

Friday, 3rd September, 1954

LOK SABHA DEBATES

(Part I—Questions and Answers)

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LOK SABHA SECRETARIAT

NEW DELHI

LOK SABHA DEBATES Dated... 9/1/54: 20/9
(Part I—Questions and Answers)

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LOK SABHA

Friday, 3rd September, 1954

—
The Lok Sabha met at a Quarter Past
Eight of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

TRADE AGREEMENTS

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

(a) the names of the countries with which trade agreements have been signed from the 1st January, 1954 to the end of August, 1954; and

(b) the names of the countries to which large quantities of Indian cottage industry products were exported during the above period?

The Minister of Commerce (Shri Karmarkar): (a) and (b). A statement is laid on the Table of the House. [See Appendix III, annexure No. 49.]

Shri D. C. Sharma: May I know if trade agreements with some other countries are also under consideration at present?

Shri Karmarkar: Not any, except China, as far as I remember.

Shri D. C. Sharma: May I know the approximate value of the products of cottage industries which have been shipped to these countries, as given in (b)?

Shri Karmarkar: I could not give my hon. friend the exact figures of
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the value of cottage industry products exported to these countries.

Shri D. C. Sharma: Will the hon. Minister be pleased to say what are the names of the articles mostly in demand in these countries.

Shri Karmarkar: Of cottage industry products or other products?

Shri D. C. Sharma: Cottage industry products.

Shri Karmarkar: Banaras brocade, bidri-ware, brass-works and things like that.

Shri Bansal: May I know what is the up-to-date experience of the Government of India in regard to the working of these bilateral trade agreements?

Shri Karmarkar: The up-to-date experience is quite satisfactory.

Mr. Speaker: The next question, No. 443 by Shri M. L. Dwivedi will be taken up at the end. Shri Radha Raman has been authorised to put it.

JUTE GRADING

*445. **Shri Barman:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there is at present no scientific classification of jute fibre and the cultivators are entirely in the hands of dealers in their arbitrary grading in jute fibre as 'top' 'middle' and 'bottoms'; and

(b) if so, whether Government are taking any steps to formulate rules for grading?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) and (b). No, Sir. The Indian Standards Institution has already published standard specifications for the grading of raw jute. There are also fairly well recognised trade gradings. The position, however, is that the cultivator, as a rule, sells his produce in bulk and the grading and assortment are done after the goods have passed out of the hands of the cultivator. The attention of the State Governments has been drawn to this problem.

Shri Barman: Is it a fact that the classification laid down by the ISI has not been accepted by the IJMA and they have bifurcated each class and some confusion has arisen?

Shri T. T. Krishnamachari: It is true that there is a little difficulty in regard to accepting the standards laid down by the ISI by the IJMA. But I cannot confirm the impression that it has resulted in greater confusion.

Shri Barman: The Jute Inquiry Commission, 1954, has recommended the establishment of regulated markets wherefrom the cultivators could understand about grading and that there should be jute development agencies to educate the cultivators about the different classifications. May I know whether Government have accepted that recommendation, and if so, when are Government going to implement it?

Shri T. T. Krishnamachari: The recommendations of the Jute Inquiry Commission are under consideration. I cannot say that Government have accepted these recommendations as yet. The problem, as I said, bristles with difficulties and the co-operation of the State Governments is necessary, if there should be some kind of grading at the producer end. Actually, it is not a fact that the producer does not know anything about grading. The broad gradings of Indian jute are: 'top', 'middle', 'bottom' and 'cross bottom'. Roughly, the producer knows these gradings.

Shri B. K. Das: May I know whether the classifications prescribed by the ISI are followed in the secondary markets?

Shri T. T. Krishnamachari: The question of implementation of those classifications is still a matter of negotiation.

INTERIM COMPENSATION SCHEME

*446. **Dr. Ram Subhag Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced persons who have been given compensation so far under the Interim Compensation Scheme; and

(b) the total amount of money given to them as compensation?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) and (b). Upto 21st August, 1954, compensation amounting to Rs. 2,94,94,395 in cash and Rs. 50,53,885 in the form of property had been paid to 17,745 claimants. In addition, 1,72,253 acres of evacuee agricultural land and groves valued at Rs. 33,82,863 had been allotted to 7,586 persons having claims for agricultural lands.

Dr. Ram Subhag Singh: Is it true that after receiving compensation under this Interim Compensation Scheme some of the displaced persons living in Government houses and infirmaries have since been removed from those places.

Shri J. K. Bhonsle: Inmates of Homes Infirmaries are only paid their compensation on condition that they leave such Homes Infirmaries.

Shri Bhagwat Jha Azad: After this expenditure running into lakhs and millions and crores of rupees, what percentage of the work of giving compensation has already been completed by the Government and what is left over?

Shri J. K. Bhonsle: Out of the first priority categories of 53,000 people, we have paid compensation to roughly 18,000 people and the amount comes to over Rs. 2½ crores. At this rate.

We hope that as soon as possible we shall try and settle this question.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि अब तक किस श्रेणी के विस्थापितों को कम्पेनसेशन दिया गया है ?

Mr. Speaker: What classes of people have been given relief?

Shri J. K. Bhonsle: These priority categories.

CONFERENCE OF REHABILITATION
MINISTERS

*447. **Sardar Hukam Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) whether the Conference of Rehabilitation Ministers held at Srinagar in the first week of June, 1954 could take any decisions about the final scale of compensation to be given to displaced persons from West Pakistan; and

(b) whether applications from all claimants are to be invited shortly?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) No.

(b) This will be considered after the 31st October, 1954, which is the last date fixed for receipt of applications from a number of categories, announced recently.

Sardar Hukam Singh: May I know whether the Special Committee envisaged in the Conference at Srinagar to prepare an overall scheme for compensation has met?

Shri J. K. Bhonsle: Yes. They had met on the 18th and 19th. But this Committee have nothing whatever to do with the question of deciding as to the amount of compensation to be paid.

Sardar Hukam Singh: What is the business entrusted to this Special Sub-Committee then?

Shri J. K. Bhonsle: To decide whether applications should be invited

from the remaining classes of claimants, and set dates for them.

Sardar Hukam Singh: May I know whether the Ministry is proceeding with the employment of any extraordinary special staff of officers and other personnel to complete this scheme of payment of compensation within a reasonable period of time?

Shri J. K. Bhonsle: Yes. We are trying now to establish another four regional offices and to have about 50 Settlement and Assistant Settlement Officers.

Shri Meghnad Saha: Will the hon. Minister of Rehabilitation kindly inform us as to what is the position with respect to evacuee properties in the eastern zone and whether any scheme has been worked out to give compensation to persons who have left their properties there and who are not deriving any profit from their properties? Has it been thought of or does he propose to give any thought to this very deplorable state of affairs?

The Minister of Rehabilitation (Shri A. P. Jain): The displaced persons from East Bengal continue to own, and to a certain extent, enjoy, their properties in East Bengal. There is no intention of plotting out any scheme for the East Bengal refugees, as has been done in the West.

कुटीर उद्योगों का विकास

*४४८. **सेठ गोविन्द दास :** क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि किन-किन राज्यों को जून, १९५४ तक कुटीर उद्योगों के विकास के लिये क्रमशः प्रति व्यक्ति अधिकतम और न्यूनतम आर्थिक सहायता दी गई थी ?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): Financial assistance to State Governments for Cottage Industries is not given on the basis of population. Assistance is given on the merits of specific schemes sponsored by them.

I would like to add that I did make an endeavour to see if I could get a *per capita* projection into the amount expanded, and I found it was a task beyond my capacity.

Seth Govind Das: To how many States has this aid been given so far?

Shri T. T. Krishnamachari: It is a long coverage, and so far as the last year was concerned, the Ministry submitted reports of the various Boards which cover this category, namely, the Handloom Board, the Handicrafts Board, the Silk Board and the All-India Khadi and Village Industries Board. We have sanctioned practically all the amounts mentioned in those reports. If it is the desire of the hon. Member to have a list, I have got a long list here which practically covers all the States.

Mr. Speaker: It is not necessary to read it.

Seth Govind Das: Do the Government receive any periodical reports from the different States as to how this money is being spent or utilised?

Shri T. T. Krishnamachari: There are various methods by which Government check the expenditure. We have some skeleton staff engaged by ourselves. Recently, we have also sent out communications to the States asking them for fortnightly reports with regard to the progress of expenditure. We find that allotments are made and that money is not expanded. We are trying to keep the pressure up as much as possible and it depends, to a large extent, on the co-operation we get from others.

BUND ACROSS THE RIVER RAVI

*449. **Shri Gidwani:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that Pakistan has raised a bund across the River Ravi at Dera Baba Nanak and diverted the waters of the river affecting a number of Indian villages; and

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

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes. Pakistani authorities have raised a bund across the Ravi in the vicinity of Dera Baba Nanak.

(b) Necessary protective measures have been adopted by the Government of Punjab (I) who are keeping the situation under constant watch. The Government of Pakistan have also been approached for the demolition of such works which have resulted in diverting the flow of waters of the river Ravi affecting large areas on the Indian side and it has been suggested to them that the question of training the river Ravi should be discussed between the appropriate authorities of the two Punjabs with a view to reaching an acceptable and co-operative solution of the problem.

Shri Gidwani: What are the protective measures taken by the Indian Government?

Shri Sadath Ali Khan: They are of an engineering nature. We have undertaken the construction of protective works on our side of the river in the form of an extension of the guide bund downstream of the Baba Nanak bridge, which is in continuation of the existing bund.

Shri Gidwani: How many villages have been affected and what was the loss suffered?

Shri Sadath Ali Khan: I can give the acreage which has been affected due to the vagaries of the river, since partition. We believe it is 26,481 acres.

Sardar Hukam Singh: May I know whether it is a fact that the preventive measures taken by the Punjab Government have proved ineffective and the diversion made by the Pakistan Government is causing the same damage to those villages?

Shri Sadath Ali Khan: No, Sir. At an early stage we were not able to say what the result would be of the

measures taken by the Punjab Government because they had to be watched. They have so far been effective.

NARBADA VALLEY SCHEME

***450. Shri Dabhi:** Will the Minister of Irrigation and Power be pleased to refer to the reply to starred question No. 334 asked on the 24th February, 1954 and state:

(a) whether the Tawa and Punasa Projects of Narbada Valley have been found to be technically and financially sound;

(b) if so, what further action has been taken or is being taken in the matter; and

(c) what progress has been made in the investigations on the Broach Project?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The Tawa Project has been recommended by the Madhya Pradesh Government to the Planning Commission for inclusion in the Second Five Year Plan and is under the consideration of the Technical Advisory Committee, while no such recommendation has been received by the Planning Commission from the State Government in respect of the Punasa Project.

(c) The Field work in connection with the Broach Project has been completed and preparation of plans, estimate and Project Report is in hand.

Shri Dabhi: May I know whether the Bombay Government have recommended the inclusion of the Broach Project in the Second Five Year Plan?

Shri Hathi: The project report is not yet ready. It has not yet been sent to the Bombay Government but, in the preliminary list that has been sent by the Bombay Government, they have included that.

Shri Dabhi: May I know what would be the estimated cost of the project and the approximate area which it is likely to cultivate?

Shri Hathi: As I mentioned, the plans, estimates and the project reports are still in progress. I cannot say anything exactly at this stage.

Shri C. Bhatt: May I know whether the Government has taken any decision to include the Broach Project in the Second Five Year Plan?

Shri Hathi: As I said, the estimates are being prepared and then this Government has to send it to the Bombay Government. It cannot be said what the decision of the Bombay Government would be.

सेठ गोविन्द वास : क्या माननीय मंत्री जी को मालूम है कि जहाँ तक मध्य प्रदेश का सम्बन्ध है अभी तक वहाँ पर कोई बड़ी आबपाशी योजना नहीं बन रही है और ऐसी परिस्थिति में तवा की जो योजना है, जिस के सम्बन्ध में मध्य प्रदेश की सरकार ने केन्द्रीय सरकार को लिखा है, उस के विषय में क्या जल्दी से कुछ किया जाना सम्भव है ?

Shri Hathi: All these schemes which will be received by the Technical Advisory Committee will be scrutinised by that Committee and then they will be included in the Second Five Year Plan.

PENCILS

***451. Shri Jhulan Sinha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the present position in respect of requirement and production of pencils in the country; and

(b) the encouragement afforded by Government for the development of the indigenous industry?

The Minister of Commerce (Shri Karmarkar): (a) Estimated total annual requirements—600,000 gross. Production in 1953—1,91,000 gross approximately.

(b) The indigenous manufacturers are afforded the following facilities for development:—

(i) Quality raw materials, namely, lead slips and wood slats

are allowed to be imported by actual manufacturers.

- (ii) By regulating import policy specially in respect of cheaper types of pencils a fillip to the industry is sought to be given.

Shri Jhulan Sinha: May I know how the local products compared with the imported ones in quality—generally speaking?

Shri Karmarkar: Generally speaking, it is all right, Sir.

Shri V. P. Nayar: The hon. Minister said that certain import facilities have been given for the import of lead slips. May I know whether, in view of the fact that graphite is available in plenty in India and because we have no refining process for graphite, Government have taken any steps to see that the graphite required for pencils and other industries is refined properly in India?

Shri Karmarkar: I should like to have notice of it.

Shri Meghnad Saha: May I ask if the hon. Minister is aware that plans for the refining of graphite have been sent to the various Departments since about a year and we have not heard anything from them, as if we have addressed letters to the Dead Letter Office?

Shri Karmarkar: I am not aware of it; therefore, I require notice for this question.

EXPLOSIVES' CONSIGNMENT AT HOWRAH

*452. **Shri P. C. Bose:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether a consignment of explosives including a number of cannon shells, was discovered at Howrah Railway Station on the 20th May, 1954; and

(b) the details of the booking of this consignment?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) A number of shells and mortar bombs, mostly empty, were found mixed up in a consignment of iron scrap.

(b) The consignment was booked from Manipur Road Railway Station, to Howrah by one Shri Murari Lal, consigned to self.

Shri P. C. Bose: May I know what was the object of sending these explosives from Manipur to Calcutta?

Sardar Swaran Singh: Murari Lal would be the best person to answer this.

Shri P. C. Bose: May I know whether Government have made any enquiry about it?

Sardar Swaran Singh: Yes, Sir.

TRAINING IN THE BUILDING TRADE

*453. **Shri K. P. Sinha:** Will the Minister of Works, Housing and Supply be pleased to state the steps so far taken in regard to the pilot scheme under which training was to be provided in the building trade to educated young men?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): The training classes under the scheme have already started and are in progress at the Exhibition Grounds, Mathura Road, New Delhi. The Government of India have also given financial assistance to the U.P. Post War Services Reconstruction Fund Trust for running a Building Trade Centre at Sarojini Nagar, Lucknow, on the lines of the Pilot scheme at New Delhi.

Shri K. P. Sinha: What is the period of training and the qualification required for admission?

Sardar Swaran Singh: The minimum qualification is matriculation and the period of training is, roughly, six months.

Shri Achuthan: May I know whether the students include students from all the States of India or only students from particular States?

Sardar Swaran Singh: Actually, all the States were informed of the scheme and were asked to nominate trainees. Some of the States did take advantage of that; others did not.

CO-OPERATIVE SPINNING MILL

*454. **Shri Jethalal Joshi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Government have given a grant of Rupees ten lakhs from the Cloth Cess Fund to a co-operative spinning Mill proposed to be started in Tirunelveli; and

(b) when the Mill is to come into operation?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) Government have sanctioned a loan of Rs. 10 lakhs to the Madras Government for being re-loaned to the South India Co-operative Spinning Mills Ltd., Tirunelveli.

(b) By August, 1955.

Shri Jethalal Joshi: May I know the total amount of collection of the Cloth Cess Fund and the industries to which grants have been made in 1953-54?

Shri T. T. Krishnamachari: I am afraid, Sir, this relates to the grant of a particular amount from the Cess Fund. The information is available, but I have not got it on hand.

Shri Bansal: May I know if Government have received any details about this spinning mill and whether the machinery will be imported or purchased from indigenous manufacturers?

Shri T. T. Krishnamachari: The question of purchase of machinery has not been settled—that is the information that I have. In fact, the particular mill is negotiating with the Assam Government to take over from them the purchase of machinery which they had contracted for in respect of a scheme that they had to set up a spinning mill in Assam some time back. If those negotiations fail, ob-

viously, under our present import regulations, the bulk of the machinery for this spinning mill will have to be bought locally.

Shri Velayudhan: May I know whether it is an interest-free loan or an interest leviable loan?

Shri T. T. Krishnamachari: It does bear an interest of 3-5/8 per cent.

INDUSTRIES FAIR IN LONDON

*455. **Shri Krishnacharya Joshi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Indian Representatives attended the Industries Fair in London held in May, 1954; and

(b) what were the main Indian products that were sent for exhibition?

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

(b) A statement is laid on the Table of the House. [See Appendix III, Annexure No. 50.]

Shri Krishnacharya Joshi: May I know whether the bidri-ware products of Hyderabad State were also sent for exhibition?

Shri Karmarkar: As you will see from the statement, the bidri-ware products were also sent.

Shri Krishnacharya Joshi: May I know how many of the Commonwealth countries were represented in this exhibition?

Shri Karmarkar: I have no information on that, but I presume all the Commonwealth countries were represented.

Shrimati Tarkeshwari Sinha: May I know whether the Federation of Indian Chambers of Commerce propose to hold an exhibition on the lines of the Industries Fair in London and whether Government propose to give any help to them?

Shri Karmarkar: That does not arise out of this question, but I may tell the hon. Member that they do propose to hold an exhibition next year some time in November 1955.

PROGRESS OF OIL REFINERIES

***456. Shri S. C. Singhal:** Will the Minister of Production be pleased to state:

(a) the progress of each of the three new oil refineries in India; and

(b) how would the cost of production of each product at these refineries compare with the cost at which they are imported?

