights etc. which are laid down in the country—by way of education, by way of publications, by way of radio announcements and frequently in newspapers also. My humble suggestion is that our new standards of weights and measures may be made easily available and more easily known to our farmers and labourers.

श्री यु० सि० चौधरी (महेन्द्रगढ़) :  
उपाध्यक्ष महोदय, जहां तक इस संशोधन का सम्बन्ध है, उस के बारे में किसी की दो रायें नहीं हैं, लेकिन मूल कानून के बारे में जो शिकायतें हैं, उनका जिक्र करना सामयिक होगा।

उस कानून को पास हुए लगभग छः-सात साल हुए हैं, जिसके द्वारा हजारों साल से चली आ रही माप-तोल की प्रणाली में परिवर्तन करके किलोग्राम, मीटर और क्विंटल आदि को प्रचलित किया गया। किन परिस्थितियों में यह परिवर्तन किया गया, इस समय यह बहुत बहस का विषय नहीं है। न ही वह संशोधन का विषय है, जो कि इस समय सदन के सामने लाया गया है। परन्तु इस सम्बन्ध में एक गम्भीर बात यह है कि देश की बहुसंख्यक जनता को, जो कि देहात में रहती है और जो देश की आबादी का अस्सी प्रतिशत भाग है, इस बात का एक प्रतिशत भी ज्ञान नहीं है कि जो नया परिवर्तन किया गया है, उसका स्वरूप क्या है।

सरकार तो शायद इस सम्बन्ध में अन्तर्राष्ट्रीय सम्मेलनों के साथ अपना ताल-मेल करने के लिए सरकारों दफ्तरों में और उस के

बाद इस सदन में बैठ कर कोई निर्णय ले लेती है और फिर उन को कानूनी किताबों में क्रियान्वित करने की कं शिषा करती है। लेकिन एक बात सत्य है कि ये सब बातें देहात में किसी रूप में नहीं पहुंची हैं। अभी तक वहां पर लोग मन, मेर, छटाक में काम करते हैं। मंडियों में नये बाटों के कारण लोगों को लूटा जाता है। माननीय सदस्य, श्री बनर्जी ने भी इस का उदाहरण दिया है। हमारे देहात में तो पत्थर के बाट चलते हैं, लेकिन यहां पर अन्तर्राष्ट्रीय बातों का जिक्र किया जाता है।

सरकार अन्तर्राष्ट्रीय प्रणाली को अपनाते के लिए जो काम कर रही है, वह करे। उस का हम स्वागत करते हैं। लेकिन सरकार का कम से कम यह कर्तव्य है कि इस तरह के कानून बनाने से पहले वह ऐसे कदम उठाये, जिस से वे हजारों लोग इस नई प्रणाली से परिचित हों, जिन का सम्बन्ध नित्य-प्रति लेन-देन और व्यापार आदि से है। हम देखते हैं कि इस बारे में पोस्टर अंग्रेजी में छाप कर देहात में भेजे जाते हैं। पिछले दिनों की बात है कि पंजाब में एक पंचायत समिति के दूधपत्तर में मैं ने देखा कि नये बाटों के बारे में जो पोस्टर लगे हुए हैं, वे सब अंग्रेजी में हैं। सरकार और मंत्री महोदय की ओर से कहा जायेगा कि इस अमेंडमेंट के सम्बन्ध में इन बातों को क्यों लाया जा रहा है। लेकिन मैं निवेदन करना चाहता हूं कि ये मूलभूत बातें हैं। जिन लोगों पर यह कानून और यह परिवर्तन लागू होना है, अगर वे इन को नहीं समझ सकेंगे तो उन को अवश्य ही बहुत परेशानी और नुकसान होगा। किसान जब अनाज की गाड़ी भर कर मंडी में जाता है, तो इस हेर-फेर को न समझ सकने के कारण, इस विषय में अपने अज्ञान के कारण, उस को कितना नुकसान उठाना पड़ता है, उस का कुछ भी अन्दाजा यहां बैठे हुए महापुरुषों, या जरा आगे बैठे हुए उन के नुमायंदों, के दिमाग में नहीं है। सैक्रेटरीएट्स के अन्दर

[श्री यु० सि० चौधरी]

बैठ कर दुनिया भर के नये नये कानून आप बनाते जाते हैं, उनको बना करके किताबों के अन्दर आप रखते जाते हैं, किताबों की शकल उनको आप देते जाते हैं और उनको लोगों के ऊपर आप थोपते जाते हैं दिना उनको बताये हुए कि लोगों को क्या करना है, बिना लोगों को इन चीजों के बारे में शिक्षित किये हुए। देहातों में ग्रस्सी प्रतिशत लोग देश के रहते हैं। बड़ा दुर्भाग्य हमारा यह है कि सरकार इसके प्रति जो उसकी जिम्मेवारी है, उसको समझती नहीं है। लोगों को इन कानूनों के बारे में एजुकेट करने की सरकार की जिम्मेवारी है, सरकार की जिम्मेवारी है कि वह जिस तरह से भी हो सके, उनको यह बताये कि सँकड़ों बरस से सेर, छटांक, मील वगैरह का जो सिलसिला था उसको समाप्त किया गया है और उसकी जगह हम ने यह चीज चलाई है और यह इस तरह से है और इससे ये-ये लाभ हैं। मंत्रो महोदय को खुद का भी तजुर्बा होगा और वह खुद भी गांवों में जा कर लोगों से पूछ सकते हैं कि इस प्रकार के जितने भी परिवर्तन अब तक देश के अन्दर हो चुके हैं उनके बारे में देहातों की 99 प्रतिशत जनता अनभिज्ञ है। उन्होंने भी देखा होगा, देहाती लोग जिस किसी चीज का भी भाव पूछते हैं तो सेरों के भाव पर उन चीजों के भाव बतलाये जाते हैं, क्विटल और किलो की बात कोई नहीं करता है। उन लोगों के दिमागों में यह बात अभी तक बिल्कुल भी नहीं आई है। राम भरोसे, भगवान भरोसे वे लोग चलते जाते हैं। जितना तोल कर उनको दे दिया जाता है या जितना उनको मिल जाता है उसको ले कर वे चुपचाप घर चले जाते हैं। इस हेर फेर में जो बहुत अक्लमन्द आदमी हैं वे तो फायदा उठा सकते हैं परन्तु बाकी जो सीधे-सादे आदमी हैं, जो अशिक्षित आदमी हैं, ग्रस्सी परसेंट, उनके दुखदर्द को सुनने वाला कोई नहीं है।

15 hrs.

आप अन्तर्राष्ट्रीय वादों को निवटाने के लिए, उनको पूरा करने के लिए यह संशोधन यहां ला रहे हैं जिसका मैं स्वागत करता हूँ। लेकिन साथ साथ कम से कम कोई एंगो तरीका भी आप अपनायें जिससे लोगों को सारी को सारी बातों का ज्ञान हो सके। खाली अंग्रेजी पोस्टर लगा देने से कोई फायदा नहीं होगा। आज सबेरे भी इस अंग्रेजी वाली बात को ले कर काफी झगड़ा चला था। यह जो सारी की सारी चीज है इसके बारे में प्रान्तीय भाषाओं में पोस्टर आप निकाल सकते हैं, कोई दूसरा तरीका अपना सकते हैं, सखंच के जरिये लोगों को शिक्षित कर सकते हैं, पंचायतों की इस मामले में सहायता ले सकते हैं ग्राम सेवक को आप यह काम सांप सकते हैं, उसके जिम्मे यह काम लगा सकते हैं कि वह या कोई और लोगों को बताये कि सँकड़ों सालों से जो चीज चल रही थी, उस में अब ये-ये परिवर्तन हो चुके हैं और उनको ये-ये चीजें अपनाना है और इस तरह से काम करना है।

दूसरा तरीका लोगों को समझाने का डाकु-मैटरी फिल्म के जरिये अपनाया जा सकता है। डाकुमैटरी फिल्म की भाषा उस प्रान्त विशेष की भाषा होनी चाहिये। खाली प्रान्तीय भाषा ही नहीं होनी चाहिये बल्कि एक प्रान्त के अन्दर भी अलग-अलग हिस्सों में अलग-अलग भाषायें हो सकती हैं और उन भाषाओं में इन डाकु-मैटरीज को दिखालाया जा सकता है। आप पंजाब का ही लें। ऊपर के पंजाब में पंजाबी बोली जाती है जबकि हरियाना में हिन्दी बोली जाती है। आप इन भाषाओं के अन्दर बड़ी सरल, सुबोध और सुन्दर ढंग से डाकुमैटरीज फिल्म बना कर लोगों को दिखा सकते हैं, शाम के वक्त दिखा सकते हैं। इस फिल्म में कोई आदमी दूकान पर जा रहा दिखाया जा सकता है और वहां पर उसकी तथा दूकानदार की बातचीत या इस तरह की और कोई चीज नाटक के रूप में आप दिखा

सकते हैं। सीधी सड़ी भाषा में आप भोबी भाली गांवों की जनता को, गांव के किसान को, सारी चीज समझा सकते हैं। एक बार नहीं दो बार नहीं बीस बीस बार उस डाकु-मैटरी को आप उसे दिखा सकते हैं। इसका कुछ तो अच्छा असर उस पर पड़ेगा। यही पर्याप्त नहीं है। रेडियो से भी इसके बारे में प्रचार कार्य किया जा सकता है। रेडियो पर भी देहाती प्रोग्राम होते हैं और उनके द्वारा भी इन सारे परिवर्तनों का ज्ञान आप गांव वालों को करा सकते हैं। जब आपने ये सब तथा दूसरे काम किये तब कही जा कर देहात का अनपढ़, अशिक्षित आदमी सारे के सारे परिवर्तनों को अगर समझ नहीं पायेगा तो कम से कम उसके दिमाग में सारी बात तो आयेगी और जब वह मंडी में जायेगा या शहर जायेगा तो इतना तो समझ ही गया होगा कि उमको चौकन्ना होना चाहिये इस हिसाब किताब के सिलसिले में। ये जो नए परिवर्तन हैं ये अभी तक पढ़े लिखों की समझ में भी नहीं आये हैं तो उस अनपढ़ की समझ में कैसे आ सकते हैं। लेकिन इस सब प्रचार कार्य का एक लाभ तो होगा कि यह चौकन्ना हो जाएगा और शहर में या मंडी में जो बात उसको एक बार कही जाएगी उस पर एक दम से भरोसा न करके एक दो बार वह उस पर सोचने का प्रयत्न तो करेगा, अपने किसी साथी से उसके बारे में तसल्ली तो कर लेगा, गांव में वापिस आ कर किसी शिक्षित आदमी से पूछ कर अपनी तसल्ली तो कर लेगा और अगर उसको किसी तरह से ठग लिया गया होगा तो अगली बार जब वह कहर में दुबारा जाएगा तब और भी चौकन्ना वह रहेगा। इस प्रकार के प्रचार से कम से कम उसके मन में संशय भी आबना तो आयेगी, उसके मन में यह सन्देह तो होने लगेगा कि जो कुछ हो रहा है, उस में गड़बड़ भी हो सकती है। आज तो हालत बिल्कुल विपरीत है। लोग जाते हैं, उनके साथ मनमाने बंग से ठगी की जाती है, लूटपन की बात चलती रहती है।

मैं इस संशोधक विधेयक का स्वागत तो करता हूँ और आप इसको बड़े मौक से लायें मेरा कोई विरोध नहीं है। लेकिन विरोध सारा का सारा उस बात के साथ है जो कि इस तरह के विधेयकों को लागू करने के बाद होती है। उसके बाद संशय पैदा होने लगता है, ऊलजलूल की स्थिति पैदा हो जाती है सारी समस्या उसी सूरत में सुलझ सकती है जब सारे मामले के बारे में पूरी तरह से लोगों को शिक्षित किया जाए, लोगों को पूरी तरह से समझाया जाए और इस काम के लिए जो भी तरीके हैं, उनको अपनाया जाए। दो तीन तरीके मैंने बताये जिन को मैं फिर से दोहरा देता हूँ। रेडियो के जरिये आप लोगों को समझा सकते हैं, देहाती प्रोग्रामों में गोष्ठियां आदि कर लोगों की भाषा के अन्दर आप उनको जानकारी दे सकते हैं, डाकुमैटरी फिल्में क्षेत्रीय भाषाओं में आप बना सकते हैं और सुन्दर बंग से उनको आप सारी चीज समझा सकते हैं। जब तक इन तरीकों को नहीं अपनाया जाएगा तब तक सरकार का नाम लेते लेते हम रोते ही रहेंगे और डींग मारने से कोई लाभ नहीं होगा। बिना लोगों को इन परिवर्तनों से परिचित कराये हुए इस तरह के बिलों का क्या आप अचार डालेंगे? देहात के अनपढ़ लोगों को जब वे शहरों में जायें, उनको भी इंसफ और नयाय मिलना चाहिये। वह इस तरह से नहीं मिल सकता है। इसके लिए यह जरूरी है कि उनको शिक्षित करने के लिए जितने भी साधन हैं, वे अपनाये जायें।

इन शब्दों के साथ इन संशोधनों का मैं स्वागत करता हूँ।

**Shri H. N. Mukerjee** (Calcutta Central): I have a feeling that my friend the Minister has brought up this measure to give the House some relaxation because I find from the Order Paper that this measure is sandwiched between some rather complicated and contentious financial measures sponsored by my friend Shri T. T. Krishna-

[Shri H. N. Mukerjee]

machari, and possibly to give us some relaxation, we have had the pleasure of this Bill being brought up before us.

I bow to the superior wisdom of my hon. friend the Minister who has on his part imbibed his wisdom from the Eleventh General International Conference of Weights and Measures—it sounds highly respectable—and we have no other go than just to say 'Yes' to what the Minister wants us to do.

It reminds me, however, of how in certain regards, perhaps at the very highest level, science and mythology come very near each other, because we here laymen and knowing nothing at all about the kind of scientific knowledge which is incorporated here are having to say 'Yes' or 'No'; when you, Sir, will call upon us to say 'Aye' or 'No' when this measure is going to be put to vote. I am reminded of what used to happen in the mediaeval period when in Western Christianity some monks would raise some particularly complicated question, and one very favourite problem seemed to have been 'How many angels can dance on the point of a needle?', and if you made a mistake in your answer, you took the risk of being excommunicated or even perhaps burnt at the stake.

In this Bill, we are given very delectable information, for instance that 'a second' means  $1/31,556,925.9747$  of the length of the tropical year for 1900 and so on and so forth. We have to say 'Yes' to Shri S. V. Ramaswamy as well as to the International Conference of Weights and Measures, and we do so very willingly. I can assure him that we do so very willingly, but I can assure him also that I do not agree to certain of the things said by my hon. friends who spoke before me, because they took up the argument that since a majority of our people being backward are ignorant of what is going on in the great wide

world outside, since most of our people are not aware of the niceties of the new weights and measures system which we have got, perhaps it is advisable to go back—they did not quite suggest it in so many words—

**Shri Y. S. Chaudhary:** No, no. We did not say so.

**Shri H. N. Mukerjee:** I said in fairness that they did not suggest that we should go back, but the first speaker, Shri Narendra Singh Mahida gave me an impression that possibly he would be happy if we reverted to the idea of seers and all the other old measurement units which we had got. I know they have told us how these new standards should be popularised properly so that everybody would know. I support that idea. That is very important because so many poor people are cheated of their rights because I am sure they do not know what these weights and measures are, and the trading community being what they are, generally speaking, apart from exceptions—they have come in for so many things to be said against them in connection with the legislation brought forward by Shri T. T. Krishnamachari—the trading community at different levels being what they are, there is a continuous propensity to cheat our common people who do not know of these peculiar complications. So, I entirely support the idea that the new standard of weights and measures should be popularised properly so that everybody in the country gets to know it and accepts it because it is far and away an improvement on the old situation. It is no good having obscurantist illusions that because we have been used for many hundreds of years to a different kind of standards of measures and weights, we can continue with that process; we cannot; if we have to live in this new changing world, and if we have to carry on in the economic sense then we have to have these new weights and measures.

But finding this definition of the 'second', about which I hope my esteemed friend, Dr. Aney, would also have something to say, because he has such a wide knowledge of the old Hindu reckoning of *yugas*, *Kritis*, *muhurtas*, *ghatis*, *nadis* and so forth—all that he knows; so I would like to hear a few things from him just for the purpose of some little relaxation between Shri Krishnamachari's contentious measures—I was driven by this definition of the 'second' to a very cursory study, I am afraid, of Mahamahopadhaya P. V. Kane's monumental study of the Dharmasastra, and there I found something which impels me to make a suggestion to the hon. Minister so that through our National Physical Laboratory experts and other people as well as the international organisation, India might conceivably take some steps in this regard. The point I am making, for whatever it is worth,—because I am no expert in this matter—is that the seven day week which we have got corresponds to no astronomical or celestial phenomenon, and there have been periods in history and countries in the world where the seven day week has not been the rule. I am quoting from Mahamahopadhaya Kane's book. He writes:

"The Mexicans had a week of five days before the Spanish conquest. The seven days week prevailed among Jews, Babylonians and the Incas of South America. The Romans had a week of eight days in Republican times, while the Egyptians and ancient Athenians had a week of ten days."

If I remember aright, perhaps during a phase of the French Revolution, they had a period of ten days rather than a week of seven days.

"In the Old testament God is said to have gone on with the work of creation for six days, to have rested on the seventh and to have blessed it and sanctified it".

So the seven day week came into the picture and we also for our own reasons, for our own calculations have adopted the seven day week. But I have a feeling that perhaps now that we have got the decimal system in so many departments in regard to measures and all that, it should not militate against what is scientific, objective reality. Perhaps it is not inconceivable that a ten-day period could be looked upon as a more convenient and manageable week so that we could rearrange our months and days. If I may put it in a different way, it would be more scientific and more objective.

We say 'amen' to this Bill, because we cannot say anything else. But I do wish that further thought is given to the recasting of the entire matter. Possibly the naming of the days also could be changed. After all, during the French Revolution, because of the wave of fresh air exhilarating the people at that time, they changed the names of the days and changed the names of the months. November, for example, became Brumaire. That was how they wanted to change the whole order so that the new order would really be stressed by our everyday experiences.

So I do not know if, going the way in which we are doing by way of standardisation of weights and measures in regard to time as well as in regard to everything else, perhaps we cannot find out ways and means of having a better and more reasonable recasting of our measurements, and in that perhaps my suggestion, if it is thought to be scientifically at all tenable by this international body, might merit consideration. In any case, the Bill has my complete support.

श्री श्रीकार लाल बेरवा (कोटा) :  
 उपाध्यक्ष महोदय, मुझे इस बिल के सम्बन्ध में थोड़े से सुझाव देने हैं। वैसे ठीक है, सरकार जैसे भी नाप तोल चलायेगी, वह प्रजा को मानना ही पड़ेगा। लेकिन अफसोस इस बात

[श्री श्रींकार लाल बेरवा]

का है कि अंग्रेजों ने इतने साल यहां पर शासन किया, अगर इन में कोई सुविधा होती तो अंग्रेज ही इस को यहां क्यों न लाते। उन के लिये इस को करने में कोई अड़चन नहीं थी। यह कौन सी आजादी है कि खाना भी विदेशों का, बोली भी विदेशों की, कानून भी विदेशों का, दूध भी विदेशों का और नाप तोल भी विदेशों की। हमारे देश की क्या कोई भी चीज अच्छी नहीं है।

अभी हमारे श्री मुकर्जी ने कहा कि दस दिन का सप्ताह होना चाहिये। उन्होंने न जाने कहाँ कहाँ के, रोम के विलायत के और इंग्लैंड के उदाहरण दे दिये। अच्छा तो यह होता कि हिन्दुस्तान का कोई उदाहरण दे कर समझाया जाता कि हिन्दुस्तान में पहले यह उदाहरण था और इस तरह से सप्ताह माना जाना था और इस तरह से नाप तोल होती थी। लेकिन जिस तरह से इन्सान के अन्दर विदेशी भाषा का मोह आता चला गया, विदेशी अनाज आता चला गया, बाहर से सारा सामान आता चला गया, पहनावा आता चला गया, वैसे वैसे हमारे दिलों के अन्दर बेई-मानी और भ्रष्टाचार सब कुछ आता चला गया। उमी तरह से हम अपने यहां सारी नाप तोल वगैरह विदेशी लाते चले जा रहे हैं। जैसा अभी कहा गया गांवों के अन्दर कुछ दिन पहले पीतल की पाई होती थी, उस से भर कर दे देते थे, पाव, सवा पाव जो देना होता था। वह भी जमाना हम ने देखा है। अब हम ने यह नये सिद्धान्त अपना लिये हैं जो कि हमारे सिस्टम में फिट नहीं होते और साथ ही अपने सिस्टम में भी फिट नहीं होते। आप देखिये कि एक रुपये में सौ नए पैसे होते हैं और एक आने में 6 और दो आने में बारह पैसे होते हैं। अब अगर सोलह आने अलग अलग जगह से लिये जायें तो कुल 96 पैसे मिलेंगे। मोटरवाले को अगर पैसे दो तो वह कहता है कि रुपया दे दो। दो आने की चीज कोई कहीं बारह पैसे में

देता है कोई तेरह पैसे में देता है। मेरी समझ में नहीं आता कि आखिर यह कौन सी प्रणाली है जिस का कोई हिसाब ही ठीक नहीं बैठता। जिस तरह से हिन्दुस्तानियों पर अंग्रेजी धोपी जा रही है उसी तरह से यह नाप तोल की प्रणाली भी धोपी जा रही है।