The Minister of Production (Shri K. C. Reddy): (a) Out of the three new oil refineries which were proposed to be set up in India, the first (Standard-Vacuum) went into operation on 29-7-1954. The second refinery (Burma-Shell) was about 55 per cent. complete as on 31-8-1954 and is expected to be ready during the first quarter of 1955. As regards the third refinery to be set up by Caltex at Visakhapatnam, the work is still in the planning stage and construction is expected to start in the first half of 1955.

(b) Government have no information about the cost of production but the refinery companies, under our agreement with them, should sell the products refined in India at prices not higher than the prices of similar imported products.

Shri S. C. Singhal: Will there be any by-products in these refineries?

Shri K. C. Reddy: Not now; the question of tackling the by-products will arise only later, I suppose.

Shri Meghnad Saha: May I know which is the region in India where consumption of petrol is the highest and if any step has been taken to set up a refinery in this region?

Shri K. C. Reddy: I would require notice to answer that question.

Shri Sadhan Gupta: May I know whether the agreement makes any provision for revision of the price for sale of petrol in view of the fact that the price at which imported petrol is sold here is much above the cost of production and its price is regulated by the cost of production not over

here, but at ports in the Gulf of Mexico which is infinitely higher?

Shri K. C. Reddy: It is a very general question and it will require a lot of time for me to answer it satisfactorily. I also think that this is a question to be put more to my colleague the Minister of Works, Housing and Supply, than to me. The agreements concerned have already been laid on the Table of the House and if you want me to explain it satisfactorily it will take a lot of time.

Shri T. B. Vittal Rao: May I know if the progress of the second refinery that has been referred to has been rather slow, and if so, what are the reasons?

Shri K. C. Reddy: It is not slow. The progress is not only according to time-schedule, but the Burma-Shell have advanced the time by which the refinery is to go into operation.

DISPLACED PERSONS

***458. Th. Lakshman Singh Charak:** Will the Minister of Rehabilitation be pleased to state:

(a) how much money has been earmarked or given to the Delhi State for rehabilitation of the displaced persons for the year 1954-55; and

(b) whether a report will be submitted by the Delhi State Government regarding the expenditure of this amount?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Rs. 46.23 lakhs as Grants. Rs. 0.50 lakh as a Loan.

(b) Yes.

Th. Lakshman Singh Charak: May I know whether this amount which was sanctioned in favour of Delhi State was for a specific purpose or it was a general grant?

Shri J. K. Bhonsle: For various purposes, Sir.

Th. Lakshman Singh Charak: May I know how far those works for which

this amount has been advanced have progressed?

Shri J. K. Bhonsle: I am not in a position to answer that question; it is a matter for Delhi State Government.

INDO-PAKISTAN BOUNDARY DISPUTE

***460. Shri B. K. Das:** Will the Prime Minister be pleased to state:

(a) what are the outstanding disputes in connection with the demarcation of boundaries between the two Bengals and Assam and East Bengal;

(b) what steps have been taken for their solution; and

(c) by what time the work of demarcation of boundaries is likely to finish?

The Deputy Minister of External Affairs (Shri Anil K. Chanda): (a) and (b). The principal boundary dispute still outstanding in the Eastern Zone is regarding the boundary between the rivers Kusiya and Sonai on the Assam-East Bengal border. The Government of Pakistan have also raised the following four other disputes, two on the West Bengal—East Bengal border and two on the Assam-East Bengal border:—

- (1) Berubari Union No. 12 in West Bengal;
- (2) The Thana of Hili in West Bengal;
- (3) Bholaganj Post Office in Assam;
- (4) The stretch of the river Surma in Assam between Katagaonmukh and Natanpur.

There has been considerable correspondence between the Governments of India and Pakistan on these disputes. They were also discussed at the Indo-Pakistan Conference held in Calcutta in September—October, 1953. The decisions of this Conference have not yet been ratified by the Government of Pakistan.

(c) It is very difficult to say when the entire boundary will be finally demarcated, as it will depend upon agreement being reached between the two Governments on the outstanding disputes.

Shri B. K. Das: It appears that the position has not much improved from what it was in February, 1953. May I know the causes for delay?

Shri Anil K. Chanda: As I said certain decisions were arrived at at the conference held at the end of 1953. Those decisions have not yet been ratified by the Pakistan Government and, therefore, as the hon. Member stated, not much progress has been made during the last few months.

Shri B. K. Das: May I know whether any special machinery has been set up for the purpose of doing this work?

Shri Anil K. Chanda: There is no special machinery excepting discussions and negotiations.

HIGH ALTITUDE COSMIC RAY RESEARCH STATION

***461. Shri Nageshwar Prasad Sinha:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Atomic Energy Commission of India has decided to set up a High Altitude Cosmic Ray Research Station in Kashmir Valley; and

(b) if so, when would the station be set up?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) and (b). The matter is at present under consideration. No final decision has yet been arrived at.

Shri Nageshwar Prasad Sinha: May I know whether similar stations have already been set up in India, and if so, how many?

Shri Jawaharlal Nehru: I would not say 'similar stations', but some stations, I agree, have been put up, but not of such a comprehensive type.

Shri Nageshwar Prasad Sinha: Are we to assume that India has now crossed her initial stages and entered into a phase of production and manufacture of atomic energy?

Shri Jawaharlal Nehru: No, Sir. We are not to assume like that.

Shri N. M. Lingam: May I know the area surveyed for locating the research station and the venue finally fixed?

Shri Jawaharlal Nehru: It has not been fixed finally. The various areas surveyed were, I believe, round about Darjeeling side, Uttar Pradesh, Himalayan side, right up to Kashmir. The preliminary proposal has been in favour of Khilanmarge which is above Gulmarg in Kashmir, but there are some essential requirements for that. They have suggested some kind of a rope-way because otherwise it is not accessible in a part of the year. So, these matters are being investigated.

INDIAN EMBASSIES ABROAD

*462. **Shri Radha Raman:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Government of India have recently adopted measures of economy in the expenditure of Indian Embassies abroad;

(b) if so, what is the nature of these measures and which embassies will be affected most; and

(c) what will be the total savings as a result of these measures?

The Deputy Minister of External Affairs (Shri Anil K. Chanda): (a) to (c). No specific measures of economy have been recently introduced in the expenditure of Indian Missions abroad. An effort is, however, constantly made to ensure avoidance of unnecessary expenditure. Budget and financial control is carefully exercised by Government.

Some savings have been made, but these have been really due to non-implementation of re-organisation

schemes as well as vacancies not being filled. In this way there was a saving of Rs. 10,63,200 in 1952-53 and in 1953-54 it is likely to be Rs. 9,96,000/-.

In the initial stages when new Embassies were opened without properly trained staff some financial irregularities occurred. Now there is greater control under trained staff. This has also led to some savings which, however, cannot be accurately assessed.

It has been found that a number of our Missions abroad are not adequately staffed. Vacancies have also not been filled sometime for a considerable period. This has resulted in our work suffering and consequently criticism being made in Parliament. Additional responsibilities have also to be shouldered now. If these have to be adequately borne, there will have to be additional expenditure.

Shri Radha Raman: May I know if the Government is aware of the criticism from certain sections that our embassies are extravagant, at least in certain respects, and, if so, how far this charge is correct and how far our embassies' expenses compare with those of the embassies of other countries?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): Roughly, our embassies' expenses are far less than those of other embassies.

Shri Bansal: May I know if any special entertainment allowance is granted to our Ambassadors, Charge d'Affaires and Consuls-General abroad and whether that is sufficient to enable them to discharge their ordinary functions of entertaining the various delegations that go from here?

Shri Jawaharlal Nehru: Some allowances are given for that purpose. I can hardly give an answer covering every place, but my own impression is that in some places it is probably not adequate, in some places it is adequate and in some places it might even be capable of reduction.

सेठ गौरीचन्द्र दास : क्या माननीय मंत्री को यह बात मालूम है कि हमारे कई दूतावासों में इतना कम खर्च किया जाता है कि वहां का काम मुश्किल से चलता है और हमारी बेइज्जती होती है और ऐसी हालत में क्या इस बात का ख्याल रक्खा जायगा कि जो किफायत हो वह इस तरह से की जाय कि जिससे कम से कम हमारी बेइज्जती उन मुल्कों में न हो ?

श्री जवाहरलाल नेहरू : माननीय सदस्य से मैं बिल्कुल सहमत हूँ ।

लाजपत राय मार्केट

*४६३. श्री नवल प्रभाकर : क्या पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली की वर्तमान लाजपत राय मार्केट के स्थान पर सरकार एक स्थायी मार्केट बनाने का विचार करती है; और

(ख) यदि हां, तो क्या इस सुझाव का किसी ने विरोध किया है ?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Yes.

(b) Only a small section of the shopkeepers in the Market desired postponement of construction of the Market, but a large majority of them are in favour of it.

श्री नवल प्रभाकर : क्या मैं जान सकता हूँ कि जब तक इस नवीन मार्केट का निर्माण होगा तब तक इस समय जो विस्थापित वहां पर बैठे हैं और कारोबार कर रहे हैं, उनके लिये किसी अस्थायी स्थान का प्रबन्ध किया जायगा ?

पुनर्वास मंत्री (श्री ए० पी० जैन) : वह तो वहीं बैठ रहेगा जहां अभी बैठे हुए हैं ।

PRESS INFORMATION BUREAU

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

(a) the number and the names of the Indian languages in which the

Press Information Bureau provided information services to Indian newspapers and periodicals so far during 1954;

(b) the total number of recipients of its services during this period; and

(c) whether the proposal to set up a mobile unit to tour project areas to collect material on the Five Year Plan has materialised?

The Minister of Commerce (Shri Karmarkar): (a) Eight, namely, Hindi, Bengali, Gujerati, Kannada, Marathi, Tamil, Telugu and Urdu.

(b) The total number of recipients of information services, including photographic and ebonoïd services, provided by the Press Information Bureau is 3,156.

(c) The unit is expected to start functioning shortly.

Shri Bahadur Singh: May I know the number and the names of the newspapers that were not provided information services by the Press Information Bureau, and the reasons for the same?

Shri Karmarkar: I should like to have notice of that.

Shri Bahadur Singh: Is the Ministry having some black list of newspapers to whom information services are not to be given?

Shri Karmarkar: I do not think we have a black list in regard to that, but I would like to have notice of that also.

Shri Bahadur Singh: What was the largest amount given to any one newspaper for publicity?

Shri Karmarkar: This refers to the services.

Mr. Speaker: He wants to know the largest amount of money given.

Shri Karmarkar: I am only referring to hand-outs like cyclostyled sheets, etc. and not to the amount of money.

Shri A. M. Thomas: In the list of languages that have been narrated by the hon. Minister, Malayalam is conspicuously absent though it is one of the languages included in the Constitution. May I know whether any scheme is drawn up for opening press information services in Malayalam to dailies, weeklies and periodicals.

Shri Karmarkar: One comes first and one comes later and so Malayalam will come in its turn.

GOVERNMENT BUILT RESIDENTIAL HOUSES

***465. Shrimati Tarkeshwari Sinha:** Will the Minister of Rehabilitation be pleased to state:

(a) whether Government-built residential houses which have been allotted to the displaced claimants on a quasi-permanent basis, will now be transferred to them on a permanent basis; and

(b) if so, whether any priorities have been fixed for the disposal of the claims?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Yes.

(b) No. The houses will be transferred to persons having verified claims as the checking of their compensation applications and valuation of the houses are completed.

Shrimati Tarkeshwari Sinha: May I know the number of houses that will be transferred under the scheme and whether any additional amount will be charged on the claimants?

Shri J. K. Bhonsle: All Government-built and evacuee houses will be transferred to the claimants.

Shrimati Tarkeshwari Sinha: I wanted to know the number of the houses that will be transferred.

Shri J. K. Bhonsle: It is very difficult to give that figure.

The Minister of Rehabilitation (Shri A. P. Jain): The number would be several lakhs.

Shrimati Tarkeshwari Sinha: May I know whether any additional amount will be charged on the claimants when they will be given the houses on a permanent basis?

Shri J. K. Bhonsle: Where a claimant purchases either evacuee or Government property, if his claims are beyond Rs. 4,70,000, then he can purchase the property upto the extent of Rs. 50,000 and beyond that he will have to pay out of his own pocket.

Shrimati Tarkeshwari Sinha: May I know whether all State Governments, which own Government-built houses will also implement this decision?

Shri J. K. Bhonsle: Yes.

COTTAGE INDUSTRIES MARKETING SCHEME

***466. Shri M. S. Gurupadaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have considered any scheme for improving the marketing as well as organisation of small-scale and cottage industries; and

(b) if so, when this scheme will be put into operation?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) Yes, Sir.

(b) Preliminary work has already been started. Implementation will be effected as soon as arrangements are complete.

Shri M. S. Gurupadaswamy: May I know whether any attempt has been made by Government to bring about decentralising and speeding up of industrial processes to encourage cottage and small-scale industries?

Shri T. T. Krishnamachari: That is a very general question.

Shri M. S. Gurupadaswamy: It is a specific question. I want to know

whether the Government has taken any steps or drawn up any scheme to bring about the splitting up of industrial processes with a view to encouraging cottage and small-scale industries.

Shri T. T. Krishnamachari: The question of dealing with processes is rather difficult and the treatment has got to be psychological and in very few cases real. I am afraid I am unable to answer the question either in the affirmative or negative.

Shri Velayudhan: It was stated that the Cottage Industries Board was being re-organised. Let me know at what stage it is now.

Shri T. T. Krishnamachari: There is no Board called Cottage Industries Board.

Shri Dabhi: May I know whether cottage industries include village and *Khadi* industry?

Shri T. T. Krishnamachari: Actually there is no definition so far as cottage industry is concerned and that is why we are not using the term "cottage industry".

Shri Kelappan: May I know if there are any marketing officers in foreign countries to promote the sale of cottage industry products?

Shri T. T. Krishnamachari: Not in regard to what are called cottage industries. We have done something in regard to handloom. We have not done in regard to other industries which are produced by people who are self-employed.

PAPER INDUSTRY

*468. **Shri Ajit Singh:** Will the Minister of Commerce and Industry be pleased to state whether there has been any proposal for starting a paper industry in South India in view of the abundant availability of bamboo trees there?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): Yes, Sir. A party was interested in

putting up a Paper Mill based on bamboos in South India, and it has been advised to apply again as soon as a site is selected in consultation with the Madras Government.

Shri Ajit Singh: May I know when this industry is going to start and how much paper it will produce?

Shri T. T. Krishnamachari: A proposal was made that the quantity of paper that the person intends to produce is somewhere between 8,000 and 9,000 tons a year, but it is found that he did not have an agreement with the Madras Government for the purpose of the supply of power. In regard to the licensing of industries, the State Governments have to agree to the location of the industry in their area and also to supply the necessary amount of raw material and power. Until such an agreement is effected, the Licensing Committee cannot decide the matter and, therefore, the party has been asked to get in touch with the Madras Government and renew his application when he gets the consent of the Madras Government for the scheme.

Shrimati Kamalendu Mati Shah: Is the Government contemplating to establish paper industry in those parts where you can get a lot of material for the industry?

Shri T. T. Krishnamachari: It is a constant and continuous process. We are short of paper. We do not produce all the paper that we need. Because we expect that the needs of paper will be increasing, Government is constantly at this problem of devising ways and means for adding more units to this industry and also of trying to find facilities for the manufacture of pulp.

Shri Veeraswamy: In what part of the Madras State will the paper industry be started?

Shri T. T. Krishnamachari: That is exactly the trouble. The question of location has not been decided upon. It is merely an application without

any specific site approved by the State Government. The party comes from the extreme south. The Government of Madras have not agreed to his application because they have not yet been able to decide on a proper site.

जाली पारपत्र

*४७०. श्री रघुनाथ सिंह : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४ में अभी तक भारत में कितने जाली पारपत्र पकड़े गये हैं;

(ख) ऐसे पारपत्रों के द्वारा यात्रा करने वाले कितने व्यक्ति पाये गये हैं; और

(ग) क्या नकली पारपत्र देने वाला कोई अन्तर्राष्ट्रियक गिरोह है ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). Two cases of persons in possession of passports containing forged endorsements have come to the notice of the Government of India during 1954. In the first case fourteen passports were involved. The second case is still under investigation and the number of passports involved is not known.

(c) We have no knowledge of any inter-State gang which issues faked passports or faked endorsements on passports.

श्री रघुनाथ सिंह : क्या मैं ५० पी० की संख्या जान सकता हूँ ?

श्री साधत अली खान : वह इस वक्त मेरे पास नहीं है ।

बेकारी

*४७१. डा० सत्यबाबी : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पंजाब, पेश्वर, हिमाचल प्रदेश और दिल्ली की सरकारों ने बेकारी को दूर करने के लिये योजनायें बनाई हैं; और

(ख) यदि हां, तो उन की योजनाओं की रूपरेखा क्या है ?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Certain adjustments and additions to the State Plans of Punjab, PEPSU, Himachal Pradesh and Delhi were agreed to towards the close of 1953 to remove unemployment. Since then some further additions have been made in the case of Punjab, PEPSU and Himachal Pradesh. A statement giving particulars of these adjustments and additions is placed on the Table of the House. [See Appendix III, annexure No. 51.]

डा० सत्यबाबी : क्या मैं जान सकता हूँ कि इन स्कीमों पर अमल करने के नतीजे के तौर पर कितने बेरोजगारों को काम मिलने का अन्दाजा लगाया गया है ?

Shri Hathi : It is not possible exactly to say the number of persons that will get employment, but all these things are for road and other construction. Having regard to the expenditure, it may be fairly expected that about 15 to 20 thousand persons, for two years, will be employed.

Pandit Munishwar Datt Upadhyay: May I know what has happened to the Uttar Pradesh scheme that has been submitted to the Government for removing unemployment?

Shri Hathi: In the adjustment of the Plan, all these things were taken into consideration.