इसलिए मेरा निवेदन है कि अगर इन्सान के दिव में कुछ सत्यता लानी है तो पहले सरकार को अपने अन्दर सत्यता लानी चाहिये। सरकार कोई विधेयक इस के बारे में पास करे और वह इन विधेयकों से अलाहदा चले। यह सारा शासन हिन्दुस्तानियों का है। और हिन्दुस्तानियों का ही रहेगा। इस लिये जो हमारी पुरानी प्रणाली है उसी को क्यों नहीं लागू किया जाता। जो बीस मील होता है वह कभी बाइस और कभी चौबीस मील बन जाता है, कोई 33 किलो मीटर बन जाता है। इस तरह से गांव वाले परेशान हो जाते हैं। कोई अफसर देहातों में आता है और पूछता है कि कौन से बांट तुम इस्तेमाल कर रहे हो और इस वहाने से किसानों के बांट उठा कर ले जाता है। वह कहता है कि तुम बेईमानी कर रहे हो, तुम पर 30 रु० जुर्माना। वहां पर कोई भी सरकारी आदमी चला जाये, किसी को कुछ नहीं मिलता तो यही लूटने का साधन मिल जाता है। दूकानदार लोग रोज परेशान हुआ करते हैं। गांव वाले भी इतने परेशान हैं जिस का ठिकाना नहीं है। मैंने कोटे स्टेशन का हथवाड़ा जा कर देखा वहां पर लोगों को कितनी परेशानी होती है। वह बेचारे कभी पुराने बांट ले कर आते हैं, और कभी कोई पत्थर के बांट रख लेते हैं। उन को सरकारी आदमी उठा लेते हैं और कहते हैं कि मीट्रिक प्रणाली के बांट लाओ। वह बेचारे कहाँ से मीट्रिक प्रणाली के बांट लायें। आप को चाहिये कि गांव-गांव के अन्दर पहले नई प्रणाली में लोगों को ट्रेन किया जाये ऐसा प्रबन्ध

करें उस के बाद इस प्रणाली को लाइये । लेकिन आप एक वम से इस को बदलते जा रहें हैं । आज गांवों के लोगों को समझ में नहीं आता कि सरकार का दिमाग फेल हो गया है या क्या हुआ है । वे सोचते हैं कि यह कैसी भ्रांजादी आई है कि सरकार सारी की सारी विदेशी चीजें हमारे ऊपर थोप रही है । मैं सरकार से कहना चाहता हूँ कि अगर उस को विदेशी चीजें ही लानी हैं तो फिर से विदेशी शासन लाइये और सारा साज सामान बाहर से लाइये और उस के बाद विदेशी परम्परा चलाइये । इससे तो अंग्रेज अच्छे थे जो कभी अंग्रेजी का नाम नहीं लेते थे । अंग्रेज कभी इन बांटों का नाम नहीं लेते थे । उन्होंने कभी नहीं कहा कि किलोमीटर इस्तेमाल करो । उन्होंने कभी अमरीकी अनाज का नाम नहीं लिया, कभी डब्ले के दूध का नाम नहीं लिया । आज सारी चीजें विदेशों से आ रही हैं, यह देश का दुर्भाग्य है । सरकार देशी बांट चलाये तो बेहतर होगा । वह अंग्रेजी चीजों के चक्कर में हिन्दुस्तान को फंसा कर गांव वालों को बरबाद न करे ।

**Shri D. C. Sharma (Gurdaspur):** It was said by one hon. Member that this Bill has been sandwiched between two Bills of Shri Krishnamachari to give us some relaxation. I do not think it is like that. Whatever the merits of Mr. Krishnamachari's Bills may be, they are clear and intelligible and can be understood by him and also by the members of this House. But I think this Bill mystifies us. I do not think the hon. Minister who moved for its consideration understands every word of it I do not think any Member of this House will understand anything of this Bill, and I do not think anybody in the Secretariat will be the wiser for the passing of this Bill. I think some sort of specialist will have to be called in in order to interpret this Bill and in order to give due consideration to this Bill.

So this Bill is there to show to us the extent of our ignorance, to

show to us the dimensions of our abysmal illiteracy. I hope that, while I confess to that kind of thing, the hon. Minister also will have the honesty to do so, today at least if not always.

It has been said that we should have everything swadeshi, everything Indian, the names of the months and everything should be Indian. I agree with that, but I want to ask one question: how many of those persons who want the names of the months to be Indian, know what Indian month is just now going on? We are in December, but very few of us know what the month is in terms of the Vikrami era. We know that we are living in 1964, but I do not know if many of our friends know what year of the Vikrami era we are passing through? Our Government introduced the Saka era, but I think that is to be seen only on the letterheads of the Government of India Secretariat and nowhere else. The Saka era no doubt is a step in the right direction. but the people have not taken to it fortunately or unfortunately.

I submit very respectfully that while we want these things to be Indian, while we love our country to the last drop of our blood, we also cannot say that India should remain isolated from the international currents and standards of life. The late Prime Minister projected us into the new age of science and technology, and I think that is one of his greatest services to our country, and this Bill also brings us in tune with the new age of science and technology.

Dr. H. N. Mukerjee, after having gone through the gruelling debate of the Wealth Tax Bill,.....

**Shri Shashi Ranjan (Pupri):** He is a professor like you, not Dr.

**An Hon. Member:** He is conferring a doctorate.

**Shri D. C. Sharma:** Every professor is a doctor, and every hon. Member is a doctor.



[Shri D. C. Sharma]

I was submitting that he made much of these figures 1|31,556,925,975 and 1|31,556,925.9747. I think they are like. "काला अक्षर भेस बराबर"

They are to us undecipherable mysteries, but they have some meaning somewhere, some meaning for scientists. The nautical mile may not mean anything to me, but it does to the person who does navigation on the seas and plies aeroplanes in the air. These things happen. I think if there is one country which does not conform to these international standards of weights and measures and volumes and lengths and all that kind of thing, it is China. I wish China remains as isolated politically as it is in these matters. But so far as my country is concerned, I want that it should be in harmony with international ways and means. I think this Bill brings us nearer to the goal of one world, and a day might come when these little things might add up to so much that one world may become a possibility, and that which is enshrined in the Charter of the United Nations may become possible.

Another point I want to make is this. Much has been said about the ignorance of the workers and farmers about these weights and measures. I do not want to join issue with my hon. friends. It is dangerous to do so. I think that they are by far and large right, but I want to put one question to you, and through you to the House. Of course, I know there are some documentaries, they are publishing journals in English and Hindi and all that kind of thing, and I know there are film songs also, which my hon. friend Shri Yashpal Singh may be knowing, which give us the decimal currencies in a very interesting way. So, all these things are being done, but I would ask the hon. Minister to do one thing for the good of all of us, and it is this. In certain universities of this country, in many schools of this country, in several educational

institutions of this country, text books have not been produced which give us the decimal coinage, which give us the new weights and measures. He will say that it is a problem for the Education Ministry. True, it may be a problem for any Ministry, I do not care for that, but I would say that in order that this thing may become accessible to all of us, available to all of us, in order that this thing may become common knowledge, in order that my friend Shri Berwa and Shri Yudhvir Singh Choudhury may not have to say that the farmers and the workers are being cheated by the traders—I think even if the farmers know these weights and measures, they will still be cheated, but I dare say . . .

**Shri Y. S. Chaudhary:** Because you are ruling the country.

**Shri D. C. Sharma:** They are being cheated more now than they would be cheated if they know these things. I would say that this new thing should be made available in the text books on arithmetic, on geography etc., which are being used in this country, in the text books on science and other subjects. I would say that in this matter, the Education Ministry and the Ministry of Commerce and Industry should work hand in hand.

Unfortunately, what happens is this, that our Ministries work in watertight compartments. This is what our Prime Minister also said. I do not want that these Ministries should remain isolated from each other. They should become co-partners in the same thing. Of course, they are co-partners in the same thing, I do not deny it, but somehow it so happens that what one Ministry does is not known to the other Ministry. Therefore, I would ask my hon. friend Shri Ramaswamy that he should be good enough to bring this point to the notice of the Education Ministry, that they should try to bring it home to the minds of the Directors of Education in this country, that the text books

should be so revised that they give us an idea of the new thing that we are doing.

With these words, I welcome this Bill, and I hope the Minister will be able to get hold of somebody in the Ministry who would understand all 'sions, all these fractions of time and all this kind of thing.

**Dr. M. S. Aney (Nagpur):** I have the same complaint to make as so many hon. friends who have supported the Bill, notwithstanding the fact that none of them has been able to understand it.

The greatest advantage of democracy and representative institutions is said to be that nothing is done in the name of the Government, without the knowledge of the people for whose benefit the government is run. Yet, that same Government has to do certain things which they themselves do not understand before they ask the people's representatives for their consent, and they come before them to have their consent.

I do not want to say anything more about that. Shri Ramaswamy is a very senior and genuine public worker. I am quite sure that I am in no way detracting from his merit when I say that he does not understand this definition of metre given in the new section (d), namely:

"metre" means the length equal to 1,650,763.73 wavelengths, in vacuum, of the radiation corresponding to the transition between the 2p and 5d<sub>5</sub> levels of the krypton atom of mass 86;

I am sure to understand this, he must be a very great mathematician. When the House consists of lay men who are not experts, in such cases, before a measure of this kind is brought, there should be an attempt to get some expert to give us some idea, some conception of the thing which we are called upon to pass.

Some experts could have been brought to enlighten us as to what these technical terms mean. Two or three lectures could have been delivered, so that at least the representatives of the people could have some faint idea as to what it means. Otherwise, it is like God, which can neither be defined nor measured nor seen. It is some such thing that we are passing here.

There is a saying in Sanskrit:

अन्धेनैव नीयमाना : यथान्धा :

(One blind man leading other blind men.)

Neither the person who moves the Bill understands it nor the persons who are called upon to pass it understand it. It is true that we have to accept the international standard, but that international standard is as mysterious to us today as the idea of God as defined in Vedant is mysterious to the religious persons. It is an unknown, abstract idea. As Prof. Sharma has told us, we are living in this world and the idea of progress means being in line with the enlightened world and the civilised world. In order to be there, we have to take up their ideas. We cannot live isolated from them.

We accepted the decimal standards and we made some changes in our Acts. I want to tell my friends:

"पुराणाम इति एव न साधु सर्वम् न चापि काव्यम् नवम् इति अवज्ञम्"

All that is old is not necessarily good and all that is new is not necessarily bad.

"संतः परीक्षय अन्वतरत् भजन्ते  
मूढः परप्रत्येय नेयवृद्धि"

Wise men examine the two things carefully and find out what is really advantageous for the present time. It is only a fool who is led by the opinion of others. So, we have to do some such intellectual exercise and find out what is advantageous to us.

When the currency question was under discussion, we accepted the

[Dr. M. S. Aney]

decimal system. The old system was rupees, annas and pice. 4 pice made an anna and 16 annas made a rupee. Under the decimal scheme, 5 nP. could make 1 anna and 20 annas could make 1 rupee. We could keep the old terminology and also have the advantage of the decimal system. But somehow or other, they do not want the anna anywhere. There should be an attempt to retain the old things if possible.

My idea is that there is need for the Government to carry on propaganda to have a clear understanding of all these new things which they are introducing in the legislation in order that people might understand it properly. Radio, television and all these new things have to be made use for this purpose to enlighten the people on these points, instead of telling some stories and some foreign tunes to which our ears are not attuned.

I support the Bill with the suggestion that simultaneously with getting the consent of the House, an attempt should be made by the Government to enlighten the people exactly as to what is the meaning of these things objectively. We are passing it subjectively here. But objectively what is the meaning of these terms? The people should be made to understand them with the help of experts who are at the disposal of Government. With these words, I support the Bill.

**Shri Hari Vishnu Kamath** (Hoshangabad): Sir, the Bill before the House provides a fascinating exercise in the romantic world of figures and numbers—astronomical numbers—where one can give free rein to fancy and indulge the imagination. It is world of mysticism where physics and metaphysics merge, philosophy and science combine, to give a colourful new world to which only a few can have access. I wonder whether the Minister-in-charge, Mr. Ramaswamy, who has been a competent lawyer for many years, has cared to prepare for

the House an explanatory memorandum at least, even if he could not bring an expert here, as Dr. Aney wanted him to, explaining the various words incorporated in the Bill.

As it is, there is nothing in the Bill at all excepting the Statement of Objects and Reasons. There also, I find there has been an attempt to define the length by sea or by air. I do not know how this scientific slip has occurred and the Government or the Minister has tripped. I believe it is international tripping perhaps or slipping and so, we have to conform to international standards there also. It is said here:

“It is also proposed to recognise ‘nautical mile’ as a unit of length in navigation by sea or air on the basis of international practice.”

I thought in the modern air age—we have progressed even further to the atomic age—air mile is known as aeronautical mile and not simply nautical mile. Nautical mile is for the sea, for water. For the air, it should be called aeronautical mile. I do not know what the international world has got to say about it. If the international world says it must be nautical mile, we have to conform to it willy-nilly. I suppose our Government also cannot depart, cannot be a deviationist; they have to be conformist in this regard.

In the earlier Bill which was passed in 1956, Government assumed power to prepare, for the purpose of defining the value of the metre, a national prototype of the metre and cause the same to be certified in terms of the international prototype of the metre. Now they have sought to delete that and substitute that by the International Bureau of Weights and Measures. Be that as it may, as the previous speakers, like Prof. Mukerjee, Dr. Aney and Prof. Sharma have already said, I think Government owe it to the House that some sort of explanation or description or clarifi-

cation of these various terms must be given to the House when Members ask for it.

**Shri Nambiar** (Tiruchirapalli): Why?

Take, for instance, "vacuum". I believe, Sir, you have been a student of science, though I am not sure of that. In clause 2, there is reference to wave-lengths in vacuum. When I was at college, I learnt that nature abhors vacuum. We too abhor a vacuum. We cannot function in vacuum. Nature too abhors vacuum. God has peopled vacuum with various things. Probably before God, there was vacuum. I do not know when there was vacuum at all. So, I do not know how wave-lengths or anything can be measured in vacuum. The Minister ought to explain how this vacuous provision has found a place in this Bill.

**Shri Hari Vishnu Kamath:** I have got the figures which I will explain outside the House. I cannot do it here. It is all metaphysics.

Then, Sir, I go on to clause 4. "Second", "metre" and all these things are very lovable. We knew them very affectionately and very intimately. Now they are sought to be defined in various ways. I do not know why this year, the year 1900, the tropical year, is so sacrosanct and how it differs from any other year. We have known a second as one-sixtieth of a minute or  $1/3600$  of an hour. Here the definition given in relation to a year goes just to swell or inflate the figures. I think it comes to astronomical figures. The amendment sought to be made is that after the decimal point, instead of 975 which was there earlier—I do not know whether we are quite happy with that "second" or whether anybody has complained about it. If any complaint has been made to the International Bureau or the President or the Minister or to some other authority, I would be happy to learn more about it from the Minister—it should be altered to decimal point 9747. I would suggest a further amendment, that it should be decimal point 974652. That is my amendment. Of course, I have not given formal notice of this amendment but if the Chair is agreeable to waive that rule, I would like to move it now.

Then, there is another little thing here which baffles me. Sometimes questions of time are raised here in the House as to how much time a Member has taken and all that. And, you, Sir, allot the time for every Member as ten minutes, five minutes, three minutes or even two minutes. I think, in accordance with the Bill that is now before the House it should be regulated further and it should be fixed as so many minutes and so many seconds. The second should also be defined so that a Member may be able to point out to the Chair, if the need arises, that one— . . . th of a second still remains. And something like a micro-chronometer should be installed in the House so that we will also know whether we have exceeded our time limit by a second or less, which is now defined in this manner as part of the tropical year.

As I said earlier, metre, litre, second, etc., are all familiar terms. Now, by this Bill, I am afraid, there will be confusion worse compounded—not confounded. I am reminded of a story—not quite a story, but I think it was partly true—about a professor of chemistry—I was myself a student of chemistry and I had then heard it in the Presidency College, Madras—a true story from a reliable source—who was very devoted to his subject very much dedicated to his subject. He used to spend days and even nights in his laboratory trying to solve some problem or the other. He used to go home very very late sometimes at midnight, or after midnight and even early in the morning. He never bothered about his domestic affairs, his loving wife waiting for him all the time. One day it appears—that is how the story goes—he arrived

[Shri Hari Vishnu Kamath]

home very very late, just when the sun was about to rise, when the day was about to dawn. His wife was all in tears. The professor of chemistry just looked at her very casually and said: "What is it you are doing? What is it that is coming down from your eyes? People call it tears, but to me it is only 99 per cent water, about 0.8 per cent of sodium chloride and 0.2 per cent of some other salts. To me it makes no difference." I do not think we should indulge in this crime here. That is how the professor of chemistry tried to debunk the tears of his wife. This Bill reminds me of that episode. The Minister while bringing forward this Bill has sought to rob the intimate familiarity with which we regard litre, metre and second. Now we do not know where we stand. Now when we go to a shop, when we go shopping nowadays they do not deal yards or feet and therefore we ask for so many metres of cloth—we will have to arm ourselves with this Bill and ask the shopkeeper to see whether his metre conforms to this length. I suppose after passing this Bill, every shopkeeper would be obliged to see that the metre that he has got conforms to this, and we, particularly, Members of Parliament who are also charged with the responsibility of seeing that it is faithfully implemented by Government will also have the right, nay the duty, of checking in shops whether the metre used in the shops conforms to the standards laid down here. If it is not so, I would like to know what exactly the Minister has in mind and whether he can explain this krypton atom and such other things.

After this Bill was introduced there has been a corrigendum by the Minister—not by any of us Members here but by the Minister himself—saying that in line 10 of clause 2 of the Bill "2p" should be read as "2p10." God only knows what "2p10" means. This totally baffles human understanding. We will have to try and get some

divine understanding or *divyadrishhti*. You know, Sir, in Kurukshetra, Dridharashtra could not see, he was blind and he wanted to see the war. Then Sanjaya was given *divyadrishhti*. He could then see every thing from a distance and report. Nowadays we call it television. I do not know who in this Parliament of ours, in this capital city of ours, this India of ours, can confer on us this divine understanding to comprehend these mysteries of romantic numbers and figures which are in profuse abundance in this Bill. Unless the Minister can throw some light and make these mysteries, which are more baffling than the old kabala mysteries, or the pre-Upanishad mysteries of our own philosophy, unless he can make them more intelligible, we should not be called upon to vote on this Bill. This Bill should not be voted at all unless these are made intelligible. Therefore, I give partial support to this Bill—I cannot wholeheartedly support this Bill—and unless the Minister clarifies this further, I am afraid I will have to withdraw even that partial support later on.

**Shri S. M. Banerjee** (Kanpur): I think all the arguments of the lay people have been covered, especially after the weighty arguments of my hon. friend, Shri Kamath. This Bill is being brought forward because some decisions have been taken at the Eleventh General International Conference of Weights and Measures held at Paris in October 1960. Right from 1960 to 1964, even this year is practically over. I want to know what steps have been taken by Government to popularise this among the rural masses of our country, who form 75 per cent of the population of this country, before this legislation is implemented. I belong to a city; yet I do not understand this metre-litre business. In the olden days, when I was going to a tailor for making a pant or trouser I knew that I have to buy  $1\frac{1}{2}$  yards of cloth. Now when I go to a tailor or a shop, he says so

(Amendment) Bill

much metre which is equivalent to so much yards and I do not know how much I am robbed, either by the shopkeeper or by the tailor in the case of metre. I am yet to understand them. In my opinion they are as difficult as the fourth dimension or the theory of relativity. It is awful. As Shri Choudhari has very correctly put it, what is the weight used in the villages? It is not the seer or a kilo. It is a stone of one seer and a few pebbles for chatangs. Just to convince the inspector or those people who go to arrest them, they buy certain measures for kilograms etc. But they always use the old stones. When we go to the vegetable market, what do we see? If we ask them to give us one kilogram they give us exactly one seer and a little more. It is the same whatever we purchase. So, we are in a difficult position.

I do not understand this policy of Government, what I call ignorant internationalism; without educating the masses they bring legislation after legislation. I am told that this Government has passed more legislation in ten years than what has been passed during the last hundred years put together.

15.52 hrs

[MR. SPEAKER in the Chair]

Are we to be guided by the legislation alone or by the spirit behind the legislation?

**An hon. Member:** We cannot have planning without legislation.

**Shri S. M. Banerjee:** We can have planning, but people must understand them. Planning is good, but should people not understand them? Our people are immersed in ignorance, which is a sad commentary on our education policy and the implementation of our Plans. They do not understand any of our legislation. We are implementing various international decisions in the matter of metre, litre,

kilogram and so on. That is the tragedy of this country.

I would request the hon. Minister to kindly throw some light on what concrete steps have been taken by governmental machinery to popularise this thing before it is implemented. It may be passed today by this House, tomorrow by the other House and the next day it may be assented to by the President, when it becomes an Act. As Shri Kamath has very correctly put it, the Minister who pilots the Bill does not understand this, nor those people who speak in support of it. I do not know, Sir, whether you understand it. I am sure you understand it better.

**Mr. Speaker:** I must confess I do not.

**Shri S. M. Banerjee:** Then it is confusion worst confound; that is all what I can say. The hon. Minister should throw some light on this law. This House should definitely know what steps are being taken to popularise this measure.

**Mr. Speaker:** Why should we go from this happy company? The hon. Member says that nobody understands it.

**Shri S. M. Banerjee:** That is my feeling. But I am told that when a Member becomes a Minister he becomes a versatile genius. So, I expect the Minister to know everything.

**Shri Bhagwat Jha Azad** (Bhagalpur): The note is prepared. He will read it out just now.

**Shri S. M. Banerjee:** We expect him to be a walking encyclopaedia. Therefore, let him explain the implications of this measure.

**Shri Gauri Shankar Kakkar** (Fatehpur): It has been really very interesting to hear the speeches for the last one hour. Hon. Members who have taken part in the debate have confessed that it is very difficult to follow the Bill and now I find the hon. Speaker is

[Shri Gauri Shanker Kakkar]

also in the same boat. I will only say one thing, that sometimes even without following the meaning we have to pay a tribute.

**Mr. Speaker:** Hon. Members should not carry it too far, because though we may say something here in a lighter mood, it might be quoted outside that the Members made these confessions. So, we ought to be careful.

**Shri Hari Vishnu Kamath:** What is wrong in that confession? We do not understand.

**Mr. Speaker:** It will be said that we are passing a legislation without understanding it.

**Shri Hari Vishnu Kamath:** But we should be honest.

तमसो भ्राज्योतिर्गमय : ।

**Mr. Speaker:** No, I did not mean that.

**Shri Bhagwat Jha Azad:** Members are expecting that the Minister will make a speech which will enlighten all of them. That is why they are expressing their ignorance.