The Minister of Planning and Irrigation and Power (Shri Nanda): May I add, with regard to the last question, that the number of schemes which were received from Uttar Pradesh are under consideration in the various Ministries to which they relate?

Shri Thimmaiah: May I know whether all the States have submitted the schemes for solving the unemployment problem?

Shri Nanda: All of them have submitted whatever schemes they had in view.

Shri Raghavaiah : What is the total number of educated unemployed in these States and what is the scheme of the Government to see that they are employed?

Shri Nanda : It is not possible to give the total number of educated persons who are unemployed, but some sample enquiries are being made and as soon as the results are available, we will have some idea.

**DHOTIES (ADDITIONAL EXCISE DUTY)
ACT**

***473. Shri S. V. Ramaswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) the amount that has been collected so far under the *Dhoties (Additional Excise Duty) Act*; and

(b) how it has been utilised?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) From November 1953 to March 1954 Rs. 9,42,000. From April 1954 to June 1954 Rs. 3,03,000.

(b) The amount has been credited to the Central Revenues.

Shri S. V. Ramaswamy : How is it proposed to be utilised?

Mr. Speaker : It goes to the general revenues. It is not separately earmarked.

Diwan Raghavendra Rao: In granting subsidies to small scale industries out of such excise duty funds, is it a permanent measure to restrict the unfair competition between small-scale industries and big-scale industries, or, is the Government contemplating to revise that policy?

Shri T. T. Krishnamachari: I do not see how this has anything to do with Government's policy. Government is quite prepared to provide funds in excess of the amounts collected by way of cess, if money is needed for

the promotion of small-scale industries or industries where the self-employed worker is engaged, but so far as this is concerned, it is going to the general revenues.

Shri Thimmaiah: May I know whether any portion of this amount is given to the States?

Shri T. T. Krishnamachari: No, Sir. Definitely not.

URANIUM AND THORIUM

***475. Shri Buchhikotaiah:** Will the Prime Minister be pleased to state whether any plans have recently been drawn up by the Centre for the elaborate research and prospecting of the uranium and thorium deposits?

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

Shri Buchhikotaiah: May I know whether it is a fact that some uranium ores are available along the Malabar Coast from monazite sands?

Shri Jawaharlal Nehru: It is available all over India, in large parts of India.

Shri Buchhikotaiah: May I know the names of the experts who are working in the Raw Materials Division of Ministry of Natural Resources?

Shri Jawaharlal Nehru: I am not aware; I do not remember the names of all our people working in various places.

Shri Raghavaiah: Where exactly are these two minerals found out?

Mr. Speaker: It is too general a question.

Dr. Ram Subhag Singh: The Prime Minister said 'Yes', in reply to the original question. May I know what is the nature of the plans that have been recently formulated?

Shri Jawaharlal Nehru: Plans for what?

Mr. Speaker: For research and prospecting.

Shri Jawaharlal Nehru : Do you expect me to read out an essay on the use of atomic energy at this moment in answer to this question?

Mr. Speaker: I think it is too wide a question to be answered.

PROHIBITION

*477. **Shri Shivnanjappa:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that Government propose to appoint a special officer to study the problems relating to prohibition; and

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

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes.

(b) The appointment is being made primarily for collecting information regarding the working of prohibition in the country.

Shri Shivnanjappa: What are the specific functions assigned to this officer?

The Minister of Planning and Irrigation and Power (Shri Nanda): We have initially to collect information about the working of prohibition in various parts of the country. This data will be evaluated with a view to formulating further recommendations.

Shri Shivnanjappa: What are the special circumstances which necessitated the appointment of this particular officer?

Shri Nanda: It is obvious that there have enquiries in various parts of the country, and difficulties in the efficient working of prohibition schemes have been disclosed. We want to know what can be done about it.

Shri Shivnanjappa: May I know whether there is any all-India, well-integrated policy of prohibition?

Mr. Speaker: I do not allow that question.

N.E.F.A.

*478. **Shri Rishang Keishing:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that two tribesmen were recently shot dead by the sepoy of the Assam Rifles in the Chingmei village of the Tuensang Division of North East Frontier Agency;

(b) if so, the reasons for the same;

(c) whether any official of the North East Frontier Agency made an on the spot enquiry in this connection; and

(d) the situation prevailing in the Tuensang Division at present?

The Parliamentary Secretary to the Prime Minister (Shri J. N. Hazarika):

(a) and (b). On the 17th July last, a Government party consisting of one Assistant Political Officer and some members of the Assam Rifles went to Chingmei village for making certain investigations. On their way back the advance guard of the party was attacked. The Assam Rifles were compelled in self-defence to open fire. As a result one villager was killed and one wounded.

(c) A magisterial enquiry was held by the Political Officer at Tuensang, in which he came to the conclusion that the firing was fully justified. The Gaonburas and representatives of the village responded to the call of the Political Officer and gave an undertaking of good behaviour when they appeared before him at Tuensang, a few days after the incident.

(d) The situation is under control.

Shri Rishang Keishing: May I know where the firing took place—whether in the jungle or inside the village, and how many persons were injured, and if it is a fact that the military personnel who accompanied the Assistant Political Officer resorted to firing without the permission of the Assistant Political Officer?

Shri J. N. Hazarika: They opened fire in self-defence when certain youths of the village tried to snatch away their papers.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): In fact, it is not a question of papers; a gun was snatched away also.

Shri Rishang Keishing: I was asking about the number of persons injured. Is it a fact that the military personnel who accompanied the Assistant Political Officer resorted to firing without the permission of the Officer?

Mr. Speaker: That part of the question is answered by the statement that they fired in self-defence: obviously they must have done that without taking permission.

Shri Jawaharlal Nehru: They could not wait and they should not wait when guns were being snatched. Something had to be done. You cannot send a message to somebody to enquire what was to be done.

Mr. Speaker: The hon. Member also wanted to know how many people were injured.

The Deputy Minister of External Affairs (Shri Anil K. Chanda): One was killed and one was wounded.

Shri Rishang Keishing: Is it a fact that several platoons of soldiers are on the move towards Tuensang area and many panic-stricken people are evacuating their villages?

Shri J. N. Hazarika: Not many. After about ten days of the occurrence of the incident, our party visited the village, but the villagers for fear of being arrested fled away.

Shri Jawaharlal Nehru: May I say that this area, the Tuensang area, has only very recently had any kind of administrative set-up. It was a completely isolated area right near the frontier. Naturally, there are a certain number of difficulties in going to unknown areas. On the whole, I must say we got over those difficulties

with remarkable success, that is, in a friendly way, but this unfortunate conflict took place.

Some thefts had taken place, of typewriters and others, and it was a little party which went to enquire about this matter. It was suddenly attacked by a group outside the village and a gun, I think a Bren gun, was snatched from our party and then it was that some firing took place. It was not an open space, but a narrow defile. But subsequently, as stated in reply to the question, the elders of the village and others met and settled the affair satisfactorily.

Shri Rishang Keishing: Is it a fact that the papers seized by the officer belonged to one of the persons belonging to Naga National Council and if that is so, may I know if the movement of the National Council has spread in that area?

Shri J. N. Hazarika: Some paper belonging to the Naga National Office and certain receipt-books of the Naga National Council were seized.

INDIANS IN CEYLON

*479. **Shri Kelappan:** Will the Prime Minister be pleased to state:

(a) the nature of the agreement entered into between the Government of Ceylon and the Indian High Commissioner in Ceylon regarding the repatriation of Indians whose residential permits have not been renewed;

(b) the number of those Indians who took up their residence in Ceylon five years prior to the 1st November, 1949; and

(c) whether the Ceylon Government have given an assurance that the permits of persons who were residents of Ceylon five years prior to the 1st November, 1949 would be renewed?

The Deputy Minister of External Affairs (Shri Anil K. Chanda): (a) It has been agreed that the repatriation of these persons would be phased and

that they would be returned to India in batches of 5,000 each, every three months. They would be given notice of three months' time within which they should leave Ceylon. Necessary facilities will be given to them for winding up and taking out their assets and savings to India, and also for sending remittances to India, till such time when they actually leave Ceylon.

The selection of the first batch of 5,000 will be made on grounds of minimum hardship and dispensability and the Indian High Commission will also be consulted in the selection of personnel.

The position with regard to other batches will be reviewed later.

(b) Information not available.

(c) No. Though the Ceylon Immigrants Act provides that a person who has been a resident in Ceylon for five years prior to 1st November, 1949 should not be refused a Temporary Residence Permit, the Ceylon Government have interpreted that this provision applies only to the first issue of a Temporary Residence permit and not its renewal or extension which is regarded by them as purely discretionary.

Shri Kelappan: May I know the total number that will be repatriated and how long it will take?

Shri Anil K. Chanda: The total number affected is only about 20,000 and, as I indicated in my answer, there will be batches of 5,000 every three months or so.

Shri Kelappan: May I know if the displaced persons will be given priority in the Andamans Colonisation Scheme?

Shri Anil K. Chanda: With regard to the rehabilitation of these persons we are in correspondence with the Madras and Travancore Governments.

Shri Kelappan: Does the Ceylon Government make any discrimination in the treatment of Indian nationals and the nationals of other countries?

Shri Anil K. Chanda: It is too general a question.

Mr. Speaker: In this matter, did they make any discrimination as between Indians as such and nationals of other foreign countries?

Shri Anil K. Chanda: This particular measure applies to Indian residents who had temporary residence permits in that country.

BHAKRA-NANGAL PROJECT

*480. **Shri D. C. Sharma:** Will the Minister of Irrigation and Power be pleased to state:

(a) the total revenue that has been earned so far from the sale of power from the Bhakra-Nangal Project; and

(b) how the earnings have been distributed among the participating States?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). As the supply of power from the Bhakra-Nangal Project has not yet commenced, the question of earning and distribution of revenue does not arise.

Shri D. C. Sharma: May I know, Sir, how long it will take for the power house No. 1 to function?

Shri Hathi: By the end of this month.

Shri D. C. Sharma: May I know when the power House No. 2 would start functioning?

Shri Hathi: By November, 1955.

Shri D. C. Sharma: May I know how many units of electricity power house No. 1 will produce and how it is going to be distributed among different States?

Shri Hathi: There will be 24,000 K. Ws. produced in the first power house and that will be distributed mostly in the Punjab, PEPSU and Delhi?

Shri D. C. Sharma: May I know how the rates will compare with the rates prevailing in the States at present?

Shri Hathi: Only about a couple of days back I laid on the Table of the House a statement giving details of the tariffs in different places.

TRADE BOYCOTT CAMPAIGN IN BUGANDA

***481. Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state:

(a) whether the trade boycott campaign in Buganda has in any way affected the interests of Indians there; and

(b) if so, how many Indians are affected by this campaign?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) and (b). The trade boycott campaign which was directed against the British industry affected the Indian community only indirectly. In the months of April and May last, Indian trade which forms the bulk of Buganda trade dropped to about 30 per cent.; but since then there has been a revival to normal level.

Dr. Ram Subhag Singh: Has the campaign resulted in breaking into Indian houses and robbing Indians there?

Shri Sadath Ali Khan: We have no information.

INTERIM COMPENSATION SCHEMES

***482. Sardar Hukam Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) whether the maximum permissible limit of compensation payable under the interim compensation scheme to a displaced person from West Pakistan has been raised from Rupees eight thousand to Rupees fifty thousand; and

(b) whether this limit is only applicable to specified categories or to all cases?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) Yes, where compensation is paid in the shape of property and not in cash.

(b) The limit of Rs. 50,000 is applicable to all cases in which compensation is paid in the shape of property.

Sardar Hukam Singh: May I know whether those who got interim compensation in cash will be getting something extra subsequently in order to have equitable distribution, or this has only been done to induce occupants to give higher bids?

Shri J. K. Bhonsle: That is the general policy and not meant to induce people to make higher payments.

Sardar Hukam Singh: What steps are being taken to equalise the compensation that is given to those persons who are occupying the houses and those who are without houses?

Shri J. K. Bhonsle: It is left to them to bid in the open biddings.

Sardar Hukam Singh: I have not been able to appreciate the answer, because an occupant shall be able to pay up to the amount of Rs. 50,000. If another claimant with the same amount of claim is not occupying any house he will be given only Rs. 8,000. Would some steps be taken to equalise the distribution among the two claimants who have the same amount of compensation?

Shri J. K. Bhonsle: No, Sir. This has been the policy of Government.

Short Notice Question and Answer

**STATEMENT OF THE LEADER OF
PAKISTANI DELEGATION AT THE
COMMONWEALTH PARLIAMENT
ASSOCIATION CONFERENCE,
NAIROBI.**

S.N.Q. No. 7. Shri Dabhi: Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to a P.T.I. message from Nairobi dated the 26th August, 1954, in which the leader of the Pakistani Delegation at the Commonwealth Parliamentary Association Conference has been reported as expressing the view that India's aggression against the Portuguese pockets in India had been stopped by protests of

the South American Countries and the U.K. and that "it is possible that volunteers from India may be Indian troops in disguise with arms in their pockets"; and

(b) if so, whether there is any truth in the above allegations?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) Yes. The Commonwealth Parliamentary Association Conference at Nairobi was, so far as we are aware, not open to the Press, although some Press reports have appeared. It is not possible, therefore, to say precisely what was said by the Leader of the Pakistani Delegation to this Conference. India was not represented at this Conference. Normally, controversial issues are not raised at such Conferences and if the report is correct, the statement made by the Leader of the Pakistani Delegation was a breach of this convention, apart from the wrong allegations that were put forward. It appears that the Chairman of the Conference drew the attention of the Leader of the Pakistani Delegation to the impropriety of his statement he was making and asked him not to refer to such matters.

(b) The allegations reported to have been made by the Leader of the Pakistani Delegation are wholly without foundation and the Government regret that such totally untrue allegations should have been made.

Shri Dabhi: May I know whether it is not a fact that this is not the first time that such unfounded allegations against India have been made by persons who are in a responsible position in the Pakistan Government?

Shri Jawaharlal Nehru: I believe it would not be untrue to say 'Yes'.

Shri Dabhi: May I know whether any protest, in connection with the Portuguese pockets in India has been made by the United Kingdom and the South American countries, and if so, what is the nature of this protest and whether any reply thereto has been sent by our Government?

Shri Jawaharlal Nehru: Normally speaking, no protests have been made; it is incorrect to say so. But some countries, including the United Kingdom have expressed their apprehensions in regard to the situation there and hoped that a peaceful settlement would be arrived at. In fact, one of the statements made by the United Kingdom Government was published in all the papers as well as the answer of the Government of India.

Shri Raghuramaiah: May I take it that the misconceived British note to our Government has not in any way influenced our fundamental approach to this problem?

Shri Jawaharlal Nehru: No, Sir our approach has been stated only recently in this House; that approach has not been affected in any way.

Shri Raghuramaiah: May I know whether Government are aware—apart from this question of false propaganda—whether Pakistan has been actively aiding and abetting the Portuguese in their strange and militant attitude towards India recently?

Shri Jawaharlal Nehru: There have been statements on behalf of the Pakistani leaders which can be interpreted as encouraging the Portuguese.

Shri Joachim Alva: Has the statesmanlike declaration made by the Canadian Prime Minister in India, that the Portuguese pockets were not included in the NATO, been subsequently watered down by any report made by the Canadian High Commissioner in India?

Shri Jawaharlal Nehru: We are rather going far beyond the question but I would like to reply to that question. Very soon after the Canadian Prime Minister came here—he came here in January, within a few days after that—he slightly corrected the statement. He has referred to the actual text and the text said in any such case, there should be consultation or the matter should be referred to each other—not that anything should be done. So, he drew our attention to this fact

that his previous statement was not hundred per cent. accurate in so far as the terms of the Treaty are concerned, because in the Treaty it was so stated. There is no reference to Goa, of course. In the Treaty it is stated—I am talking about the NATO—that in the event of any such thing happening in their possessions, the matter will be referred to each country and they might consult with each other, if necessary.

संठ गौर्बन्ध शास : क्या माननीय मंत्री को यह बात मालूम है कि इस प्रकार के विवादगस्त विषयों को पाकिस्तान ने केवल इसी परिषद् में उठाया हो, एसा नहीं है, लेकिन न्यूजीलैंड और कनाडा में भी सदा पाकिस्तानी प्रतिनिधिमंडल इसी प्रकार के विवादगस्त प्रश्नों को उठाता रहा है ?

श्री जवाहरलाल नेहरू : जी, हाँ। यह शास सवाल उठाने का तो शायद पहले उनको मौका न मिला हो, लेकिन इस ढंग के और सवालात तो बार बार उठाये गये हैं।

Shri N. M. Lingam: In this matter, is not Pakistan merely toeing the line of some of the NATO Powers whose highly intriguing attitude tantamounts to putting a premium on the intransigence of Portugal resulting in prolonged and indefinite agony of the Goanese?

Mr. Speaker: Allegations and insinuations are made and an answer is asked for.

Shri Jawaharlal Nehru: I can only say that these sentiments are probably agreeable to most people here.

Mr. Speaker: Now we will proceed with the formal business.

Shri Veeraswamy: On a point of submission.....

Mr. Speaker: After the formal business is over, the hon. Member may make the submission.

WRITTEN ANSWERS TO QUESTIONS

इस्पात

*४४३. श्री एम० एल० द्विवेदी : क्या बालिष्ठ तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) बन्दरगाहों पर और भारत के उत्तरी प्रदेशों में प्रचलित इस्पात के भावों में इतना अन्तर क्यों है;

(ख) क्या कारण है कि पश्चिमी प्रदेशों के व्यापारियों को इस्पात उन सस्ती दरों पर नहीं मिलता है, जो बन्दरगाहों के समीपवर्ती प्रदेशों में प्रचलित है;

(ग) क्या सरकार का ध्यान उस संकल्प की ओर आकर्षित किया गया है जो ढलाई केन्द्रों और इंजीनियरी उद्योगों के संघों ने अपनी उस बैठक में पारित किया था जो कि मई १९५४ में बटाला (पंजाब) में हुई थी;

(घ) क्या इस्पात के वितरण के सम्बन्ध में अमृतसर नगर को भी वे सुविधायें देने के सुझाव पर सरकार ने विचार किया है जो कि बन्दरगाहों पर दी जाती हैं; और

(ङ) यदि हाँ, तो इस सम्बन्ध में क्या निर्णय किया गया है ?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) The price at any place depends on the distance of the place from the nearest port.

(b) Before the introduction of price control, the prices of steel produced in India were based on the landed cost of imported steel with which Indian steel had to compete. The landed cost at the principal ports being the same, the consumers in the interior stations had always to pay more for their steel than consumers in and adjacent to the ports. It was considered desirable to continue this pattern of prices even after the introduction of price control.

by Government, so that there may be minimum of dislocation in the industry after removal of such control.

(c) and (d). Yes, Sir.

(e) It is proposed to watch for some time the working of the system introduced recently under which the maximum extra price payable on account of freight from the nearest port has been limited to Rs. 60 per ton, irrespective of the actual freight incurred, before considering the question further.

INDIAN CHILDREN IN CEYLON

***444. Shri S. N. Das:** Will the Prime Minister be pleased to state:

(a) whether the Government of Ceylon have taken steps which will deprive a large number of children of persons of Indian origin, of the benefit of free education which they have been enjoying so far along with other residents of Ceylon;

(b) the number of such children who will be adversely affected by such steps; and

(c) the steps taken by Government in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) No.

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

SCHEDULES OF RIVER VALLEY PROJECTS

***457. Pandit D. N. Tiwary:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether the committee set up for reporting schedules of river valley projects have submitted any report; and

(b) if so, what its main recommendations are?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) Does not arise.

TOBACCO (EXPORT)

***459. Shri Bibhuti Mishra:**
Shri K. Subrahmanyam:

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

(a) whether it is a fact that tobacco export has fallen in 1953-54 in comparison to 1952-53;

(b) if so, the reason for the same, and

(c) the export position of tobacco in 1954-55 (from April to July) and how it compares with the corresponding period of the last year?

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

(b) The main reasons for the fall in tobacco exports are:

- (i) accumulations of low-grade tobacco; (ii) lack of sufficient demand for these low grades of tobacco from Japan, China, Pakistan who had bought substantial quantities of these varieties in the past; and (iii) competition from Rhodesia and America.

(c) The quantity and value of tobacco exported during April to July 1954-55 and for the corresponding period of 1953-54 is as follows:—

Qty. in '000'	of lbs.
Value in '000'	of Rs.
1954-55	(April/July)
27.917	52,972
1953-54	(April/July)

33.687 50,245

LAND REQUISITION IN MADHUPUR (TRIPURA)

***467. Shri Dasaratha Deb:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that a large number of Tribal people have been

affected by the land requisition in Madhupur area in Tripura;

(b) if so, the extent of land taken away from the Tribal peasants in that area so far;

(c) whether there has been any dispute between the people of Tripura and the displaced persons in that area regarding the land ownership; and

(d) if so, what steps have been taken in the matter?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) and (b). None of the tribal people has been affected by the requisitioning of land measuring 37.40 acres in Madhupur under Isan Chandra Nagar Tehsil. There is, however, another place called Madhupur under Kamala Sagar Tehsil where 49.25 acres of land have been requisitioned. This requisitioned area includes 3.06 acres which have been taken away from three tribal families.

(c) No.

(d) Does not arise.

TABLE FANS

***469. Shri M. R. Krishna:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total annual demand for table fans and the quantity imported per year; and

(b) the steps that have been taken to manufacture the entire requirements in the country?

The Minister of Commerce (Shri Karmarkar): (a) Precise information about the present demand for table fans is not available. The Tariff Board in their Report of 1951 had, however, estimated the demand at 50 to 60 thousand fans per annum with an increase of 10 per cent. every subsequent year.

The import figures of table fans are also not available as the information relating to this item is not recorded separately in the 'Accounts relating to the foreign (Sea, Air and Land) Trade and Navigation of India'. The value of

imports of all types of electric fans during 1953-54 was about Rs. 7 lakhs.

(b) Except for some special types of fans, indigenous production is considered almost sufficient to meet the entire internal demand for electric fans including table fans.

DISPLACED PERSONS IN TRIPURA

***472. Shri Biren Dutt:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of cases pending so far for the grant of housing loans to displaced persons in Tripura; and

(b) the number of displaced persons who are still living in camps there?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) 454.

(b) There are no transit or relief camps for displaced persons in Tripura. There is only one Permanent Liability Camp in Arundhutinagar (Tripura) where 545 displaced persons are living.

TEA TRADE IN CEYLON

***474. Shri Bogawat:** Will the Prime Minister be pleased to state:

(a) whether the Government of Ceylon have stopped issuing tea-trade licences to Indians in Ceylon;

(b) if so, the extent to which Indians there would be affected; and

(c) the steps that Government propose to take in the matter?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) The Controller of Tea, under Section 2(2) of the Tea Thefts Prevention Act (No. 45 of 1953) of Ceylon, had refused licences to Indian tea merchants. A representation, however, was made by them to the Ceylon Government and it is understood that they have been assured temporary licences till the end of the year.

(b) In case licences are refused, about 200 to 300 Indian traders and firms are likely to be put out of business.

(c) Necessary and suitable action will be taken by Government at the appropriate time.

CLAIMS OF DISPLACED PERSONS

*476. **Shri Gadilingana Gowd:** Will the Minister of Rehabilitation be pleased to state:

(a) the total value of verified claims of displaced persons who have come to India; and

(b) the basis on which Government have fixed ceiling amount to be paid to displaced persons whose claims have been verified?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) The total value of verified claims will be known when claims verification and revision work is over and complete statistical analysis carried out.

(b) Bulk of the distributable pool consists of properties both evacuee and Government-built. The ceiling has been fixed with due regard to the number and nature of properties capable of disposal immediately and the cash resources available for distribution.

अपहृत महिलायें

*४८३. **शेठ गोविन्द दास:** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि अप्रैल १९५४ से जुलाई १९५४ के काल में कितनी अपहृत महिलायें पाकिस्तान वापस भेजी गईं और ऐसी कितनी महिलायें पाकिस्तान द्वारा भारत को सौंपी गईं ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): 396 and 42, respectively.

TOBACCO DELEGATION

*484. { Shri S. N. Das:
Shri Nanadas:
Shri C. R. Chowdhary:
Shri Raghavaiah:

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

(a) whether the Government sponsored delegation which visited

South East Asian Countries to find out what can be done to increase Indian tobacco exports has submitted any report;

(b) if so, the main features of the report;

(c) the names of the countries visited by the delegation and the recommendations and suggestions made by it for promoting export of tobacco; and

(d) the total expenditure incurred on this delegation?

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

(b) and (c). A statement is laid on the Table of the House. [See Appendix III, Annexure No. 52]

(d) About Rs. 40,000.

SURVEY OF UNEMPLOYMENT

*485. **Shri Dabhi:** Will the Minister of Planning be pleased to refer to the reply to unstarred question No. 142 asked on the 8th March, 1954 and state:

(a) whether the Report of the Survey of Unemployment conducted in twenty-three sample towns has been published;

(b) if so, what is the position regarding unemployment as disclosed by the report; and

(c) in which towns the survey was conducted?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) Does not arise.

(c) A list of towns is placed on the Table of the House. [See Appendix III, annexure No. 53.]

INDUSTRIAL MACHINERY

*486. **Shri Jhulan Sinha:** Will the Minister of Commerce and Industry be pleased to state the position as it exists today with regard to the manufacture in India of the various types of machinery required by the textile industry?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): A statement showing the various types of textile machinery produced in India is placed on the Table of the House. [See Appendix III, annexure No. 54]

NATIONAL BUILDING ORGANISATION

*487. { **Shri K. P. Sinha:**
Shri Shivananjappa:

Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to starred question No. 1406 asked on the 30th March, 1954 and state:

(a) whether the National Building Organisation has been established; and

(b) if so, when?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) and (b). Yes, Sir. A copy of Resolution No. H-4(8)/54, dated the 9th July, 1954 establishing the National Buildings Organisation is placed on the Table of the House. [See Appendix III, annexure No. 55]

IMMIGRATION INTO MALAYA

*488. **Shri Krishnacharya Joshi:** Will the Prime Minister be pleased to state the total number of Indians who have proceeded to Malaya and Singapore after the introduction of new Immigration Regulations there in August, 1953?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): 19,905 upto the end of June, 1954.

STEEL

*489. **Th. Lakshman Singh Charak:** Will the Minister of Rehabilitation be pleased to state the names of the States to whom steel has been allotted for the construction of houses for displaced persons?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): A statement

is laid on the Table of the Sabha. [See Appendix III, annexure No. 56]

कल्याणी में रेडियो का कारखाना

*४९०. { **श्री एम० एल० द्विवेदी:**
श्री नागेश्वर प्रसाद सिन्हा:

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

(क) क्या यह सच है कि पश्चिमी बंगाल के कल्याणी नामक स्थान पर रेडियो बनाने का एक आधुनिक ढंग का कारखाना खोला जा रहा है ;

(ख) यदि हां, तो क्या इस सम्बन्ध में किसी विदेशी फर्म के साथ कोई समझौता हुआ है ;

(ग) यदि हां, तो यह फर्म किस देश की है ;

(घ) यह कारखाना कब तक बन जायेगा ;

(ङ) इस कारखाने में रेडियो के कौन से पुर्जे आदि बनाये जायेंगे ; और

(च) इस कारखाने की अनुमानित लागत क्या होगी और भारत सरकार इस के लिये कितनी राशि देने का विचार कर रही है ?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) A licence has been granted under the Industries Act to a firm for the production of radio receivers at Kalyani.

(b) No, Sir.

(c) Does not arise.

(d) Government have no information.

(e) Radio receiving sets as well as radio batteries.

(f) Government have no information on the estimated cost of the factory building. It is not proposed to contribute any funds from the Central Government towards its establishment.

महात्मा गांधी की समाधि

*४९१. श्री नवल प्रभाकर : क्या निर्माण, आवास तथा संभरण मंत्री यह बताने की कृपा करेंगे कि :

(क) महात्मा गांधी की समाधि के नमूनों पर कितना व्यय हुआ;

(ख) क्या समाधि के निर्माण में किसी विशेष रंग के पत्थरों को काम में लाने की सिफारिश की गई है; और

(ग) यदि हां, तो सिफारिश का पूर्ण विवरण क्या है ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh):

(a) Rs. 3,500/-.

(b) Yes, Sir.

(c) A statement containing the required information is placed on the Table of the House. [See Appendix III, annexure No. 57.]

IMPORT POLICY

*492. **Shri Jethalal Joshi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have liberalised their import policy recently; and

(b) if so, by how much the quota for the import of items like confectionery, biscuits, jams and cakes has been raised for the period from July to December 1954?

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

(b) There has been no increase in the quota for confectionery. The quota for other items has been increased by 5 per cent.

DUTY ON CLOTH

*493. **Shri Radha Raman:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that 10 per cent. *ad valorem* duty is being levied

on the export of coarse cloth and that no duty is levied on the export of medium cloth with the result that a large quantity of coarse cloth is being exported in the name of medium cloth; and

(b) whether Government are taking any steps in this direction?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) There is an export duty of 10 percent. *ad valorem* on coarse cloth. There is no duty on medium, fine or super-fine cloth. Some complaints have been received that cloth with medium warp and coarse weft called pseudo-medium is being exported.

(b) Government are watching the situation.

EVACUEE PROPERTIES IN JAMMU AND KASHMIR STATE

*494. **Shri Gidwani:** Will the Minister of Rehabilitation be pleased to state:

(a) whether there is any evacuee property in the Jammu and Kashmir State; and

(b) if so, whether it has been allotted to displaced persons who have migrated there from the Pakistan-occupied area of the State?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) and (b). The required information is being collected and will be laid on the Table of the Sabha in due course.

RIVER COMMISSION FOR ASSAM

*495. **Shri Rishang Kelshing:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the constitution of a River Commission for Assam has been suggested to Government;

(b) if so, whether Government have accepted the proposal;

(c) the scope of the work of the Commission; and

(d) when the Commission will begin to function?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (d). It is proposed to have a high-powered Flood Control Board, assisted by a Special Technical Committee, for Assam. Details are being finalised.

अपहृत महिलायें

*४९६. **सेठ गोविन्द दास :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ऐसी हिन्दू अपहृत महिलाओं की कोई विस्तृत सूची प्रकाशित की गई है, जो अभी तक पाकिस्तान में हैं; और

(ख) यदि नहीं, तो क्या शीघ्र ही ऐसी महिलाओं की कोई विस्तृत सूची प्रकाशित की जायेगी, जैसा कि पाकिस्तान में किया गया है ?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) No, Sir. A list of non-Muslim women alleged to have been abducted in Pakistan has, however, been compiled for official use.

(b) No, Sir.

REORGANISATION OF C.P.W.D.

*497. { **Shri S. N. Das:**
Shri Jhulan Sinha:

Will the Minister of Works, Housing and Supply be pleased to refer to the answer given to Starred Question No. 219 asked on the 20th February, 1953 and state:

(a) whether any and if so, what progress has been made in the implementation of the recommendations of the Committee appointed to examine the reorganisation of the Central Public Works Department; and

(b) whether any final decision has been taken on the recommendation regarding the appointment of Superintending Engineers as arbitrators for settling disputes with the contractors?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): (a) The Government have since set up a National Building Organisation.

(b) Not yet.

CERTIFICATION OF KHADI

*498. **Shri Dabhi:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1292 asked on the 25th March, 1954 and state:

(a) whether the views of the State Governments on the Draft Bill providing for the sale of Khadi on a licence only, have now been received by the Central Government;

(b) if so, what are their views; and

(c) whether any State Government has so far legislated on the lines of the Draft Bill?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) The State Governments of Bombay, Travancore-Cochin, Uttar Pradesh, PEPSU, Assam, Hyderabad and Saurashtra have conveyed their views. The other State Governments are still considering the matter.

(b) The State Governments of Bombay, Travancore-Cochin, Uttar Pradesh, PEPSU, Assam, Hyderabad and Saurashtra have expressed their willingness to enact legislation on the lines of the Draft Bill. The Government of Mysore, however, have expressed the view that there is no need to enact the proposed legislation.

(c) No, Sir.

MOLASSES

*499. **Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any ban existed on the export of molasses in the year 1953-54;

(b) if so, whether it still continues;

(c) if the answer to part (b) above be in the negative, what is the target

of export of molasses during the current year; and

(d) from which port or ports the exports are permitted?

The Minister of Commerce (Shri Karmarkar): (a) to (d). There are three kinds of molasses, viz., (1) *Khandsari*, (2) *Chitta* and (3) *Mill*.

Export of *Khandsari* molasses is permitted under O.G.L.

Chitta molasses of West Bengal, Bihar and U.P. origin were allowed to be exported to East Pakistan freely through the port of Calcutta. Since 30th March, 1954, export of *Chitta* molasses of West Bengal origin has been banned.

The export of *Mill* molasses from the port of Madras was permitted in small quantities against specific releases made by the Government of Madras. From 27th April, 1954, export through the port of Madras has been banned. Exports of mill molasses through the port of Bombay, which was banned prior to 27th April 1954, are now allowed upto a ceiling of 1.75 lakh maunds. Exports, through the port of Calcutta, of mill molasses are allowed against a quota of 2 lakh maunds of molasses of Bihar origin only. This quota was released on the 15th December, 1953, and is valid for shipment upto the end of 1954.

COAL

*500. **Shri K. P. Sinha:** Will the Minister of Production be pleased to state:

(a) the total quantity of coal and coke produced in the country in the months of February, March and April, 1954; and

(b) how these figures compare with the figures of production in the corresponding months of the year 1953?

The Minister of Production (Shri K. C. Reddy): (a) and (b). A statement giving the information is laid on the Table of the House. [See Appendix III, annexure No. 58].

फिल्मी संगीत

*५०१. श्री एम० एल० द्विवेदी :
क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या फिल्मी संगीत के प्रसारण के सम्बन्ध में सरकार की नीति में कोई परिवर्तन हुआ है ; और

(ख) यदि हां, तो वह परिवर्तन किस प्रकार का है ?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). There is no question of any change in Government's policy with regard to broadcasting of film music. It has been clearly stated before in the House. However, in order to clarify it, it might be reiterated here that there is no ban on film music in All India Radio. The Radio tries to follow the policy of giving a variety of music to the public and in a certain limited proportion is ready to give film music also. The majority of producers terminated their contracts with All India Radio last year taking umbrage at the opinion expressed regarding the general quality of film music. A few important producers were also insisting that their name and that of the film should also be advertised alongside any song taken from them. This situation has continued for some time. Recently, however, a few producers have again started a correspondence regarding this matter with Government. If there is any successful outcome of this correspondence and contracts are revived by producers, film songs produced by them will also find a place in the programme subject to general policy stated above.

PRIME MINISTER'S VISIT TO CHINA

*502. { **Shri D. C. Sharma:**
Shri Buchhikotalah:
Shri Wodeyar:

Will the Prime Minister be pleased to state:

(a) whether he intends visiting China this year; and

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

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) Yes:

(b) The Government of China invited the Prime Minister and he accepted the invitation. The visit will be of a friendly nature to a neighbour country:

उत्तर पूर्व सीमान्त अभिकरण में बुनियादी शिक्षा प्रणाली

*५०३. श्री नवल प्रभाकर : क्या प्रधान मंत्री १५ दिसम्बर, १९५३ को पूछे गये तारांकित प्रश्न संख्या ९७३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या बुनियादी शिक्षा को उस योजना को, जिसे उत्तर पूर्व सीमान्त अभिकरण में लागू करने का विचार है, अन्तिम रूप दे दिया गया है ; और

(ख) यदि हां, तो इससे कितने आदिम-जाति के व्यक्तियों को लाभ होगा ?