**Shri Gauri Shankar Kakkar:** After hearing this discussion I am reminded of a story. A father was preaching in a church and the comment was that the speech was moving, soothing and satisfying. What a tribute to that speech! The speech was moving in the sense that as soon as the father started preaching the sermon the members of the audience started moving. Then, it was soothing in the sense that those who were there to hear the sermon dozed off in their seats and, to that extent, it was soothing. Then, it was satisfying because even though people were fast-asleep the sermon went on.

In the same way, we have to accept this particular Bill which has come and pay a tribute to the Minister who has expounded it. But I have to say

one thing. All these changes in weight and decimal point are made without actually educating the masses with the result that these changes are leading to great exploitation of the masses at the hands of clever traders. Although seven years have passed since we changed over to the new weights and measures, I plead guilty to the charge that I am still ignorant of them— I do not know the difference between yard and metre and kilogram and set. When I go to a shop, I do not know whether they actually give it in metre and kilogram or they are actually cheating me. I am not mentioning this to show the ignorance on the part of a member of this House. I only want to point out that our Government are not making enough efforts to popularise the measures which they are undertaking. I fail to understand why you are making such fast changes. Even though seven years have passed since you have introduced some changes, even now the judicial records show only furlongs and miles. It is only seers and chattaks which actually are going in judicial records. Is it not a pity that having enacted a piece of legislation and put it on the statute book for 7, 8 or 10 years, the same old thing is still going on?

16 hrs.

In the end, for God's sake, if you come for legislating any measure, please do not be insulated from the world. I join hands with you. Try to promulgate and publicise the measure so that even the common citizen may learn what these changes are that you are actually resorting to. So far it has not even been changed into the text books. The primary school students are still having the old measures, chattaks, seers, maunds, furlongs and miles in their textbooks. There is lack of co-ordination between the various ministries and it is on account of that that ignorance is there and it leads to exploitation. That is why we are ourselves making

a sort of confession that these are things which we do not follow. It is only on account of measures which Government should adopt or resort to and which they are not doing that.

With these words, I also say that I support this amending Bill.

श्री यशपाल सिंह (कैराना): अध्यक्ष महोदय, मैं बहुत देर से बहस को सुन रहा हूँ लेकिन मेरी समझ में नहीं आता कि सरकार ने क्यों ऐसा ठेका ले लिया कि जिस चीज को 44 करोड़ इन्सान समझ नहीं सकते, उसमें क्यों यहाँ रायज किया जाये। माननीय डा० अणु, माननीय श्री कामत जैसे लोग कोई मामूली आदमी नहीं हैं, वे मुल्क के सेलेक्टेड ब्रेन्स हैं। जब उन की समझ में एक चीज नहीं आती तो वह मेरे जैसे मामूली आदमी की समझ में कैसे आ सकती है। सरकार को कौन सा वैधानिक अधिकार है कि जिस चीज को इतने ऊँचे लोग नहीं समझ सकते उसे अन्धे हो कर वह पास कर दे। आज इस सरकार ने यह ठेका ले रक्खा है कि जो कुछ हमारे देश के कल्चर में अच्छा है, उसको खत्म कर दिया जाये। इसी लिए उसकी कोई प्लैनिंग कामयाब नहीं होती। योजनायें इस तरह की बनी हुई हैं, और उनको उस जवान में लिखा गया है जिसको हिन्दुस्तान की 1 फी सदी जनता, 1 फी सदी किसान और मजदूर भी समझते नहीं हैं। जब 1 फी सदी लोग भी नहीं समझते हैं तो तरक्की कैसे होगी, डबेलपमेंट कैसे होगा, डिफेन्स कैसे होगा, देश कैसे आगे बढ़ेगा में समझता हूँ कि सरकार जो काम कर रही है उससे जनता का कोई फायदा नहीं है। मैं सरकार की या जनता की बात नहीं कहता आई० सी० एस० अफसरों की बात कहता हूँ जो कि कामर्स मिनिस्ट्री में बड़ी बड़ी काबिलियत के मालिक हैं, उन्को बात कहता हूँ। मेरे पास 29 नवम्बर का अखबार है, टाइम्स आफ इंडिया न्यूज सर्विस की खबर है कि जिसको मैं कोट कर रहा हूँ :—

"New Delhi, November 29: The

Ministry of Commerce, which urges the trade and the public to switch over to the use of metric weights and measures, is itself still adhering to the old system.

In a release today on the increase in the production of cotton cloth and yarn, the Ministry has given the relevant figures in yards and pounds instead of metres and kilograms.

The Commerce Ministry is in sole charge of ensuring the change over from the old system to the metric system of weights and measures but strangely its own data continue to be supplied on the basis of the old system."

जिस चीज को आई० सी० एस० लोग नहीं समझते, जिस चीज को महान् विद्वान डा० अणु नहीं समझ सकते, जिसको श्री हरि विष्णु कामत जैसे मस्तिष्क वाले आदमी नहीं समझ सकते, उसको समझने का मेरे जैसा विद्यार्थी क्या दावा कर सकता है। यह तो ऐसी ही बात हो गई है जैसे कि एक गाँव में एक मुंशी जी थे। वह खत लिखा करते थे। मेरे जैसा एक विद्यार्थी उनके पास चला गया और कहा कि यह खत लिख दो। मुंशी जी ने कहा कि मेरे पैर में दर्द है। उस विद्यार्थी ने कहा कि चिट्ठी लिखने का पैर से क्या ताल्लुक है। मुंशी जी ने कहा कि बात यह है कि मैं इतना पढ़ा लिखा हूँ कि अपना लिखा हुआ मैं ही पढ़ सकता हूँ और कोई नहीं पढ़ सकता है। जहाँ मेरा खत जाता है, वहाँ मुझे बुलाया जाता है। इसलिये मेरे पैर में दर्द हो रहा है।

मैं नहीं समझ पाता कि क्यों इस चीज को 44 करोड़ लोगों पर थोपा जा रहा है जिस चीज को बड़े बड़े मस्तिष्क नहीं समझ पाते। क्या आप ने ठेका ले रखा है कि सैकड़ों थोब से जो बाँट गाँवों में और शहरों में चल रहे हैं उनको खत्म कर के इन बाटों



[श्री यशपाल सिंह]

को लादा जाये। इससे कोई फायदा नहीं है। गीता में यह लिखा हुआ है।

“स्वधर्मो निघनम् श्रेयः परधर्मो भयावह” जो दूसरे के धर्म को ग्रहण करता है वह कभी जिन्दा नहीं रहता है। चीन ने आज इस लिये तरक्की की है कि उस के पास उसकी अपनी जबान है। उस के पास आज 47 लाख स्टील उस की जरूरियात से फालतू इसलिये पड़ा हुआ है कि उस ने 24 साल में यह कानून अपने यहां रायज किया कि अगर कोई दूसरे शब्स की जबान इस्तेमाल करेगा तो उसको जेल म डाला जायेगा उस देश का बच्चा बच्चा उस जबान को समझा न कि परदेशियों की जबान को। हमारी सरकार ने हमारे यहां पांच हजार मील दूर बनी हुई जबान को चलाने का ठेका ले रक्खा है। मैं मिनिस्टर साहब से अर्ज करूंगा कि इस में कोई प्रतिष्ठा की बात नहीं है। अगर अंग्रेजी बोलना ही काबिलियत है तो मैं मद्रास से 85 ह० माहवार पर ऐसा आदमी लादूंगा जो अंग्रेजी का माहिर होगा। लेकिन यह हमारे देश के लिये बड़े कलंक की बात है कि यहां वह चीज लाई जा रही है जिस को देश का ऊंचे से ऊंचा मस्तिष्क नहीं समझ सकता। आप यहां पर जिस तरह चाहें बहस कर लें लेकिन आप को कोई संवैधानिक अधिकार नहीं है कि आप एक ऐसी चीज यहां पर लाद दें जिसको को हम में से एक फी सदी एम० पी० भी नहीं समझते।

**श्रीमती सहोवराबाई राय (दमोह):**

अध्यक्ष महोदय, जो विधेयक यहां पर आया है उस के बारे में मैं सिर्फ एक बात कहना चाहती हूँ कि शहरों में तो यह बांट कुछ समझ में आने भी लगे हैं लेकिन देहात की जनता जो है उस को बड़ी परेशानी होती है। नाप भी जो चली है उस का उपयोग भी

शहरों में तो हो जाता है लेकिन गांवों में लोग उस को समझ नहीं पाते हैं। गांवों में पहले पीतल की कोरैया और चौथिया बांटों की जगह पर चलती थीं जिन से महिलायें अपना काम चला लिया करती थीं। वे बाजार जाती थीं और उन से ही सामान खरीद लिया करती थीं लेकिन अब उनको बड़ी दिक्कत होती है।

इस लिये मैं प्रार्थना करती हूँ कि आप इस विधेयक में ऐसे संशोधन लायें और बांटों को इस्तेमाल करने के नियमों में ऐसे परिवर्तन लायें जिस से देहात की जनता को सुविधा हो जाये। इस में जो थोड़ी बहुत दिक्कतें हैं उन से जनता बहुत परेशान है इसलिये अगर इस में थोड़ी बहुत अदल बदल कर दी जाये तो बड़ा अच्छा हो।

**Shri Subbaraman (Madurai):** Mr. Speaker, Sir, many hon. Members have expressed the view that the amendments are not intelligible or understandable. I need not repeat that. But I would like to request the hon. Minister to make it clear why the metre should relate to a certain geographical place and second to a certain year only.

The Government brought in metric system of weights and measures some years back. It is good and in course of time the public will understand the usefulness and the benefit of this system. But in the transition stage a lot of difficulties are experienced by poor people, specially consumers and purchasers of things. Steps should be taken to see that the poor consumers are not deceived.

In the course of discussion one hon. Member attacked the Government by saying that we are adopting all foreign systems. I would like to point out that the decimal system was first introduced by India. Besides, there is no harm in adopting whatever is

good in other countries. When efforts are made to bring all countries closer, it is good that we adopt all international terms and units wherever possible.

In the sale of foodstuffs the Government have introduced the provision that grains should be sold in kilos, whereas actually we see merchants and traders giving them in litres. If grain is wet and swollen, a litre weighs less in quantity than a kilo. I would like that Government should prevent such sale of foodgrains in terms of litres when they are allowing it only by kilos.

With these few words, I support the Bill.

**Shri N. Dandekar (Gonda):** Mr. Speaker, Sir, I venture to participate in this debate because a little while ago, while I was in the Central Hall, I received information that this *Weights and Measures (Amendment) Bill* was encountering difficult opposition. I for one, as representing a free enterprise competitive economy, as most anxious that we must have standardised weights and measures; so, I thought, I would rush in here to the rescue of Government in the matter of this amending Bill.

Now, having come here, I took the trouble of reading this Bill and frankly speaking I was a little shaken. We have made here metaphysical expressions there is, in fact, admittedly something called krypton which is more cryptic than the metaphysical expressions to which we are accustomed to in *vedanta* literature. On seeing these definitions on metres and of second and so on, I am reminded of an story about how three experts, one American, one Frenchman and an Indian, were asked to define an elephant. The American, of course, obsessed with questions of strength and weight, described it as a large body self-propelling and having a weight, on an average, of so many tons and moving at such and such a speed. The French expert was rather more in-

terested in romantic affairs about the elephant and he described its love-line. But the Indian is the one who has apparently drafted this Bill and he said: What it is an elephant? Does it really exist? What does exist and further more what is non-existent? Now, that seems to be the kind of theories and definitions that are put down here.

I am also reminded of a definition of experts—obviously this is an effort of experts—an expert being defined as one who knows more and more about less and less until he knows nothing about anything. Having said all this, I am delighted to find that even this second is a subject-matter of definition which apparently requires a little more exactitude than 1/31,556,925·975 of the length of the tropical year for 1900·0, the year commencing at 12·00 hours universal time on the 1st day of January, 1900 to 1/31,556,925·9747. I am particularly delighted to find that we have a particular year 1900 as a measurement year and in particular a part of that year is defined as a second.

Sir, it did occur to me that when we are going all international, when we are all going decimal in the matter of coinage, lengths, measures, weights and even in the case of time, I wonder why in all the letters that I keep receiving from Government including the Lok Sabha Secretariat, I am given two dates on the top, one an international date expressed in terms of the calendar year and the date and another an ancient one—I am not quite clear how many hundred years old? If we really wish to go international, I would suggest that that particular measure of time and year and date, namely the Saka period, might as well by a suitable amendment of the Act be deleted.

With these words, I support the measure which I do not understand.

**Mr. Speaker:** The hon. Minister.

**Shri Nambiar:** We cannot be all international. Our national heritage is to be put in print at the top.

**Shri S. V. Ramaswamy:** Mr. Speaker, Sir, 13 hon. Members have spoken on this small Bill....

**Mr. Speaker:** Not a good number.

**Shri S. V. Ramaswamy:** We shall make it good and lucky number.

**Shri Nambiar:** He is the 14th man.

**Shri S. V. Ramaswamy:** So, that unlucky number is got over.

Sir, some hon. Members welcomed it fully because they understood the international significance of it.

**Shri Nath Pai (Rajapur):** Mr. Dandekar supported it because he did not understand anything of it.

**Shri S. V. Ramaswamy:** Thank you even for that.

Some other hon. Members read the decimal figures and there was merriment and laughter in the House. Some hon. Members took this opportunity of saying that we are introducing foreign things and that we must have everything Indian. Now, by and large, the spirit of this Bill has been well-understood by the House, namely, in the light of the fact that this world is becoming much smaller day by day than what it was before. Thanks to the advancement of science and technology. All these things bring the nations of the world closer together towards an international understanding.

Now, this metric system is a thing which is gaining ground in the world and as the House is aware, the metric system is not an English concept as some hon. Members seem to have thought. It is a French system and the Britishers, when they were ruling here, opposed the introduction of it because it was a French system. My hon. friends say that this is foreign but I might submit that there is a proposal even in England to give up this ft.-pound system because the rest of the world is moving towards the metric system, towards one uni-

versal system of weights and measures. They are hesitating to introduce it because they think that it will involve a colossal amount of nearly 100 million pounds to have this change-over to metric system. They are thinking of changing over from the ft.-pound system to metric system over a period of 20 years. That is the period of transition they are thinking of and the amount involved is certainly a colossal amount. But yet even in England, the people who are so conservative about their own system, the ft.-pound system....

**Shri Hari Vishnu Kamath:** May I submit in all humility, in all respect to the hon. Minister, that the issue he is raising is not relevant to the Bill at all. This issue was raised and discussed thread-bare in 1955-56 when you, Sir, were also in the House and— I do not know whether he was here in this House—that was decided finally. The Prime Minister himself intervened and explained how with the metre-litre and all that system we have to move with the times, and that a universal system should be adopted in this country also—though it was not quite universal—all this has been said more than once. What we wanted to know about this Bill is how all these matters....

**Mr. Speaker:** He is coming to that. Certain other Members had raised certain objections. Shri Yashpal Singh had raised a certain objection and he has gone away after raising it.

**Shri S. V. Ramaswamy:** Two hon. Members spoke about this....

**Shri Hari Vishnu Kamath:** I did not say.

**Shri S. V. Ramaswamy:** Not you; two other Members said about it.

**Shri Nambiar:** Only one Member.

**Shri S. V. Ramaswamy:** My esteemed friend Mr. Kamath may kindly hear with me a few minutes. I am fully

aware that this Bill was passed in 1956. I am coming to the point. All the points that my hon. friend has raised ridiculing this decimal system have no relevance because these have been discussed threadbare and accepted by Parliament. This is only an amending Bill.

**Shri Hari Vishnu Kamath:** I am sorry again to interrupt him. What I said was why have this amendment from decimal point 975 to 9747? What I said was, instead of decimal point 9747, it should be decimal point 974652. That was my question. I want answer to that. I did not object to the earlier thing at all.

**Shri Nambiar:** The whole difficulty is, both these figures are unintelligible to us.

**Mr. Speaker:** The hon. Members will listen to the Minister with patience.

**Shri Hari Vishnu Kamath:** He is misrepresenting me.

**Shri S. V. Ramaswamy:** May I plead for some patience?

**Mr. Speaker:** He will kindly just look towards me and he will find me a very patient like me.

**Shri S. V. Ramaswamy:** I know, Sir. But my hon. friend always interrupts me. That is my difficulty.

My hon. friend raised a question as to why have all this decimal system. Why have this change and why not that? He gave some figures. Well, he reeled off certain figures but that was no scientific basis. These things are based on scientific basis. Let me read the original Section 5 in the Act; the unit of time is given. (Interruption).

**Mr. Speaker:** He will have to go on in spite of these things.

**Shri S. V. Ramaswamy:** I am just trying to give one ear to that side as to know what is going on there.

**Mr. Speaker:** I would advise him not to give that ear also to that side.

**Shri S. V. Ramaswamy:** All right, I will give both the ears to this side.

Now, my esteemed friend Mr. Kamath raised this point.

It has relevance to this. Under section 5(2) of the Act which was passed in 1956, a second means  $1/31,556,925.975$ .

**Shri Hari Vishnu Kamath:** Why this .9747? I agree to that, not to this.

**Shri S. V. Ramaswamy:** That was passed in 1956. I do not exactly remember what my friend said then. But since then, science has advanced so far that they have wanted a more accurate figure. (Some Hon. Members: Oh!) I do not understand this "oh, oh" business. We are living in an age of sputniks where accurate measurement of time and of distance and of weight, everything has got to be calculated. We look aghast at sputniks being fired. How are these things being achieved? It is by accurate measurements of time, weight, distance and so on. So these are basic things. Science is based upon accuracy. Science and technological knowledge is advancing every day so much so that its definitions are becoming more and more exact and precise.

Now, it is in this sense that this .975 has been moved by one decimal more. It is a tribute to the accuracy of science, to the labours that the scientists have put in to bring it more accurate. My friend thinks; what is the application of this second; we are talking so much here in this House, we are spending our time here and outside and elsewhere; has it got any relevance to this fractional definition. My information is that...

**Shri Hari Vishnu Kamath:** My information is that it is .974652.

**Shri S. V. Ramaswamy:** Why? On what basis?

**Shri Hari Vishnu Kamath:** What is your basis, tell me; I will tell mine afterwards.

**Shri S. V. Ramaswamy:** My hon. friend was not here when I made the earlier speech. This has been accepted after discussions by the scientists at international conferences and accepted by international bodies, to which we are signatories. Prof. Krishnan of the National Physical Laboratory, a distinguished scientist, an F.R.S., represented India at that conference, and he also discussed these things, and it has been accepted. We are a signatory to this. That is why we are accepting this figure and not Mr. Kamath's, which has no basis.

**Shri Hari Vishnu Kamath:** Tell me your basis.

**Mr. Speaker:** Order, order. Now, he has explained it. He should try to understand that it was decided at an international conference and we are a signatory to that agreement. They have agreed there that this should be the basis and therefore on the basis of that agreement we are adopting this.

**Shri Hari Vishnu Kamath:** I am entirely at one with you, Sir, when you say that we want to adopt international standards. But I want to know, if he can enlighten us, why and how the figure .975 has now been transformed into .9747. What happened then at that conference? If he could tell us....

**Mr. Speaker:** It would not be possible for him.

**Shri Hari Vishnu Kamath:** Let him admit it. We are then satisfied. Let him say so.

**Shri N. Dandekar:** What is the ble for him.

**Shri N. Dandekar:** What is the precise measurement of the year 1900? How was the year 1900 measured in 1960?

**Shri S. V. Ramaswamy:** I am coming to that. *(Laughter)*.

**Mr. Speaker:** I do not think his answer is to be laughed at. That answer that he has given is quite understandable.

**Shri S. V. Ramaswamy:** Sir, I am reading from a scientific book, a publication by the Ministry of Commerce and Industry on Metric Measures:

"Up to the last few years, the second of time was the fraction 1/86,400 of the length of the mean solar day."

For several calculations it was not possible, because in astronomical calculations and other things there were some errors.....

**Shri Hari Vishnu Kamath:** Astrological or astronomical. *(Interruptions)*.

**Shri S. V. Ramaswamy:** You want me to deal with a scientific subject and explain to you?

**Mr. Speaker:** When he was reading, probably he read it as 'astrological' and they want to ascertain whether really it is astrological or astronomical.

**Shri S. V. Ramaswamy:** Astronomical. I am sorry, my friend is obsessed with astrology.

**Mr. Speaker:** They probably misunderstood it.

**Shri S. V. Ramaswamy:** And I can also understand why he is not able to fully comprehend it, because he confessed that he is a student of chemistry and not of physics.

**Shri Hari Vishnu Kamath:** Of physics and chemistry. What were you a student of? What did you study?

**Mr. Speaker:** Order, order. Now, let us hear him.

The hon. Minister might go on with his speech without any comments against any Members.

(Amendment) Bill

**Shri S. V. Ramaswamy:** Then it goes on:

"It is from a study of the orbital motions.....

The requirements of the physicists, however, are much finer....

Meanwhile, the adoption of an astronomical standard more stable than the mean solar day was absolutely necessary. For this purpose, the enormous amount of work on orbital motions accomplished from 1875 to 1926 has been profitably utilised. It was shown that the annual translatory motion of the earth around the sun was not subject to the same unpredictable irregularities as its motion of rotation. The period of the tropical year is not influenced by meteorological or geophysical phenomena which affect the length of the day."

**Shri Nath Pai:** We are now convinced.

**Shri S. V. Ramaswamy:** How this 1900 comes in, I am trying to explain.

"As a result of the correspondence between the International Committee of Weights and Measures and the International Astronomical Union, the following definition of the second was promulgated in the month of October, 1956 by the International Committee.

"The second is the fraction  $\frac{1}{31,556,925,9747}$  of the tropical year for 1900 January 0 at 12 hours ephemeris time'."

I cannot understand this, I cannot explain, nor can you or any one here. (Interruption). This is the definition given by an international body of scientists.

**An hon. Member:** He does not know.

**Shri S. V. Ramaswamy:** If you want a scientist to pilot this Bill, you will require half a dozen scientists, because it deals with chemical substances; it deals with amperes measure also and therefore an electrician must come; it deals with physics, chemistry, electricity and every expert must come here.