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

(b) About 8 lakhs of people.

GROUNDNUT OIL (EXPORT)

*504. { **Shri Jethalal Joshi:**
Shri N. Rachlah:
Shri R. N. Singh:
Shri Gadilingana Gowd:

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

(a) whether Government propose to allow export of ground-nut oil shortly;

(b) if so, quantity available for export; and

(c) the approximate surplus of the commodity in the country?

The Minister of Commerce (Shri Karmarkar): (a) and (b). A quota of 15 per cent. of past exports to established shippers with a ceiling of

400 tons was released for export on the 29th July, 1954. A precise assessment of the quantity which would be exported on this basis is not possible but it is expected to be in the region of 10/12 thousand tons.

(c) Consumption is known to be on the increase. There was hardly any carry-over also from the previous year's crop. It is, therefore, difficult to arrive at any precise estimate of the exportable surplus.

INDIAN PHARMACEUTICAL INDUSTRY

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

(a) the value and quantity of fermentation products required annually for the Indian Pharmaceutical Industry;

(b) the percentage of the demand of these articles met by products of the indigenous chemical industries;

(c) whether it is a fact that the industry is greatly handicapped in the consumption of indigenous fermentation products, owing to restrictions imposed by the prohibition laws while imported products containing alcohol have free movement once duty is paid at the port of entry; and

(d) the steps Government have taken for the introduction of uniform rules in the movement of these products with alcohol content for the use of the pharmaceutical industry?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) The annual requirements of three important fermentation products for the pharmaceutical industry are estimated as follows:—

Item	Quantity
ethyl Alcohol.	300,000 gallons.
Citric acid.	200 tons.
Calcium Lactate.	60 tons.

Malt Extract is also an important fermentation products used by the pharmaceutical industry, but no estimates of total requirements are available.

(b) The whole of the requirements of ethyl alcohol and calcium lactate are met from indigenous sources, citric acid is not manufactured in the country. Indigenous production of malt extract is negligible.

(c) Yes, Sir, to some extent.

(b) The recommendations of an Expert Committee (Excise) set up by the Government of India to examine the question are under consideration.

GLASS INDUSTRY

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

(a) the estimated value and quantity of soda ash required for Indian glass industry at present annually;

(b) whether the consumption of Indian made soda ash by the glass industry has increased since 1950;

(c) if so, to what extent; and

(d) what steps are taken by Government to see that the Indian glass industry depends completely on indigenous soda ash?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) Approximately 30,000 tons of soda ash valued at Rs. 1.1 crores are required annually by the Indian glass industry.

(b) and (c). During the year 1953 about 1,000 tons of indigenous soda ash were supplied to the glass industry as against 677 tons supplied in 1952. In the year 1951, when there was a shortage of magadi soda ash in the country, nearly 2885 tons of indigenous soda ash were supplied to the glass industry. Figures for the year 1950 are not available.

(d) The glass industry mainly uses the heavy variety of soda ash which is not yet produced in the country. A scheme for the production of 6,000 tons of heavy soda ash per annum has recently been sanctioned.

MOTOR VEHICLES' ACCESSORIES

222. **Shri Nanadas:** Will the Minister of Commerce and Industry be pleased to state the cost of accessories and spare parts of motor vehicles imported from foreign countries in 1952 and 1953?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): Imports of motor vehicles' spare parts are not separately recorded in the "Accounts relating to the Foreign (Sea, Air and Land) Trade and Navigation of India". The value of imports of "parts of all mechanically propelled vehicles and accessories other than aircraft (excluding rubber tyres)" during 1952 and 1953 is given below:

1952	1953
Rs. 10.99 crores.	Rs. 5.56 crores.

नेपा मिल

२२३. डा० सत्यवादी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) नेपा मिल में क्या प्रगति हुई है ;

(ख) ३१ मार्च, १९५४ तक नेपा मिल पर कितना धन व्यय किया गया ; और

(ग) १९५४-५५ में उसके व्यय के लिये कितने धन का व्यवस्था की गई है ?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) A statement is attached. [See Appendix III, annexure No. 59].

(b) Rs. 413.35 lakhs.

(c) A provision of Rs. 82.70 lakhs has been made in the State Budget for 1954-55 for the grant of further loans to the Nepa Mills.

ADVISORY COUNCILS FOR EXPORTS AND IMPORTS

224. Shri Karni Singhji: Will the Minister of **Commerce and Industry** be pleased to state the names of the present Members from Rajasthan on the Import and Export Advisory Councils?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): There are two Rajasthani Members on the Import and Export Advisory Councils. These Councils are not, however, constituted on the basis of regional representation.

UNEMPLOYMENT IN RAJASTHAN

225. Shri Karni Singhji: Will the Minister of **Planning** be pleased to refer to the reply given to Unstarred Question No. 92 on the 4th March 1954 and state:

(a) whether the Rajasthan Government have now furnished the Government of India with the incidence of unemployment in the State; and

(b) if so, whether the report received thereon will be placed on the Table of the House?

The Minister of Planning and Irrigation and Power (Shri Nanda): (a) No, Sir.

(b) Does not arise.

INDIAN CITIZENS IN U.S.A.

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

(a) the number of Indian citizens residing in U.S.A. at present; and

(b) the number of those who have finally settled in U.S.A. and of those who continue to be Indian citizens?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) and (b). The number of persons of Indian origin residing in the U.S.A. as on the 1st July, 1954, is estimated to be 5,232. Out of these by 31st December, 1953 253 became naturalized citizens of the United States. Latest figures are not

available. A note giving further details is attached. [See Appendix III, annexure No. 60].

TRADE WITH INDONESIA

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

(a) whether India is now importing any commercial goods from Indonesia;

(b) if so, what are the items;

(c) whether there is any trade agreement between India and Indonesia; and

(d) whether any Trade Commissioner's office has been opened by the Indonesian Government?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) Yes, Sir.

(b) The important items of import from Indonesia are Palmoil, certain essential oils, mineral oils, certain drugs and medicines, sugar and raw hides and skins.

(c) No, Sir. the renewal of the Trade Agreement with Indonesia which expired on 31-12-1953 is under negotiation at present.

(d) The Indonesian Embassy in New Delhi has a commercial section.

U. N. EXPERTS ON COMMUNITY ORGANISATIONS

**228. { Shri S. N. Das:
Sardar A. S. Saigal:**

Will the Minister of **Planning** be pleased to refer to the answer to starred question No. 1950 asked on the 8th May, 1953 and state:

(a) the extent to which the State Governments have been able to give effect to the suggestions made by the U.N. experts on community organisations at their meeting with the Planning Commission; and

(b) the steps, if any, taken for the maximum mobilisation of man and money power of the Community?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). A statement is laid on the Table of the House. [See Appendix III, annexure No. 61].

REHABILITATION OF DISPLACED PERSONS

229. **Dr. Ram Subhag Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) the total number of displaced families who are awaiting rehabilitation in the State of Jammu and Kashmir;

(b) the total number of various categories of registered displaced persons who have so far been rehabilitated in Jammu and Kashmir; and

(c) the total amount of money so far spent by the Government of India in rehabilitating them?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): (a) About 8,600 families.

(b) About 13,700 families.

(c) Rs. 1.5 crores approximately.

INDIAN JOURNALS

230. **Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state the names of Indian Journals whose entry has been banned at present in

(i) East Bengal;

(ii) West Pakistan;

(iii) Goa; and

(iv) Pondicherry?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): A list of Indian papers banned in East Bengal, is placed on the Table of the House. [See Appendix III, annexure No. 62].

In West Pakistan, *Hindustan Times* and *Filmindia* are banned. Specified issues of certain Indian papers were also banned from time to time. A list is placed on the Table of the House. [See Appendix III, annexure No. 62].

In Goa, all Indian papers are now banned.

In Pondicherry, there is no ban on Indian papers.

TRAINING ABROAD

231. { **Shri Ramji Varma:**
Ch. Raghubir Singh:

Will the Minister of Irrigation and Power be pleased to state:

(a) the names and designations of officers of the Central Water and Power Commission who were sent abroad for training under the Point Four Programme and the U.K. Government Fellowship for post-graduate training scheme; and

(b) the expenditure incurred on their training?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). The required information is furnished in the statement enclosed. [See Appendix III, annexure No. 63].

TANNING FACTORIES

232. **Th. Lakshman Singh Charak:** Will the Minister of Commerce and Industry be pleased to state:

(a) how many tanning factories there are in India at present, and where they are situated; and

(b) what is their total production and whether there is any export in this line?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) 35 tanneries have been registered so far under the Industries (Development and Regulation) Act. Their location is as follows:—

Andhra	..	..	2
Bombay	..	..	3
Madras		..	12
U. P.	..	..	12
West Bengal	..	..	2
Bihar	}	I each	
Mysore			
PEPSU			
Saurashtra			

In addition, there are nearly 700 smaller tanneries in India. 70 per cent are located in the Madras State, 12 per cent in other Southern areas (e.g. Mysore, Hyderabad and Belgaum) and the rest in West Bengal, Bombay, U.P., Orissa and PEPSU.

(b) About 20 million pieces of raw hides and about 28 million pieces of raw goat and sheep skins are processed annually for production of leather. There is considerable export trade in leather.

SHEET AND CREPE RUBBER

234. Pandit Munishwar Datt Upadhyay: Will the Minister of Commerce and Industry be pleased to state:

(a) what will be the effect on India of Ceylon's switching over from sheet rubber to crepe rubber production on account of the demand of China for crepe rubber; and

(b) what are the present figures of production and consumption of sheet and crepe rubber in India?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) None.

(b) —

	Production (in Tons)		Consumption	
	Sheet rubber	Crepe rubber	Sheet rubber	Crepe rubber
1953	14,591	3,012	15,176	5,220
1954 (Up to June)	5,951	1,285	9,005	2,919

BORDER INCIDENTS

235. Shri Rádhá Raman: Will the Prime Minister be pleased to state:

(a) the total number of incidents that occurred on the Indo-Pakistan Borders since June, 1954;

(b) the nature of these incidents;

(c) the loss of life and property involved in these incidents; and

(d) whether the Government of India have been able to take any effective steps to prevent recurrence of such raids?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) to (c). Information is being collected from the State Governments concerned and will be laid on the Table of the House.

(d) It is not possible to prevent entirely such incidents on the long borders between India and Pakistan. Suitable steps are, however being taken to check them.

PAPER MILLS

236. Shri S. C. Samanta: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of paper mills in India;

(b) the number among them which produce pulp boards;

(c) what percentage of total demand of the country is met from indigenous production;

(d) whether any raw materials other than Sabai grass and bamboo are being used at present for the manufacture of paper; and

(e) if so, what they are?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) Twenty.

(b) Five of these manufacture paper and pulp boards also.

(c) Nearly 70 per cent. of the total requirements for paper (excluding newsprint), and 85 per cent. of the requirements for paper boards were met from local production during 1953-54.

(d) Yes, Sir.

(e) Bagasse, waste paper, cotton rags, raw hemp and old hemp rope cuttings.

COTTON

237. **Shri Kelappan:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Delhi Chamber of Commerce has complained that the textile mills do not get all the Indian cotton they require on account of the export policy of Government;

(b) the total quantity of cotton produced in the country;

(c) the quantity of short-staple cotton which is consumed internally; and

(d) the total quantity exported?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): (a) No such complaint has been received from the Delhi Chamber of Commerce.

(b) 42 lakh bales (of 400 lbs each).

(c) 5 lakh bales (of 400 lbs each).

(d) Total exports of Indian Cotton during 1953-54 season are estimated to be 1,50,000 bales (400 lbs. each).

विदेशों में भारतीय राजदूतावास

२३८. श्री आर० एस० तिवारी : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) विदेशों में भारतीय राजदूतावासों की कुल संख्या कितनी है ;

(ख) भारत में विदेशी राजदूतावासों की कुल संख्या कितनी है ; और

(ग) विदेशों में राजदूतावास स्थापित करने के सामान्य नियम क्या हैं ?

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): (a) 33, excluding Consulates and posts abroad. 2 missions at Belgrade and Mexico City are to be opened shortly.

(b) 43, excluding Consulates and other posts.

(c) Diplomatic Missions are opened by mutual agreement when the countries concerned consider it feasible and desirable to do so in their mutual interest.

कोरिया में भारतीय सेना

२३९. श्री आर० एस० तिवारी : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) गत वर्ष कोरियाई युद्ध विराम संधि के सम्बन्ध में भारतीय सेनाओं के कोरिया जाने और उनके वहाँ से आने पर कितना व्यय (जो कि अन्तिम रूप से लेखे में सम्मिलित किया गया) हुआ ;

(ख) क्या वह व्यय भारत सरकार को करना पड़ा था या उसका भुगतान राष्ट्र संघ ने किया था ; और

(ग) यदि वह राष्ट्र संघ द्वारा दिया गया था, तो भारत को कितनी राशि प्राप्त हुई ?

The Deputy Minister of External Affairs (Shri Anil K. Chanda): (a) The expenditure on the movement of Indian troops to and from Korea in connection with the Korean Armistice was Rs. 55,54,000 plus some expenditure incurred by U.N. Command on the air lifting of Indian troops, etc. the details of which are not available.

(b) The Government of India initially bore expenditure to the extent of Rs. 30,14,000 and the balance of Rs. 25,40,000 is the amount to be paid to the U.K. Government on account of cost of chartering their ships.

(c) Action has been taken to recover from the parties concerned the amount initially spent by India and at the same time for adjustments to be made by the parties in respect of the expenditure incurred by the U.K. Government.

रबर की पट्टियाँ बनाने के कारखाने

२४०. श्री आर० एस० तिवारी :

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

(क) भारत में किन किन स्थानों पर रबर की पट्टियाँ बनाने के कारखाने हैं ;

(ख) देश में रबर की पट्टियों का वार्षिक उत्पादन कितना है ; और

(ग) क्या रबर की पट्टियों के सम्बन्ध में भारत आत्मनिर्भर है ?

The Minister of Commerce and Industry (Shri T. T. Krishnamachari):

(a) Thirteen firms manufacturing rubber beltings have been registered under the Industries (Development and Regulation) Act, 1951. They are located at Calcutta, Bombay, New Delhi, Akola, Meerut and Alleppey. In addition, there are fifteen other unregistered manufacturers, mostly in the States of Punjab, Delhi and Bombay, who produce beltings on a small scale.

(b) 1953 ..	519 tons.
1954 ..	547 tons
(January—July)	estimated.

(c) The present installed capacity is considered to be sufficient to meet the country's demands.

STATE INDUSTRIAL UNDERTAKINGS

241. Shri S. N. Das: Will the Minister of Production be pleased to refer to the reply given to Unstarred Question 1460-C on the 13th May, 1953 and state:

(a) whether any decision has been taken by Government regarding the constitution of a Central Authority for the management of State Industrial undertakings; and

(b) if so, what is the nature of decision so taken?

The Minister of Production (Shri K. C. Reddy): (a) and (b). The Boards of Directors of the different industrial enterprises have been consulted on certain tentative proposals for a Central authority and the matter is receiving further consideration in the light of the comments received. No decision has yet been taken.

Friday, 3rd September, 1954

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)



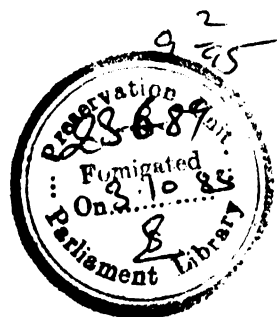
VOLUME VI, 1954

(23rd August to 11th September, 1954)

Seventh Session
1954

LOK SABHA SECRETARIAT

NEW DELHI



LOK SABHA

Friday, 3rd September, 1954

—

The Lok Sabha met at a Quarter
Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-20 A.M.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER INDIAN AIRCRAFT
ACT, 1934

The Minister of Communications (Shri Jagjivan Ram): I beg to lay on the Table a copy of each of the following notifications together with the explanatory notes, under sub-section (3) of section 5 of the Indian Aircraft Act, 1934:—

(1) Ministry of Communications Notification No. 10-A/8-53, dated the 28th September, 1953;

(2) Ministry of Communications Notification No. 10-A/29-53, dated the 13th November, 1953;

(3) Ministry of Communications Notification No. 10-A/22-53, dated the 4th January, 1954;

(4) Ministry of Communications Notification No. 10-A/63-53, dated the 1st June, 1954; and

(5) Ministry of Communications Notification No. 10-A/27-52, dated the 19th July, 1954. [Placed in Library. See No. S-276/54.]

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MINES (POSTING UP OF ABSTRACTS)
RULES, 1954

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table, under sub-section (7) of section 59 of the Mines Act, 1952, a copy of the Mines (Posting up of Abstracts) Rules, 1954, published in the Ministry of Labour Notification No. S.R.O. 2403, dated the 12th July, 1954. [Placed in Library. See No. S-277/54.]

PROCEEDINGS OF THIRTEENTH SESSION
OF INDIAN LABOUR CONFERENCE

The Deputy Minister of Labour (Shri Abid Ali): I beg to lay on the Table a copy of the Summary of Proceedings of the Thirteenth Session of the Indian Labour Conference held at Mysore in January, 1954. [Placed in Library. See No. S-278/54.]

STATEMENTS SHOWING ACTION TAKEN
BY GOVERNMENT ON ASSURANCES,
PROMISES AND UNDERTAKINGS

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings given by Ministers during the various sessions shown against each:—

(1) Supplementary Statement No. III—Sixth Session, 1954 of the Lok Sabha [See Appendix V, annexure No. 1.]

(2) Supplementary Statement No. VIII—Fifth Session, 1953 of the Lok Sabha [See Appendix V, annexure No. 2.]