**Shri Hari Vishnu Kamath:** What did you study?

**Mr. Speaker:** How is that relevant, as to what he studied?

**Shri Hari Vishnu Kamath:** He asked me and therefore I am asking him. Let him not refer to my studies.

**Mr. Speaker:** Has he finished now?

**Shri S. V. Ramaswamy:** If the time is up, I shall say I have finished. I wish to add only one or two words.

Several hon. Members said that people in the villages do not know what the metric system is and that the system has been introduced to create confusion and facilitate the exploitation of the poor. Before this metric system was introduced there were no less than 150 different types of seers and maunds in this country. The length measures were also different. Hon. Members will themselves know that in their own constituency, from place to place, from one place of their constituency to another, there was a difference in measurement of length and weight. Even now, in remote villages it is still persisting. What we have tried by introducing this in 1956 is to have one system of measurement, weight, length and our currency throughout the country. Litre is litre throughout the country now; kilo is kilo throughout the country, and paisa is paisa throughout the country. At the time the paisa was introduced the same sort of jibes were thrown. But is it not a fact that now we have forgotten the paisa and anna. The younger generation do not know that anna

[Shri S. V. Ramaswamy]

consisted of twelve pies, and sixteen annas amounted to one rupee.

श्री श्रीकार लाल बेरवा (कोटा) : दो आने के कितने पैसे माँगे ?

श्री इन्द्रजीत लाल मल्होत्रा (जम्मू तथा काश्मीर) : बारह पैसे माँगे ।

श्री श्रीकार लाल बेरवा : तो यह चार पैसे कह चले गये ?

अध्यक्ष महोदय : अभी थोड़ी देर के बाद हम आने मूल जायेंगे तब फिर दो आने के पैसे नहीं बनाने पड़ेंगे ।

Shri S. V. Ramaswamy: The younger generation have forgotten the old system. It is we of the older generation who are still having our old memories.

The Minister of Planning (Shri B. R. Bhagat): We have also forgotten.

Shri S. V. Ramaswamy: Yes, but still we enter into mental calculations to convert the naya paisa into anna and find out whether the price has increased or not, we who belong to the older generation and who have been brought up in rupees, annas and pies. But the younger generation have not been affected by it. Now the younger generation is also being brought up in the metric system in the matter of lengths and also in weights. It is true that in the remotest villages it has not yet percolated in spite of the strenuous efforts made by the Central Government and the State Governments.

Shri Hari Vishnu Kamath: I beg to move:

"That the question be put".

Mr. Speaker: It is not clear to me still, and, therefore, I shall allow the hon. Minister to continue.

Shri S. V. Ramaswamy: The enforcement portion is with the States. We do a lot of propaganda through all

the media, through the newspapers, through posters, through the radio, through the films and other things. But as you know, India is a vast country, and our people live mostly in the villages, and it does take time to percolate these new ideas and new systems in the remotest of our villages. We try our utmost. Eight years have gone by, and I believe that we have covered about 90 per cent in the matter of the metric system. There is a balance of about 5 to 10 per cent which still remains, and that is in the remotest inaccessible areas.

By and large, the House has been pleased to accept this amending Bill.

Shrimati Yashoda Reddy (Kurnool): It is a fact that in the villages it has not percolated. But the hon. Minister has not answered the point raised from the other side that the Ministry itself while giving the figures about production of cloth and cotton had not used the metric system but had given the figures in terms of yards and bales.

Shri S. V. Mamaswamy: We have both the figures in metre etc. But by some mistake, the figure was given in yards.

Mr. Speaker: The question is:

"That the Bill further to amend the Standards of Weights and Measures Act, 1956, be taken into consideration."

The motion was adopted.

Mr. Speaker: There are no amendments to the clauses. So, I shall put all the clauses together to vote.

Shri Nambiar: There is an oral amendment by Shri Kamath, for changing the term 'figures' to 'digit'.

Shri Hari Vishnu Kamath: If you waive notice, I can move it, because I had not given notice of it earlier.

**Mr. Speaker:** At this moment it will not be possible unless the hon. Minister accepts it. Is the hon. Minister prepared to accept it?

**Shri S. V. Ramaswamy:** May I know whether you have admitted it?

**Mr. Speaker:** I can admit it only if the hon. Minister is prepared to accept it. Is he prepared to accept it?

**Shri S. V. Ramaswamy:** No.

**Mr. Speaker:** I shall now put all the clauses together to vote.

**Shri Hari Vishnu Kamath:** Clause 4 may be put separately, because I would like to offer a few remarks on it.

**Mr. Speaker:** The question is:

"That clauses 2 and 3 stand part of the Bill".

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill*

**Clause 4—** (Amendment of section 5

**Shri Hari Vishnu Kamath:** I rise on a point of quorum....

**Mr. Speaker:** Now, we shall take up clause 4. Shri Kamath.

**Shri Hari Vishnu Kamath:** Mr. Speaker, Sir....

**Shri Ranga (Chittoor):** There is no quorum in the House.

श्री हुकमचन्द कछवाय (देवास) :  
 अध्यक्ष महोदय, हाउस में क्वोरम नहीं है ।

**Mr. Speaker:** Shri Ranga is pointing out to Shri Kamath that there is no quorum, not to me, I think.

**Shri Hari Vishnu Kamath:** I bring it to your notice that there is no quorum in the House.

**Mr. Speaker:** All right, the quorum bell is being rung. Now, there is quo-

rum. The hon. Member can start his speech.

**Shri Hari Vishnu Kamath:** By your leave, I should like to make a few observations. The hon. Minister, who has blossomed into a neo-scientist, in the course of his speech has tried to give some sort of *raison detre* or rational explanation for this change which is sought to be made, and he tried to weave words or spin words into his statement and tried to clarify why the term 'tropical year' has been introduced, and why the tropical year for 1900 has been chosen. I would like to have from the hon. Minister a further clarification on this matter how and in what manner the tropical year for 1900 differs from the other years. He confessed that previously the second was defined as a fraction of a day, and the second was calculated like that, but now it is defined in terms of year. In what manner and why does the tropical year for 1900 differ from the other tropical years which have gone before or which have come after? Secondly, how does the tropical year differ from the temperate or Arctic year? We are all in parts of the same terrestrial globe, whether Arctic or Polar or temperate zones. How does the year in the tropics in point of dimension or size or in other respects, differ from a temperate year or an Arctic year? If there is no difference between the temperate year, the Arctic Year and the tropical year, why should the tropical year be selected for this kind of computation?

**An Hon. Member:** It is an international standard.

**Shri Hari Vishnu Kamath:** I know that it is an international business, and I agree that we have to abide by the international form. It was decided at some international conference, and I am sure they must have offered some rational explanation why the tropical year for 1900 should have been selected, and not 1899 or 1901 or 1904 or 1947 when we attained our Independence and became free. All



[Shri Hari Vishnu Kamath]

this explanation should be given why this particular year has been taken. Surely, it cannot be something arbitrary. I am sure that somebody must have been sent as our delegate to this conference, and he would have given some report as to what happened, and what transpired there, and what discussions took place there. A resume of the discussions may be placed on the Table; if the hon. Minister could not tell us now, he may place a resume of the discussions on the Table of the House.

**Mr. Speaker:** I do not think that that would be necessary. I have been here for a short while listening to the debate. What I have understood is this that that international body took that year to work upon and then came to the conclusion that a second was the fraction of that year, because they had been working on that year.

**Shri Hari Vishnu Kamath:** I quite understand. I am whole heartedly at one with you that we should conform to international standards, because we all want one world and one world government to which Shri D. C. Sharma has referred. I only wanted to know the reason, prompted by my curiosity.

**Mr. Speaker:** I am just trying to convey my own understanding, and what I have understood while I have been here for a short while. The hon. Member may kindly resume his seat for a minute.

**Shri Hari Vishnu Kamath:** I thought as you were not standing, I could stand.

**Mr. Speaker:** Because of that, should one continue to be standing?

**Shri Hari Vishnu Kamath:** That international body worked on a particular year and that year was 1900, and after working on that year, they came to this conclusion that a second was the fraction as defined here of that year. They took that year and

worked upon it and then arrived at this fraction by their scientific computations or whatever that might be. I do not claim that I have any special knowledge of that.

Therefore, now to ask why they did not take any other year to work upon would be beside the point. They must have taken some year for their computations. They took 1900 for that purpose. They might have taken 1947 also, as the hon. Member has said; then, perhaps, the fraction might have been different, and it might be a different fraction of another year which they had taken. They have chosen one particular year and then arrived at this conclusion that a second must be the fraction as given here of that particular year. This is the impression that I have gained. I do not say that I have any special knowledge of the subject.

**Shri S. V. Ramaswamy:** With your permission, may I read out from the scientific journal giving the explanation? I submitted to the House earlier that the definition of the second has been arrived at after correspondence with the International Committee of Weights and Measures and the International Astronomical Union. That is the definition that is being incorporated in this Bill in place of the earlier one. That is explained by the following paragraph, which reads thus:

"This text requires some explanation."

The tropical year has nothing to do with temperature.

**Shri Hari Vishnu Kamath:** I said 'temperate year'.

**Shri S. V. Ramaswamy:** It has nothing to do with the Arctic year or the Antarctic year.

That paragraph reads further as follows:

"The tropical year is the interval between two consecutive

vernal equinoxes, the equinox itself being the "instant when the sun crosses the celestial equator, its declination then being zero."

"The length of the tropical year diminishes slowly by half a second per century. According to the American astronomer S. Newcomb, its duration in days...."—

I need not trouble the House with these details and technicalities—

"The length of the tropical year for t-0 has been adopted as the constant standard".

"t" is the time counted in centuries starting from 31st December 1899 (or better still 0 January 1900) at Greenwich mean noon.

**Shri Hari Vishnu Kamath:** One word more with your permission. I have got profound faith and complete confidence in your wisdom.

**Mr. Speaker:** I do not claim any such thing.

**Shri Hari Vishnu Kamath:** Your explanation which preceded the Minister's has helped us more than the Minister's explanation.

I would like to know why it was that this year 1900 was chosen, and whether before 1900 all the seconds that had been computed by humanity were all wrong.

**Mr. Speaker:** I hope ignorance would be bliss.

The question is:

"That clause 4 stand part of the Bill".

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clauses 5, 1, the Enacting Formula and the Title were added to the Bill.*

**Shri S. V. Ramaswamy:** I move:

"That the Bill be passed".

**Mr. Speaker:** The question is:

"That the Bill be passed".

*The motion was adopted.*

16.43 hrs.

MINERAL OILS (ADDITIONAL DUTIES OF EXCISE AND CUSTOMS) AMENDMENT BILL

**The Minister of Planning (Shri B. R. Bhagat):** I beg to move:

"That the Bill further to amend the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958, be taken into consideration".

**Shri Hari Vishnu Kamath (Hoshangabad):** Is the oil in litre or metre?

**Shri B. R. Bhagat:** It is excise—a very mundane affair.

I find it necessary to recapitulate briefly the circumstances under which the Additional Duties of Excise and Customs were originally levied in 1958. As the House will recollect, Government were, as a result of discussion with the oil distributing companies, able to secure a reduction of prices in respect of certain categories of mineral oils effective from 20 May, 1958. These reductions were different for different products, but individually being of small amounts, it was thought that the benefits if reflected in the ceiling prices of sale of the products by the oil distributing companies was not likely to reach the consumers.