[Shri Satya Narayan Sinha]

- (3) Supplementary Statement No. XIII—
Fourth Session, 1953 of the Lok Sabha, [See Appendix V, annexure No. 3.]
- (4) Supplementary Statement No. XVIII—
Third Session, 1953 of the Lok Sabha, [See Appendix V, annexure No. 4.]
- (5) Supplementary Statement No. XVIII—
Second Session, 1952 of the Lok Sabha [See Appendix V, annexure No. 5.]
- (6) Supplementary Statement No. XIX—
First Session, 1952 of the Lok Sabha [See Appendix V, annexure No. 6.]

ADMINISTRATION OF EVACUEE PROPERTY
(CENTRAL) RULES, 1950

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): I beg to lay on the Table, under sub-section (4) of section 56 of the Administration of Evacuee Property Act, 1950, a copy of the Ministry of Rehabilitation Notification No. S.R.O. 1673, dated the 21st May, 1954 making certain amendments to the Administration of Evacuee Property (Central) Rules, 1950. [Placed in Library. See No. S-285/54.]

SPECIAL MARRIAGE BILL

Dr. Rama Rao (Kakinada): I beg to present a petition signed by 13,303 petitioners relating to the Special Marriage Bill, 1954.

STATEMENT RE: FLOODS IN THE
COUNTRY

The Minister of Planning and Irrigation and Power (Shri Nanda): I beg to lay on the Table a copy of the statement regarding floods in the country. [Placed in Library. See No. S-286/54.]

Sir, with your permission, since the statement is rather long, I may give the House something in the nature of a

summary of this statement. Moreover, since the figures given in the statement were compiled some more information has come.

I shall give a brief assessment of the problem of floods in the country, and the existing situation on the basis of discussions with technical experts and representatives of the various States concerned, the available material on the subject and a personal survey of the conditions in the affected areas. I shall also indicate the nature of remedial action that is feasible in the circumstances and outline the programme which is being considered with a view to securing a very large measure of protection from flood hazards in the vulnerable areas. The situation created by the floods this year in the north eastern region of India may be summed up in a few words and figures. A total area of 25,650 square miles and nearly 95 lakhs of people have been affected. The floods have taken a toll of 247 lives. Over 7,700 cattle have perished. Crops have suffered damage over an area of about 137 lakhs acres valued approximately at Rs. 40 crores. There has been large scale destruction of houses. Considerable areas of valuable land have been lost on account of erosion and deposit of sand. Damage to roads, railways and bridges has been enormous and the consequent disruption of communications has been on a scale never experienced hitherto.

Elaborate arrangements have been made everywhere for rendering immediate assistance and relief. Nearly Rs. 575 lakhs have already been made available of which gratuitous relief and agricultural loans amount to Rs. 196 lakhs and Rs. 329 lakhs respectively. The Central Government has offered to share the burden which the States have to carry on this account.

Floods have been recurring in various parts of the country at intervals in the past. But in point of extent and intensity, the floods of this year have been the worst over a long period.

I asked the States of Assam, Bihar, West Bengal and U.P. to report the figures of the area affected as also the extent of damage to life and property during the last five years. It emerges from the information that has been furnished that in Assam during the last five years there have been four heavy floods—two covering extensive areas and the other two somewhat restricted in extent—while in 1953 the floods were of a mild nature. In Bihar during the last five years, there have been two severe floods, two mild ones, while 1951 was a normal year. In U.P., there have been three heavy floods and one mild during the last five years. 1951 was a normal year when there were no floods in U.P. In West Bengal there were three heavy floods out of which two were restricted in extent and one, that is of the current year, was exceptional both in the severity and extent of flooding. In addition there were mild floods in 1953 and 1951. Last year there were heavy floods in Godavari in the South, when a discharge of 2.8 million cusecs was recorded over Dhowlaiswaram weir. Floods were experienced in July 1948 and September 1950 in the Kashmir Valley also. It is evident that we are facing here a tremendous problem, the solution of which cannot brook any delay.

It must be acknowledged, on the other hand, that in the past years, there was lack of sustained and systematic effort to deal with the problem on a comprehensive basis. The neglect is particularly unfortunate in respect of the collection of hydrological and other data without which no remedial measures of a reliable character can be devised. Some steps have recently been taken to make up this deficiency. Very much more remains to be done. It has been decided that the highest priority should be accorded to the work of getting together this basic data. It will be our earnest effort to carry through the necessary surveys and investigations without the least delay. This will require close collaboration among the various departments

and agencies of the Central and the State Governments.

The nature of the problem of floods in the country determines our approach in dealing with it. So far as the Himalayan rivers are concerned, heavy rainfall occurring in a short space of time simultaneously over a very extensive catchment area is the principal factor in the situation. The steep slopes of the rivers as they enter the plains and the absence of any easy outfall facilities greatly increase the intensity of floods. This has been further aggravated by the deforestation in the upper catchment areas and the consequent soil erosion and silting of beds of the rivers which results in shifting of their courses. This particular aspect must receive much more attention than has been the case hitherto.

Construction of storage reservoirs and diversion channels, wherever feasible, is obviously amongst the most effective measures for the control of floods. The multipurpose development of the Damodar, the Mahanadi and the Kosi, three of the most destructive rivers in the country will, after the completion of the projects now under way, provide substantial protection from floods in the areas they have been devastating hitherto. The Bhakra Dam on the Sutlej, the Matatila Dam on the Betwa, a dam on Rihand, a tributary of the river Sone, the Gandhi Sagar Dam on the Chambal, are multipurpose in conception, and although flood control was not the dominant consideration, the areas through which they flow will be protected to a large extent from floods. The question of constructing dams across the Krishna, the Nerbada and the Tapti, is also under examination. A scheme for the control of floods in the Kashmir Valley has recently been worked out with the assistance of the Central Water and Power Commission.

An adequate programme of storage works in relation to all the areas

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which are liable to floods has to be thought of mostly as a part of the long-term development of the country.

Such, however, is the urgency of the need for protection to the people in the flood affected areas that we have to choose the methods which, while achieving the object, can be carried out expeditiously. A programme in these terms is being considered for adoption. It is divided into three phases.

Immediate. The first phase will extend over a period of two years. This period will be devoted to intensive investigation and collection of data. Comprehensive plans will also be drawn up and designs and estimates prepared for short-term measures of flood protection. Some measures such as revetments, construction of spurs and even embankments may be applied immediately in selected sites.

Short-term. During the second phase, which may be taken to start with the second year and would extend to the 6th or the 7th year, flood protection measures, such as embankments and channel improvements will be undertaken. This type of protection will be applicable to a major portion of the areas now subject to floods.

Long-term. The third phase will relate to selected long-term measures such as the construction of storage reservoirs on tributaries of certain rivers and additional embankments wherever necessary. This may take three to five years more.

A complete answer to the problem of floods may not be found in any single measure. Each case will have to be considered on its merits and a measure or a combination of measures adopted if a proper solution is to be found.

To ensure that the measures outlined above are carried out, it is proposed to create, with the consent of the States concerned, State Flood Control Boards in the States which are liable to frequent floods. The Boards will be constituted in U.P., Bihar, West Bengal and Assam in the first instance. Andhra and other States which are liable to floods will also be requested to adopt the same course. It will be the duty of these Boards to assess the flood problems in their areas and to collect data, prepare a comprehensive flood control scheme for the State, indicate priorities, and ensure the implementation of approved schemes. These Boards will be assisted, wherever necessary, by technical committees for the collection of data and the preparation of schemes.

A Central Flood Control Board will also be constituted on which the Union Ministry of Irrigation and Power and the State Boards will be represented. The Central Board will consider the schemes submitted by State Boards and draw up a national flood control programme, having regard to the availability of finance and technical personnel. The Central Board will also be assisted by a strong technical committee consisting of experts in flood engineering, soil conservation and agriculture. Experts from other countries and ECAFE will also be invited to assist this committee wherever necessary. The Central Technical Committee will be assisted by the Central Water and Power Commission.

It is difficult to estimate with any degree of accuracy the cost of the measures that are being envisaged to ensure flood protection in all States in India. Only a very rough estimate is possible at this stage. For U.P., North Bihar, West Bengal and Assam, an approximate estimate based on incomplete data comes to about Rs. 175 crores—Rs. 100 crores for 'Immediate' and 'short-term' measures and Rs. 75 crores for 'long-term' measures involving storages on the tributaries of rivers

in North Bihar and Assam. The short-term programme in these States can be completed over a period of about 6 to 7 years. The picture will become clearer and the estimates more firm as investigations progress and designs are drawn up. Similar measures required in relation to the problem of floods in other States will need a relatively small amount. The cost of the works can be reduced to a substantial extent by enlisting the co-operation of the people in various ways. Contribution in the shape of voluntary labour is an important form in which people can help while graded protection levies would be perfectly legitimate where protection works are undertaken at the cost of the State.

I may, in conclusion, express the conviction that the floods in the country can be contained and managed, and that the problem is capable of solution. It is obvious, however, that a programme of flood control on the scale visualised cannot be completed in a short time unless the energy of the people and the resources of the nation are mobilised effectively on a large scale. The administration and the people have both to share the responsibility and to undertake tasks of a huge magnitude in order that the country may be rid of the menace of floods.

Shri Veeraswamy (Mayuram—Reserved—Sch. Castes): The names of the Secretaries, Deputy Secretaries, your own name, and also the names of the Ministers have been written in Hindi and put up at the doorways of the office.....

Mr. Speaker: He cannot raise this point here. It is not a point for the House. He can see me in the Chamber and discuss.

Now, we will proceed to the Legislative business.

Pandit K. C. Sharma (Meerut Distt.—South): May I request the hon

Minister to circulate copies of the Statement among the Members?

Mr. Speaker: He has placed a copy of the Statement on the Table.

Shri Nanda: Copies of this also are available.

Mr. Speaker: They will be circulated.

HINDI NAME BOARDS

Shri Raghavaiah (Ongole): On a point of information, is it in the fitness of things on the part of the Chair to give a ruling before it hears the statement of an hon. Member?

Mr. Speaker: The Chair has completely grasped his point. In fact, this point was brought to my notice by some other Member of the Rajya Sabha. I know what he meant to say and I did scent something else as to the *bona fides* of the enquiry. It is not his inability to understand the Hindi boards, but the point is something else. Therefore, it is better that I get an opportunity of clearing my doubts about his *bona fides* by his seeing me in the Chamber rather than have the matter discussed in the House. It is not of such importance that the House may spend its time on it. The hon. Member will further note that there is a board at one place in which all places and numbers of the rooms are indicated in the English language. There is no difficulty at all on the part of Members to know the location of particular officers or Secretary or particular rooms. They are already there, apart from the fact that Members are conversant with those things during the last two years. He may see me in my chamber if he so likes.

INDIAN INCOME-TAX (AMENDMENT) BILL

The Minister of Finance (Shri C. D. Deshmukh): I beg to move for leave to introduce a Bill further to amend the

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Indian Income-tax Act, 1922, to provide for the assessment or re-assessment of persons who have to a substantial extent evaded payment of taxes during a certain period and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Income-tax Act, 1922, to provide for the assessment or re-assessment of persons who have to a substantial extent evaded payment of taxes during a certain period and for matters connected therewith."

The motion was adopted.

Shri C. D. Deshmukh: I introduce* the Bill.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

PRESENTATION OF REPORT OF JOINT
COMMITTEE

श्री शाहीगल (पूजा मन्त्र) : मैं दंड प्रक्रिया संहिता, १८६८ में और ज्यादा संशोधन करने वाले विधेयक सम्बन्धी संयुक्त समिति का प्रतिवेदन सभा के सामने उपस्थित करता हूँ ।

Shri Matthen (Thiruvellah): I do not understand what it is.

Mr. Speaker: The hon. Member will find an English translation in the order paper.

Shri Matthen: Then, there is no necessity for this.

SPECIAL MARRIAGE BILL—Contd.

Mr. Speaker: The House will proceed with the further consideration of the Bill to provide a special form of marriage in certain cases, for the registration of such and certain other marriages and for divorce, as passed by the Rajya Sabha.

Clause 4 and amendments numbers 60, 61, 108, 109, 182, 227, 229, 294, 62 and 112 which are identical, 183, 30, 295, 2 and 113 which are identical are under discussion.

Clause 4.— (*Conditions relating to solemnization of special marriages*)

Shrimati Jayashri (Bombay-Suburban): I have sent an amendment to this clause. In the Hindu Code Bill which came before the Provisional Parliament, the conditions laid down for a valid marriage—*dharmic* as well as civil marriage—were, the bridegroom has completed the age of 18 years and the bride the age of 15 years at the time of the marriage and each party has, if he or she has not completed the age of 21 years at the time of this marriage, obtained the consent of his or her guardian for the marriage, provided that no such consent shall be required if the bride is a widow. We have changed this clause and instead of 15, we have raised it to twenty-one. Some of the members of the All-India Women's Conference met the Law Minister when this draft was circulated for public opinion and we requested the Law Minister not to raise this age too high.

[**SHRI PATASKAR in the Chair**]

Because, as we know, in our country, girls mature at a very early age, we requested the Law Minister not to raise the age beyond 18. Eighteen is a reasonable age and some of us have now sent an amendment to this clause and asked for keeping this age limit at eighteen. If you raise this age too high, we fear that this will prevent many girls from taking advantage of this Act. As we know, in our country, girls like to marry at the age of 15 or 16. In the case of *dharmic* marriages, we are going to keep it at 15. I would request the hon. Members not to raise this age too high and to keep the limit at eighteen. We are going to accept an amendment that if the party has not completed the age of twenty-one at the time of the marriage, he should

*Introduced with the recommendation of the President.

obtain the consent of the guardian. There is this clause which will prevent any fraud. Looking to the conditions we had in the original Hindu Code Bill, and in view of the fact that many Women's organisations have appealed to the Law Minister not to raise this age too high, I appeal to the Members to keep this limit at eighteen for the girl at least. I can say that in our society mostly the girl's age is much below that of the boy, and we are sure that the boy's age will be more than 21, more than 18 at least, but for the girl I would say that we should restrict it to 18 years of age, and I support this amendment. I oppose the amendment of Shri V. G. Deshpande.

Shri Frank Anthony (Nominated—Anglo-Indians): Mr. Chairman, Sir, my amendment which is No. 229 at page 4 is to the following effect:

“the parties have completed the age of twenty-one years, or in the case of a boy who has completed eighteen years but not completed twenty-one years, and in the case of a girl who has completed fifteen years and not completed twenty-one years, the consent of the father, if alive, or if the father be dead, the guardian of such person, in case there be no such person, the consent of the mother of such boy or girl, has been given to the marriage;”

I have sought to approach this subject from the point of view of judicial precedent and also from the point of view of logic, and frankly I have not been able to ascertain on what basis either of sense or logic we have arrived at this arbitrary figure of twenty-one years. I can find no sanction for it either in judicial precedents or in any cognate measure referring to marriage and consent. My own feeling is that somebody has vaguely remembered that in Britain the age of majority is twenty-one and so they have, by some rule of thumb and quite arbitrarily, hit upon this age of twenty-one years. So, my amendment,

I respectfully submit, seeks to bring this provision into line with the law of this country. My hon. friend, Pandit Thakur Das Bhargava sensed what I was trying to do.

Now, why have I put the age of marriage for a girl at fifteen and for a boy at eighteen? I have done this advisedly. Under the Child Marriage Restraint Act we prohibit marriages only up to these respective ages, i.e., if a girl has completed fifteen or a boy has completed eighteen years of age, then under the general law of the land their marriage may be performed. Now, the Home Minister has claimed for this measure that it is a progressive measure, but if his claim has any validity, then I would ask him why we are making this an unnecessarily restrictive provision? Why are we.....

The Minister of law and Minority Affairs (Shri Biswas): May I point out that the Bill as introduced did not say twenty-one? The amendment in the Upper House has made it twenty-one, not the Law Minister. He referred to the Law Minister, I take it, and not the Home Minister.

Shri Frank Anthony: I have rather an obsession with regard to the Home Minister.

Shri Biswas: The Law Minister suggested eighteen, and he is going back to eighteen also here.

Shri S. S. More (Sholapur): Go still further back.

Shri Frank Anthony: Even though I am glad for the clarification, I would ask the Law Minister and the House to consider carefully what I am saying.

As I have said, under the Child Marriage Restraint Act, where we have placed a certain embargo, and quite rightly, on marriages up to a certain age, we permit, under the general law, marriage where the girl has completed the age of fifteen years and where the boy has completed the age of eighteen years. Now, I feel that in this measure for which we

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are claiming a progressive and a liberal character, we should not seek to make it less wide and less applicable than the general law of the land.

Then, may I say this, that this age of twenty-one perhaps—I shall be glad of the attention of the Law Minister, I am trying to convince him.....

Mr. Chairman: Does the hon. Member want to address the hon. Law Minister?

Shri Frank Anthony: I am addressing you Sir.

Mr. Chairman: He is addressing me, but he wants the Law Minister to listen to him.

Shri Frank Anthony: As I was saying, I want this measure to be no larger, no wider than the general law of the land, and that I think is a very legitimate request.

Now, I am opposed to this figure of twenty-one years. I feel that whoever propounded this thesis looked at either the British law or he may have even looked at the Indian Christian Marriage Act.

Shri Biswas: The British law makes it much lower. It makes it sixteen.

Shri Frank Anthony: I agree with him. I was coming to it.

Under the Indian Christian Marriage Act, a minor has been defined as a person who has not completed the age of twenty-one years, but the Indian Christian Marriage Act is much wider so far as marriage is concerned. There is no embargo on persons less than eighteen or twenty-one years marrying. All that it says is that a person is a minor unless he completes twenty-one years of age. And under section 19 of the Indian Christian Marriage Act all that is required is that if they are outside the mischief of the Child Marriage Restraint Act—i.e., a girl has completed fifteen years but not completed eighteen years of age, or a boy has completed eighteen years but has not completed twenty-one years of age

—the consent of the father, if the father is alive, the consent of the guardian if the father is not alive, and if there is no guardian the consent of the mother should be obtained.

Shri V. G. Deshpande (Guna): Who is a guardian?

Shri Frank Anthony: That is a different matter. I do not want to be sidetracked by these niggling little questions. We may to our complete satisfaction define the position with regard to guardian as far as it is humanly possible to define it. But what I am trying to postulate is the question of minima in respect of ages. And I say first this, that under the Child Marriage Restraint Act we have this position. Under the Indian Christian Marriage Act, even though the age of majority is pitched at a much higher figure; they allow marriages of girls who have completed fifteen years and boys who have completed eighteen years provided the consent of the parent or the guardian is forthcoming. And I say this, that unless the Law Minister is prepared to consider carefully what I am trying to impress upon him—unfortunately the Law Minister seems to have made up his mind and he is not prepared to listen to my arguments; as I said the Law Minister has waxed eloquent, sometimes he has waxed almost excited as to the progressive and liberal character of this measure—people will say “No, you are making claims which are not well taken.” What happens if you put in this provision of eighteen years? I say that it will largely be a reactionary measure. It will be a measure which is less liberal than the general law of the land. It will be less liberal than the Indian Christian Marriage Act. And, as the Law Minister himself has pointed out, in Britain—we have drawn a large number of our precedents from Britain—the age for the girl was formerly fixed at twelve and for the boy at fourteen. Then, I think in 1929 by the Age of Consent Act they raised it to sixteen. Even there where we may take it for

granted that people mature physically at a later age, even in Britain, the age at which they can contract a marriage is after they have completed sixteen years of age. Now, I want to know, when we have laid down a certain specific limit in the Child Marriage Restraint Act, when other Acts in our own country like the Indian Christian Marriage Act, when usage and custom, all allow girls to marry after they have completed fifteen years and boys if they have completed eighteen years, why you should now arbitrarily fix the figure at eighteen years of age? I say the charge will be made that instead of being a socially progressive measure, this is in fact, a reactionary measure, and as one who has had considerable professional experience in the divorce and marriage courts in this country, may I ask the Home Minister to also remember this?

Shri Biswas: Again the Home Minister!

Shri Frank Anthony: I am sorry, the Law Minister.

I say this, when the dominant motive which has informed this kind of legislation is a social and a humanitarian motive, let us not assume the pose of hypocrites or puritanical posers. In Britain, this law has got this as the dominant motive—the social and humanitarian motive. Now, what are we catering for? We see what is happening. More and more people are going to colleges. More and more young men and young women are going to be thrown together. Now, what has happened and is happening? In England, they have catered not so much for the contracting parties, but they have always catered for the unborn child. That has always been the dominant motive, both with regard to divorce and with regard to marriage, and we in this country cannot blink our eyes at it. We have this co-educational system spreading in this country in the colleges. We must accept the fact that it is not unlikely that young boys and young girls in colleges meet, they may get friendly, and they may

get intimate. But what do you do under this Bill? Do you make it possible for them to marry and to enter society as decent human beings, or on the other hand, are you not compelling them to become outcastes, and driving the woman on the streets? Under any other Act perhaps, if a Hindu boy and a Hindu girl in college get friendly, and there is the prospect of a child, I believe, they can marry under the Hindu law. But what happens when a Hindu boy and a Christian girl get friendly and if you accept that their friendship has perhaps led to intimacy and the prospect of a child, what happens? If both were Christians, they could marry; if the girl was fifteen, and the boy eighteen, they could marry, provided the parents' consent is there. But here, even though the Hindu boy's parents may consent, even though the Christian girl's parents may consent, you say, no, that child shall be born out of wedlock. It is a reactionary measure, because you are not even bringing it into conformity with your other laws and the law of the land. You say you are wanting to encourage intercommunal marriages. But are you really wanting to encourage intercommunal marriages? Girls in this country mature physically at a much earlier age than in England, i.e. where they can marry at the age of sixteen. Under your Child Marriage Restraint Act, you put it at fifteen. But here, under a special rule of thumb, you say, no, the girl shall be at least eighteen years old. I am not propounding a charter of libertinism; I am not saying that a girl at fifteen and a boy at eighteen should be free to marry according to physical impulses or the idiosyncracies of an infant. I am not saying it. I am hedging it round by all the salutary safeguards that you can possibly think of. I am saying that when a girl has completed the age of fifteen, and a boy has completed the age of eighteen, until they have reached the age of twenty-one, the consent of the parents or the guardians shall be forthcoming. That is the safeguard which I have prescribed, and I do feel that the hon. Law Minister should give

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serious consideration to what I am suggesting.

I am basing my amendment on judicial precedent, on the laws of our own country and on the facts as they obtain in this country. After all, as the previous speaker has said, it is not normal for girls in this country to wait till the age of eighteen or twenty-one to marry. You are stultifying the whole purpose of this Act. Normally, people in all societies prefer their girls to marry before they are eighteen, or twenty-one. But now, arbitrarily, you are setting this age-limit for girls at eighteen years of age. A certain issue has been posed in the form of a question as to why, when we accept the age of majority at eighteen, we should, in respect of marriage, say that the consent of the parent should be required. I have said that until they are twenty-one, the consent of the parent or the guardian should be a pre-condition to the marriage, and I say that I have done it advisedly. I recognise that marriage is a grave and an important matter, and unlike most other matters, perhaps, it does have graver consequences. And perhaps, even at eighteen, I am fixing the age at a limit where we expect people to be physically mature, and where we think they can enter into marriage without any adverse consequences for their progeny. But after that, I am accepting this thesis that perhaps, mentally, they are not sufficiently mature, and sometimes they may be overborne by physical impulses. And that is why I have deliberately put down this safeguard that until they have completed the age of twenty-one, the consent of the guardian or the parent should be given. And there is also another thing. We find it in our own divorce and marriage laws. There is no sanctity with regard to the age of minority in our own Acts. We find differing provisions. So, for the purpose of this particular Act, we can say that we regard them as minors until they reach the age of twenty-one. Under the Indian Christian Marriage Act, a child or a minor has been de-

finied as a person who has not reached the age of twenty-one. Under the Indian Divorce Act, the word 'minor' has been defined differently; there, a girl of an Indian father is a minor until she is thirteen, and a boy of an Indian father is a minor until he reaches the age of sixteen. Under the Indian Divorce Act the courts' jurisdiction is ousted, in the matter of education, custody and maintenance, as soon as the girl reaches the age of thirteen. They cannot order that a girl of thirteen, a child of thirteen, should be within the custody of a particular parent as soon as she completes thirteen, she ceases to be a minor under the Indian Divorce Act. So, there is nothing extraordinary and unusual, if, for the purpose of this Act, we say that a minor shall be a person who has not completed the age of twenty-one, and for the purpose of entering into marriage, we put the age at the limit which we have in all our wisdom set in the Child Marriage Restraint Act, namely, fifteen for a girl and eighteen for a boy. In the Indian Christian Marriage Act we had this very salutary safeguard that between the ages of fifteen and twenty-one in the case of a girl and between the ages of eighteen and twenty-one in the case of a boy, the consent of the parent or the guardian should be there.

10 A.M.

Shri N. C. Chatterjee (Hooghly): I express my dissent thoroughly from the amendment moved by Shri Frank Anthony. I have, on many occasions, differed from the recommendations of the Upper House, but on this occasion, I think they have acted very wisely. If Shri Frank Anthony had only read some of the minutes of dissent of distinguished Members of the Joint Committee, he would have found good reasons. He has made a legalistic approach to this question. But I would say that I have been practically all my life a humble votary of Themis, and if you are going to lower the age for a girl for marriage under this Act, you will simply increase the work in the

divorce courts, but it will not lead to any social welfare. I would rather take what Shrimati Vijaya Lakshmi had pointed out. She had administered a very timely admonition, when she spoke here the other day. She said that we ought to realise that this Special Marriage Act is not meant for all the millions and millions of people throughout the country, but that it would only touch the fringe of society, the cultured, the cultivated, the educated and the progressive— or call it even fashionable or whatever else you like, but it will only touch the fringe of society.

Now, if the progressive people want to do away with sacramental marriage, orthodox marriage, and so on, would it be right to think only of the legalistic age? Now, what is this lady, Shrimati Sita Paramanand saying? She says:

“The age should be raised from eighteen to twenty-one,—at least in the case of boys. Usually, unorthodox marriages are initially settled by the parties themselves at a very tender age.”

My hon. friend Shri Frank Anthony says, have consent by parent or guardian. But that is only an illusory safeguard, for parents have got to consent, if the intensity of attachment is so strong, and there is no legal bar that they have cannot withhold it. Again, this lady has pointed out:

“A boy of eighteen is not in a position to take a realistic view of marriage and its responsibility.”

I believe, with Acharya Kripalani that he is just a mere school-lad. Are you going to have a Special Marriage Act, for the purpose of setting a high standard of marital relationship for educated and progressive people, or are you going to give a boy, who is in the matriculation class or just out of it, a charter to marry any school-girl, at the age of eighteen?

Then, there are other factors which have got to be taken into account. It is rather extraordinary in this House that I find that the older the Member,

the younger the age of the girl he is fighting for. Acharya Kripalani is solemnly saying that the age should be thirty-five. I am humbly but passionately pleading that the age should be twenty-five at least for the boy. Pandit Thakur Das Bhargava is arguing for eighteen, and Shri Frank Anthony is for fifteen.

Shri Frank Anthony: Your own law has accepted it.

Shri N. C. Chatterjee: Anyhow, it will lead to indiscipline in the family. It will lead to disruption of many families, which is very undesirable. Many undesirable things will happen, which ought to be eliminated. There is no good saying that there may be some kind of attachment leading to intimacy, and therefore, this Parliament, in the year 1954, should solemnly provide for certain lapses and precocious intimacies developing in the critical age of adolescence. Are you going to encourage it, or are you going to stop it?

Shri Biswas: Will raising it to twenty-five stop it?

Shri N. C. Chatterjee: I think twenty-five is a good age. At least in this case, I would rather go by the advice of the distinguished ladies who are progressive like this lady Shrimati Sita Paramanand. What does she say? She is saying that in this case, the age should be at least twenty-four. I have said twenty-five, only one year more than what she has said. If you want to make it twenty-four, I do not mind.

Shri Biswas: Ladies are so variable in their opinions.

Shri N. C. Chatterjee: Ladies are variable in their opinions; anyhow we have got to pick and choose between them, and I think in this case they reflect more the advanced and progressive opinion. (*Interruption*).

As a matter of fact, why are you enacting this law? You do not want orthodox marriage; you are really giving a charter for unorthodox, unsacramental marriages, civil marriages

[Shri N. C. Chatterjee]

which are based purely on contract. Therefore, you are thinking of love marriages. Would you like a love marriage at the age of eighteen?

Shri Biswas: I would ask the hon. Member to preach this in his own home.

Shri N. C. Chatterjee: As a matter of fact, I take it that in the great majority of cases, both in your parts, Maharashtra, and in Bengal, amongst educated middle class families, it is seldom that the marriage of a boy takes place till he is twenty-five; in the case of girls, it is seldom that a marriage takes place till she is twenty—or twenty-one. You are putting the hand of the clock back. Therefore, I am pointing out: do not take the legalistic aspect.

Shri Biswas: You prescribe the minimum age only.

Shri N. C. Chatterjee: Make it minimum.

Mr. Chairman: Let the hon. Member proceed.

Shri N. C. Chatterjee: I am not pleading for a ceiling in this case. I am saying what should be the minimum age. Put any age you like; the only question is, what is the proper age? You find that even in our country when people are marrying under the sacramental system or under personal laws, the marriageable age is generally advanced in the case of girls to twenty or twenty-one or even more and in the case of boys to twenty-five or twenty-six.

Shri Nanadas (Ongole—Reserved—Sch. Castes): What about people in the villages?

Shri N. C. Chatterjee: They do not marry under this Act. The people in the villages, the rural population, won't be touched by this legislation.

What I am pointing out is that many members in these dissentient notes have drawn attention to the great menace of India's over-population.

That is a serious menace and that aspect, the economic aspect and the social aspect, of population should also be taken into account. Dr. Seeta Paramanand says that 'at the age of eighteen a boy can hardly support a wife. Marriage at twenty-one will be a good Malthusian barrier against the population growth'. This Parliament should also take that into account. It is not a question of only a union of 'A' and 'B'. It has effect on family life, it has effect on the social system, it has effect on the whole national well being. When you are really making a progressive legislation for progressive people, you should have the courage to say that you are not going to allow this Act to be used as a charter for this kind of child marriage at a critical age of adolescence. They have to realise the rights and obligations and the duties and responsibilities and then with full knowledge enter into it. I submit that what the Upper House has done is not at all unfair. On the other hand, if you like, Parliament in its wisdom should increase at least the minimum age of the boy to twenty-four or twenty-five and of the girl to twenty-one.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): I should be given a chance to speak because it is only a question for my contemporaries. It is not for old men.

Shri S. S. More: You are not fit to speak on these matters.

Mr. Chairman: Let there be no cross-table talk.

Shri Dabhi (Kaira North): I rise to support the amendment, No. 227, of Pandit Thakur Das Bhargava and to oppose all other amendments. I would have preferred sub-clause (c) as it was passed by the Rajya Sabha, but anyhow I am firmly of the opinion that the age of the bridegroom at least should never be less than twenty-one years. I do not understand how our people who call themselves educated, advanced and progressive advocate the marriage of a boy of eighteen.

Do these friends want to say that a boy of eighteen who is studying in a school or college, who is not in a position to maintain himself, whose parents find it difficult even to find money for his studies, should be allowed to throw an additional burden upon his parents of maintaining his wife and children? Do these friends also want to argue that a boy of eighteen should be a father of children? Do they mean to say or suggest that the children of boys of eighteen would be healthy?

Shri B. N. Misra (Bilaspur—Durg—Raipur): What about the present position? Are we not having boys of eighteen who are fathers of so many children?

Shri Dabhi: That is one of the reasons why we are weaklings; that is one of the reasons why at present we are producing such large numbers.

According to orthodox Hindu religion also, the minimum age is described as twenty-five or twenty-four. Even the famous physician, Sushrut, says that the minimum age of a boy must be twenty-five. Not only that; he says that children born of a boy who is less than twenty-five years of age would be 'durbalendriya'—weakling. Many people think that our Hindu Sastras are for a low age; that is not the case. But our progressive people want that a boy of eighteen should be the father of children!

Another very important reason why I am against the other amendments for lowering the age—the marriageable age—from twenty-one to eighteen, is that of over-population. Every year 40 lakhs of human mouths are being added to our country and everybody is alarmed at the growth of population. The Census Commissioner has alarmed the whole country by his calculation that by 1981 we would be 52 crores of people. In order to avoid this catastrophe, our so called advanced people advocate the use of chemical and mechanical contraceptives which involves risks to the health of women.

People never think of the risks involved to the health of women by allowing a free rein in these matters. It is strange to see that there are some people who advocate a course of action for our people which would lead to over-population. On the one hand, they are alarmed at the over-population and advocate chemical and mechanical contraceptive without caring for the health of the persons concerned—or at least the women—and on the other, they advocate a course of action which would lead to over-population. The Health Minister in a radio talk on the first of this month from Delhi has stated that if the marriageable age of the boys and girls is raised, a few years of active productive life will be put out of the picture and that will itself have a tremendous check on the population problem. I would like anybody to challenge the statement made by the hon. Health Minister.

Shri Bhagwat Jha Azad: What has she said?

Shri Dabhi: She has said that if the marriageable age of boys and girls is raised, there would be less population. The Census Commissioner in his report has stated that certain investigations were made in certain parts of Travancore-Cochin and Madhya Bharat. He has given facts and figures to show that the higher the age of the girl, the lesser would be the number of children she would give birth to. So, from every point of view it is absolutely necessary that the age of the boy for purposes of marriage should be at least 21.

Then, Sir, it was argued that there is the consent of the guardian and therefore there is no difficulty. But, here there is no question of the consent of the guardian. Even if the consent of the guardian is given, if we think that it is not advisable from the nation's point of view, from society's point of view that a boy of 18 should not be allowed to marry, then the question of consent does not arise. Do our friends who argue in this way

[Shri Dabhi]

want to say, that if the parents of a girl or boy give their consent, he or she may be allowed to marry within a prohibited degree of relationship? We would not allow that. The law would not allow that even if there is consent of the parents. Supposing the parents give their consent for a boy who is having his first wife to marry a second time, we would not allow that because it is against law and against society. We want that there should be certain essential principles of marriage and if they are to be fulfilled, then the question of consent or no consent does not arise. We should not give our approval to any step which would be against the policy which we have decided upon. Therefore, taking into consideration all these points I appeal to the House at least to support the amendment moved by Pandit Thakur Das Bhargava.

Shrimati Renu Chakravarty (Basirhat): Sir, I am obliged to answer certain criticisms made by Shri Chatterjee. Firstly, of course, we are all aware why he wants the age limit to be raised to 25. The real reason as we have seen in all the amendments is to restrict the scope of the Bill as far as possible. But, when he tries to rouse certain prejudices that by not raising the age we shall automatically increase the divorce cases, I would just like to point out that the Special Marriage Bill has been on the Statute Book since 1873 and the age put down there was 18. Of course, there was a clause with a proviso about consent, but age of '18' was already there. If the minimum age of '18' is there and the number of divorce cases has not been so large as to completely upset Indian society, then, I think, there is absolutely no case which he can make out that by accepting the age of 18 we will be doing a great harm to our society. Of course, he has recommended to us the arguments which have been put forward by Dr. Sita Parmanand. I have great respect for my colleague in the Upper House, but I would say and I think

it is wiser that we should consider what has happened during these last so many years and judge on the basis of actual events when we prescribe the age.