16.45 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

It was accordingly decided that the monies accruing from the negotiated price reductions should be appropriated to the Consolidated Fund of India. This decision was given effect to by a levy of additional duties of excise and customs by an ordinance issued on

[Shri B. R. Bhagat]

30 June, 1958, which was replaced by the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958. Although these additional duties were imposed on various products as excise duties and recovered from the oil companies, it was ensured by an express provision in the Act, that the levies were not passed on to the consumers by increasing the prices of the products. The reductions effected then were provisional and further reductions were also expected in future; the Act therefore, provided for ceiling rates and authorised the Government to fix effective rates from time to time by notification.

Since then, as a result of further examination and negotiation with the oil companies; certain further price reduction has been achieved. But as the likely effect on the consumer prices of the individual products was only marginal, it was thought proper on every such occasion to mop up the price difference by increasing the effective rates of additional excise duties suitably and appropriate the amounts to the Consolidated Fund of India. The Act was also temporarily amended for the period 1st April, 1959 to 31st October, 1959 raising the ceiling rates to enable a quick appropriation of the amount standing in favour of Government.

As the House is aware, a committee was appointed in August 1960 with Shri K. R. Damle as chairman to examine the principles and elements according to which the selling prices of various petroleum products in India should be determined. The committee recommended certain reductions to be applied from 1st October, 1961. The effective rates of additional duties of excise and customs were accordingly readjusted taking into account the reduction proposed by the committee.

In terms of the pricing principles applicable under the refinery agreements and the recommendations of the Oil Price Inquiry Committee, some

further amounts aggregating nearly to Rs. 5 crores have accrued in favour of the Government since 1st October, 1961 and are further accruing at the rate of Rs. 60 lakhs.

**Shri Ranga (Chittoor):** All in the name of consumers!

**Shri B. R. Bhagat:** Not in the name of consumers.

**Shri Ranga:** You profit by it.

**Shri B. R. Bhagat:** There is an express agreement that it will not be passed on to the consumer. It has not been done.

**Shri Ranga:** You could have lowered the prices.

**श्री श्रीकारलाल बैरवा (कोटा) :**  
उपभोक्ताओं से वसूल करते हैं तभी तो  
भाव चढ़ रहे हैं ।

**श्री व० रा० भगत :** भाव नहीं चढ़े हैं,  
भाव तो घट रहे हैं ।

They are further accruing at the rate of nearly Rs. 60 lakhs per month due to further fall in the f.o.b. cost at Abadan and in the marine freight applicable from time to time from Abadan to the Indian ports of discharge; these amounts have to be transferred to the revenue account. But after the adjustments of the effective rates in terms of the pricing formula effective from 1st October, 1961 very little margin is left between the ceiling and the effective rates, which is inadequate for a quick recovery of the amounts accruing to the Government from the oil companies and take care of these further reductions as also those which may accrue in the future. It is, therefore, necessary that the ceiling rates fixed in the Act should be raised sufficiently.

**Shri Ranga:** Why?

**Shri B. R. Bhagat:** Because further reduction of the margin between the effective rates and ceiling is now very narrow.

**Shri Ranga:** The effective rates will also rise?

**Shri B. R. Bhagat:** Actually, it is the reverse. The more is the reduction, the greater is the duty to be mopped up. I think the hon. Member will now understand it?

The Mineral Oils (Additional Duties of Excise and Customs) Act does not include at present a levy on asphalt and Bitumen. Accordingly, recoveries on account of price reduction on these products has had to be made through additional duties on other products covered by the Act. Since the consumption of this commodity has been increasing and there may be some further reduction in future, it is considered necessary to bring these commodities also within the scope of the Act.

Finally, I come to the products known as lubricant, greases and specialties. On account of a large variety of these products marketed by different companies, it has not been possible to lay down the ceiling selling prices for the individual produces. However, the Oil Price Inquiry Committee has recommended a block control in respect of marketing and distribution charges and profits on an average basis for the entire range of these products. While discussions with the oil companies are in progress, it is necessary to take legal powers to appropriate part or whole of the excess recoveries, if any, made by the oil distributing companies. Accordingly, it is proposed to extend the levy under the Mineral Oils (Additional Duties of Excise and Customs) Act 1958, also to the petroleum products falling under item 11A of the Central Excise Tariff.

In view of the considerations which I have just mentioned, the Bill seeks to raise the ceiling rates of duty in respect of the products which are already covered by it, and to bring Asphalt and Bitumen and the other petroleum products liable to excise duty under Item No. 11A of the Central Excise Tariff within the scope of the Act and fix ceiling rates of additional

duties. The effective rates on the existing products as well as those proposed to be included now will continue to be fixed by notification. The possibility of passing on the benefits arising from the price reductions to the consumers has been carefully considered, but the Government is satisfied that the present arrangement of crediting all such accruals to the Consolidated Fund of India through Excise and Customs levies may have to continue for some time. At any rate they are too small to reach the ultimate consumer. I may, however, point out that the Act is only an enabling measure and should it be decided at any time that the reductions should be reflected in the consumer price, the Act will not stand in the way.

I am sure that in consideration of the facts I have just now stated, the House will wholeheartedly support the Bill. I also take this opportunity of explaining that because of the urgency and the revenue consideration involved, it was thought expedient to insert in the Bill a declaration under the Provisional Collection of Taxes Act, 1931 and that under this authority, the effective rates of duty on the existing commodities have already been raised beyond the existing ceiling rates provided in the Act. No imposition has, however, been made so far on the commodities which are now proposed to be included in the list of products chargeable to additional duties under this Bill.

I move.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Mineral Oils (Additional Duties of Excise and Customs) Act, 1958, be taken into consideration."

**Shri Bade (Khargone):** Before you call upon any speaker, I want a clarification, so that there will be less discussion.

In the new Bill, at page 2, you had added item No. 7.

[Shri Bade]

"All products as described in item No. 11A of the First Schedule to the Central Excise and Salt Act, 1944."

That was not the provision in the old Act. So, what do you mean by "all products." The rate of additional duty is Rs. 300 per metric tonne. So, what are the other products that you are taxing under this new Bill?

**Shri B. R. Bhagat:** I explained that this item No. 11A includes lubricants, specialities and other products.

**Shri Bade:** Only lubricants or other items?

**Shri B. R. Bhagat:** Bitumen, asphalt, lubricants, specialities—that is a big generic term.

**Shri Narendra Singh Mahida (Anand):** I have heard with attention the Deputy Finance Minister's speech.

I welcome Clause 2 seeking to substitute "certain mineral products" for the words "certain mineral oils", and I welcome the inclusion of the word "products".

Our country is increasing in mineral wealth. We have yet to tap the mineral wealth of our country as a whole, and this word "products" will include many such minerals which we are getting in our land.

The Minister has also explained about the ceilings in the Table. I am not agreeable to this because this will result in further taxation by way of excise and customs. He has, however, assured us that there will not be any increase in taxes, but I am sure that the Government will come up with an increase later on. Up to 30th September, 1964, the Government has earned about Rs. 5 crores. So, this tendency of earning more money is there with the Government. I have no objection to this tendency of earning more money, but my objection is that the

Government does not spend properly the sum that they earn by way of excise and customs from petrol, kerosene or diesel oil.

The part of the country which I represent is yielding more oil, more petrol. At least to that part benefit should accrue from this money. The roads in the State of Gujarat are very backward. The State may be thought by many persons to be rich, but probably that is so in business ideas, but not in other respects, and Government which earns this money there on oil and petrol is not spending enough on the roads of my State. So, I earnestly request him to see that the development of roads in Gujarat is undertaken with this money that they earn, and which they are going to earn from the oil and petrol being produced in Gujarat.

There is possibility of tapping oil in the Gulf of Cambay. I hope natural gas is also included in mineral products because natural gas comes from the under ground. I hope the Minister will include that also. The trouble we are now having in Gujarat is that they have yet to fix the price of gas. The price in other parts of India is much lesser than that offered in Gujarat. It is about three times perhaps then in the Assam Area. So, I request the Minister to think of this, and include natural gas also in mineral products.

Government proposes to increase the ceiling rate on kerosene. Let me have an assurance from Government that the intention is to levy more tax and give the benefits to the consumer, but so far that benefit has not accrued to our farmers and labourers. Government say that they intend to reduce the rates on diesel oil, but diesel oil rates, on the contrary, have gone up, and our farmers who are using diesel oil in engines and on tractors have not been benefited. Anyway, I am quite sure Government will come forward with a Bill afterwards for in-

creasing the ceilings, and say that they want money for this thing or that, and they would further increase the taxation.

Furnace oil is also included, but I may say that it has also been made costlier and the industries in the various States are not having the benefit of this oil.

All these questions require the attention of the Government, especially about asphalt. This is coming at very cheap rates from South America. Our roads are not still tarred in many parts of the country, when asphalt is so cheap. All that they have to do is to fill the barrels with asphalt from the South American Pitch lake and send it here. So, I do not know why our roads are not tarred to the extent we want them. I would advise the Government to have more tarred roads than cement roads because cement is costlier and becoming rare in our country. So, the use of tar should be increased.

**Shri Narendra Singh Mahida:** "All products" have been included in item 11A.

**Shri Bade:** That is for increasing their income.

**Shri Narendra Singh Mahida:** Probably Government has no knowledge of the products they are going to have or make. There are many products which will grow from our mineral wealth. The Minister may have displayed proper vision by putting in all the products available in this country. The benefit out of this ceiling table though professed is not coming to the consumer in satisfying way though the Minister says they will subsequently decrease the prices prevalent in the country. Let him give that assurance. That assurance has been given in the House for the last so many years, but nothing concrete has come out for reducing the prices of petrol diesel oil or kerosene. About motor spirit . . .

**Mr. Deputy-Speaker:** Is he likely to take some more time?

**Shri Narendra Singh Mahida:** Yes, Sir.

**Mr. Deputy-Speaker:** He can continue tomorrow.

17 hrs.

CLARIFICATION OF STATEMENT  
 RE: SITUATION IN BHUTAN

**The Minister of State in the Ministry of External Affairs (Shrimati Lakshmi Menon):** Sir, I seek you permission to clarify my answer in reply to Shri Nath Pai's question following my statement this morning on the situation in Bhutan. When I said that the latter part of the question is the truth, I agreed with him that the present development is only a storm in a tea cup, but not, I repeat not, to the second part "being the result of the adventures of a cine star".

**Shri Nath Pai (Rajapur):** I do not follow the clarification of the Minister. My question was framed in two parts. One was whether the present developments in Bhutan are the result of the efforts of certain individuals who did not like the kind of relationship that exists between Bhutan and India and therefore wanted to change it or whether it was a kind of a storm in a tea cup, being the result of the adventures of a cine actress. What is the clarification?

**Shrimati Lakshmi Menon:** I said, I agreed with the latter parts of the question, without the "cine star".

**Shri Nath Pai:** You are dropping the cine star? It looks too glamorous?

**Mr. Deputy-Speaker:** The House stands adjourned till 11 A.M. tomorrow.

17.02 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 3, 1964 (Agrahayana 12, 1886 (Saka)).*