Now, there is certain force in the arguments made by Shri Frank Anthony that we should keep at least the minimum age according to the general law of the land. It is true that many of us do want that the scope of this Bill should be extended. We should move the majority of our people towards a uniform code for registration of marriages and to make this Special Marriage Bill slowly applicable to the rest of India, may be with certain amendments. Therefore, I would, in the first instance have, liked to support Shri Anthony for the age to be 15. But why is it that I do not do so? The reason for that is we feel that, at this stage, the introduction of guardianship will lead to more complications, we want to make it as simple as possible and, at the same time safeguard, as far as possible, against wrong choices. That is why we say that, although we have allowed 15 as the minimum age in the general law of the land, we should keep it at 18. But, here again, we find that there are many amendments. One of the official amendments coming from the other side is again a proviso guardianship—first guardian, second guardian, then third guardian etc.

I would now argue on the point as to whether 18 is an age when a man or woman can make a correct choice. In our country we do accept 18 as the age of majority. It is an age at which men are allowed not only to control property, but when we used to have institutions of Princes, they would also come to the throne. Even now they control property. They are regarded as being mentally mature enough to face the problems of the world and make correct judgements based on their own understanding. Now, the question or the arguments is, 'are they capable of managing the affairs of heart'? That is only limited point on

which we have to discuss. The rest of it is accepted for good or evil. Pandit Thakur Das Bhargava has made out a case that we should make change in the age of majority and bring it on a par with the marriageable age, but at the moment we are limited to this aspect as to whether a man is in a position to make a correct decision when it comes to the affair of the heart. I feel a distinction has been sought to be made that in the case of a woman she matures earlier and she can make a correct decision at 18, but for a man, he is much more innocent and he is not able to come to a correct decision. (*Interruption*). It is said that he must attain the age of 21 to make a correct decision. I feel, I have more faith in man and I would say that if a woman is able to make up her mind at 18, certainly a man is also able to make up his mind at 18. I would say that in Hindu marriages we are allowing the age to be 18 where it is not necessary to take the consent.

Pandit Thakur Das Bhargava (Gurgaon): There the age is going to be increased to 21.

Shrimati Renu Chakravartty: I know it is being increased, but I am arguing against that. I am saying that in Hindu marriages you are allowing a man to make a decision at the age of 18. In Hindu marriages you are also allowing inter-caste marriages which are considered by many as being problematical and which, according to certain people, will give rise to certain complications in society. You are allowing the decision to be made by man, at 18 with or without the consent of the guardian. (*Interruption*.) I think if my hon. friend Deshpande could, he would certainly not allow it to be on the Statute Book; but, I am sure we will be able to pass it. In any case, there must be strong argument in the minds of Government, for recommending 18 in the Hindu Marriage Bill otherwise it would not have been put on the draft proposal. Therefore, I feel that there is no case whereby we can say that at the age of 18 a girl can marry without the consent of the parents but the man

cannot do so until he attains the age of 21.

An Hon. Member: You want deduction of age in the case of man also?

Shrimati Renu Chakravartty: I do. It should be on a par. If it is 18 for the woman, it should be 18 for man also. The question that has been raised is that the marriages will be inter-provincial, inter-religious and in such cases complications arise. I feel that we are legislating for that section of the people who have moved forward from orthodoxy. We are making a provision for them. We do not consider inter-caste or inter-provincial marriages as wrong. That is why those who regard them as wrong, who say that it should not be allowed, oppose it. Let us be clear about it. If we say that they are not wrong and that they are not against happy marriages, then we should not regard them as very complicated affairs. It is not a question as to the character of the man which we are disputing. It is a question as to whether inter-caste, inter-religious or inter-provincial marriage is so very complicated that a girl or a boy of 18 years of age cannot make a decision. That is the point which we have to decide. Therefore, I really feel that the age limit should be 18 and should not require consent.

Lastly I come to the question of consent of the parents. Certainly, I must say that the parents must give their advice. It is only a natural thing. It depends upon the bond of affection between parents and children, the regard which the children hold for their parents and the way in which the children are brought up. These will decide whether the advice will be accepted or rejected. I think that advice must always be there at every stage whether at 18 or at 21. But, I do not see the logic of the argument that, the advice of the parents, instead of being persuasive and based on understanding, should be forced upon them by legal penalties in order to guarantee the welfare and happiness of our children.

[Shrimati Renu Chakravartty]

Then there comes the question of difficulties of guardianship. My hon. friend, Mr. Chatterjee, pointed out, while speaking on his amendment, that various difficulties have already arisen in this matter. I have no legal knowledge and so I cannot say much about them. The point was raised about the legal guardianship, that is, guardianship of property and guardianship of the person. Mr. Venkataraman has accepted that it will be the guardianship of the person. Even there, certain cases have been quoted by Mr. Chatterjee where specifically the Punjab High Court has given the ruling that in the case of guardians, their guardianship will not apply to marriages. Of course, I do not know how far it is correct and what the Law Minister thinks about it. One difficulty has already cropped up. Then the question will arise as to what will happen in the case of those who have parents alive, and even there the first choice is being left with the court guardians, and so many other complications will arise. I would like to put this before the House, namely, that we should judge it from this point of view: Are our children able to make their decision at 18? If they can make their decision about the affairs of life for which they are considered to have a mature judgment, then they should also be given the right of free choice of marriage, and I do not think that inter-caste or inter-religious or inter-provincial marriages are such complicated or wrong marriages that they cannot make their choice and that they will not be able to deal with properly.

Shri Bhagwat Jha Azad: At the very outset I am not prepared to run a race with my elder friends for expressing the progressive idea about age, but when such friends are cornered by youths, they take the plea that they are speaking with the experience of half a century in public life and bar. I was denied the right to express my views on this Bill by Mr. More; but for your assistance and kindness, I would not have been able to speak.

Mr. Chairman: I do not know how Mr. More comes in here.

Shri S. S. More: He is trying to catch my eye.

Shri Bhagwat Jha Azad: I am sorry that Mr. More claims that he has the experience of half a century. He just now said that I should not express my opinion on this Bill. He does not understand that I am competent to do it. Here is another friend who also says that I am not competent to express my views.

I would like to urge that the age should be reduced to eighteen for the purpose of marriage and I would like to support my point by rebutting the arguments advanced in favour of twenty-one. The arguments advanced are that wisdom seldom dawns before twenty-one, that boys and girls below twenty-one are mostly in schools and colleges and they do not finish their education and, therefore, they should not be allowed to marry. These arguments were advanced by Dada Kripalaniji. There are other friends who say that they are not capable of earning before that age and, therefore, marriage should not be allowed to take place before that age. So far as wisdom is concerned, if that is the ground for extending the age to twenty-one, then you will find a good example in this House that elderly persons who are far above twenty-one differ amongst themselves. Some of them are for 21, others are for 25 and probably there are persons who are for 35, as Acharya Kripalani said, and so it is not necessary that wisdom comes with age, but some times, and even most times, it comes even before the age of eighteen. This argument, which is repeated *ad nauseum* in this House, is, therefore, no valid argument at all. It is no argument to say that some of them do not finish their education in college till twenty-one. Probably, my friends, who are now far above twenty-one have abandoned their touch with the colleges. I came fresh from the university two years back and I feel I am in a

better position to keep my hands on the pulse of the young men than these gentlemen and, therefore, I consider that it is better in our circumstances that the age of marriage should be eighteen. There are students, boys and girls, who finish their education by eighteen. If you say that wisdom does not come at that age, then I say that there are some proverbs in my part of the country just as in other parts of India, which say that there are cases where wisdom does not come before sixty. Does it mean that those men should not be allowed to marry before sixty? Secondly, if the arguments are wisdom and capability of earning, then I feel the Law Minister should make a provision to the effect that persons who produce a certificate of wisdom or capability of earning will be allowed to marry. Then, there is no question of the age being 21 or 25 or 35. The only criterion is that the boy or girl, who will produce a certificate of capability of earning and wisdom, will only be allowed to marry.

Shrimati Sucheta Kripalani (New Delhi): Who will issue the certificate of wisdom?

Shri Bhagwat Jha Azad: It is for those gentlemen to answer the question. It is they that want such certificates and it is not my case. I say that the limit of 21 for marriage is not justified under our circumstances. There is a fundamental difference between the understanding of the gentlemen like Mr. Deshpande, and our understanding. Whereas they want to stick to dogmas and to their own concept of things, we want to move forward with the century. Marriage is an institution which is not to be strictly adhered as prescribed in our old religious books. It is an institution which has developed with the ages, and, therefore, the conception regarding marriage, regarding the fixation of the age of marriage and such other things should be reformed accordingly. I feel that the arguments that have been advanced by my friends regarding education and wisdom and other things are not justified.

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The previous speaker introduced another argument, namely, that of population and quoted the Health Minister of the Government of India as saying that the population will be increased. Her idea about population and marriage are very peculiar. We cannot understand her insistence on abstinence. Let her propagate, from her Ministry, all the facilities to be given to the couples. I feel that this population ground has no standing. I would plead, therefore, that the age should be limited or restricted to eighteen and I do not mind if, in the case of the males, it is twenty-one, but I strongly oppose the opinion that a girl at eighteen gets the wisdom, not the boy.

श्रीमती उमा मेहता (जिला सीतापुर व जिला खैरी—पश्चिम) : कल से आज तक इस बात पर बहुत बहस हो रही है कि लड़कों और लड़कियों की उम्र क्या होनी चाहिये। मैं सब भाषण बराबर सुन रही हूँ, और जब मैंने एन्थनी साहब का भाषण सुना मैं समझती हूँ कि वह कानून ठीक कहते हैं क्योंकि सार मूलक में जब एक कानून है तो वह इस को भी उन्हीं में लाना चाहते हैं।

साथ ही साथ जो इस वक्त औरतों के विचार हैं वह यह हैं कि हम समझते हैं कि हमने कन्यादान छोड़ दिया, हम लोगों ने ८ और ६ वर्ष में शादी करना छोड़ दिया, सप्तपदी को छोड़ा क्योंकि सप्तपदी तो कन्यादान के साथ ही होती है। आज दिन भी जब हम लड़की को ब्याहने चलते हैं तो हमें एक दम से कोई वर नहीं मिलता है। दहातों में दूसरा ख्याल है, दहातों में १४ वर्ष में शादी कर देते हैं, लेकिन जब १४ वर्ष में शादी होती है तो उस में भी कन्यादान नहीं होता है। तो यह चीजें हमारा समाज से निकलती जाती हैं। हमने जो लड़की के लिए १८ वर्ष की उम्र रखी है वह इसलिए रखी है कि हम समझते हैं कि इस उम्र में लड़की काफी समझदार हो जाती है और हिन्दुस्तान की आबाहवा के ख्याल से वह उस उम्र में जवान भी हो जाती है। और वह उस उम्र में माता भी बन सकती है। इसलिए हमने

[श्रीमती उमा नेहरू]

लड़कियों के लिए १८ साल की उम्र रखी है। मेरी राय में लड़की की उम्र १८ से २१ करना ठीक नहीं है। आज लोगों का यह ख्याल है कि शादी के वक्त लड़के की उम्र लड़की से कम से कम पांच बरस ज्यादा होनी चाहिए। इसलिए मैं समझती हूँ कि लड़के के लिए १८ बरस रखना बहुत कम होगा। मैं समझती हूँ कि ऐसे अज्ञानी बहुत ही कम मात्रा में पाए जाएंगे जो अपने १८ वर्ष के लड़के को १८ वर्ष की लड़की से शादी करने की सलाह दें। मैं इसमें ज्यादा बहस नहीं करना चाहती। इसमें बहुत सारी बातें देखने को हैं। औरत और मर्द में फिजिकली और मेंटली बहुत फर्क होता है। औरत जल्दी बवान हो जाती है और उसमें समझ भी जल्दी आती है, मर्द को नहीं आती। १८ बरस का लड़का बिल्कुल लड़का रहता है। मुझे इस उम्र में लड़के की शादी करने में एतराज नहीं है लेकिन मैं समझती हूँ कि ऐसा करने से उसको फिजिकली भी नुकसान होगा। आज दिन हमारे यहां जो शादियां होती हैं उनमें अगर सात आठ बरस का उम्र में फर्क हो तो अच्छा समझा जाता है, नहीं तो कम से कम पांच साल का फर्क तो जरूर होना चाहिये। क्योंकि अगर मर्द और औरत दोनों तीस तीस साल के हों, तो उस उम्र में मर्द तो बवान दिखायी देता है पर औरत बुढ़िया दिखने लगती है। इसका कारण है। उसको बच्चे होने लगते हैं।

अब सवाल आता है कि फॉर्मली प्लानिंग हो या न हो जो शादी होती है उसमें पहला विचार यह आता है कि एक आँलाद पैदा हो। एक हो या दो हों यह बजट करना आपके हाथ में है। लेकिन अगर शादी इस ख्याल से होती है कि हमको आँलाद न हो तो मेरी राय में ऐसी शादी करना पाप है।

मैं ने चटर्जी साहब को सुना। मैं समझती हूँ कि जो वह कह रहे थे वह ठीक है। लेकिन मेरे ऊपर कुछ ऐसा असर पड़ा कि श्री ईशापांडे, श्री चटर्जी बगैरह को यह डर है कि अगर हमने

१८ बरस की उम्र कर दी तो कहीं सारे लोग लुढ़क कर इसमें न आ जायें। यह स्पेशल मैरिज बिल असल में उन लोगों के वास्ते है जो उनके ख्याल में बहुत प्रोग्रेसिव हैं। इसलिए वह ऐसी उम्र रखना चाहते हैं कि कहीं यह छूत सब को न लग जायें। उनको डर है कि अगर हम १८ बरस रखेंगे तो कहीं ऐसा न हो सारे विवाह इस स्पेशल मैरिज के मातहत होने लगे। इसलिए वे डर के मारे यह कहते हैं कि १८ बरस नहीं होना चाहिए। लेकिन मैं कहूंगी कि ऐसा नहीं है। और अगर यह चीज इतनी ताकत रखती है और समाज के लिए मुफीद है तो कोई बजह नहीं है कि हम सब के सब डुलक कर इसके अन्दर क्यों न आ जायें। हमको आगे जाना है और समाज को बदलना है। हमको इस तरह से समाज को नहीं देखना चाहिए। मैं उनको औरतों की तरफ से बताती हूँ कि हम हमेशा आपसे ज्यादा आर्थोडाक्स ख्यालात की रही हैं। औरतों ने ही भारत के धर्म को कायम रखा है वना यहां के आदिमियों ने तो जो हुकूमत आयी उसके साथ अपनी बजह बदली। हमने नहीं बदली। हमने अपने धर्म को कायम रखा। आज क्या आप समझते हैं कि हम नहीं समझती कि कितनी मुश्किल से यह विवाह का रिवाज दूनिया में आया है कि एक मर्द और एक औरत विवाह करे। इतिहास से मालूम होता है कि यह रिवाज कितनी मुश्किल से दूनिया में आया है। हम इसे तोड़ना नहीं चाहतीं। हम तो इसे और भी मजबूत बनाना चाहती हैं। हम चाहती हैं कि ज्यादा तन्दुरुस्त और खूबसूरत बच्चे पैदा हों। इसलिए मैं चटर्जी साहब से और दूसरों से कहूंगी कि वे डरें न कि यह बिल पास होने से और इसमें १८ बरस की उम्र रखने से वे सब लोग जो सप्तपदी करते हैं इसमें आ जायेंगे। हमने यह बिल इसलिए रखा है कि जो नौबवान अपनी बिरादरी से बाहर शादी करना चाहते हैं, और हमारे मना करने पर भी करते हैं, उन बच्चों को भी हम अपने गले से लगा सकें और उनको अपने में मिला लें। यही हमारा धर्म है। इसलिए मैं हाउस से कहूंगी

कि इस बात को ख्याल करके लड़की के लिए १८ बरस मंजूर कर लें। लड़के के लिए २१ बरस रखा जाये मुझे एतराज नहीं है। मैं इस बिल को सपोर्ट करती हूँ।

Dr. Jaisoorya (Medak) rose—

Mr. Chairman: Will you be able to finish it within five minutes?

Dr. Jaisoorya: Yes, very soon. I am competent. There are two aspects. One is the biological aspect as far as age is concerned. The other is: the needs of society. We have to make a compromise between the two.

Shri Biswas: The third is the emotional aspect.

Shrimati Sucheta Kripalani: That is a constant factor in all matters.

Dr. Jaisoorya: Let me put some facts. It is only in recent times that a complete survey was made. We had up till now only fragmentary surveys about the biological aspect. It is correct that a girl, especially in the tropics, is physically ripe for marriage at 16. She is not biologically ripe for motherhood. The ideal age for a woman to become a mother is between 18 and 23. So, we have to see not only the physical ripeness of a Woman but also her biological role as a mother. Therefore, I suggest 18 is a very good age for marriage. Complications arose because of the evil aspect of the Indian Majority Act and all that—that a boy is his own master in his own right at the age of 18.

Another unfortunate fact I have to tell you. That is so unfortunate as it is: that a boy is physically ripe at 18 and his urge is highest at the age of 18. But society cannot allow that because there are very few boys who are, at the age of 18, economically independent. So, the question is how many boys will marry at the age of 18, although they may be ripe. Very few boys will be able to marry at the age of 18.

Secondly, if the minimum age of the girl is fixed at 18, there will be very

few cases of boys of 18 who will marry the girls. Generally, there is a difference of three to four years. There are extremely few cases that I know of, where boys have married girls who are older than themselves—the boys. There are one or two little instances of which we should not be so terrified as to say that the age of boys should be raised to 21. If you look at it factually, very few cases will come under this category. On the average, society's position is that very few boys will marry at the age of 18. Most of them marry pretty late, and most of them marry girls who will be above 18 years of age. Therefore, I do not think we should make such a tremendous fuss about it. We can make a law that both can marry at the age of 18, *de facto*. Actually, it comes to what we really want: that the boy should be above 21 and the girl should be above 18.

Mr. Chairman: It is almost 10.45.

We shall take up Private Members' Bills. I think first we will take up the Bills to be introduced.

GOVERNMENT OF PART C STATES (AMENDMENT) BILL

Shri V. P. Nayar (Chirayinkil): I beg to move for leave to introduce a Bill further to amend the Government of Part C States Act, 1951.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Government of Part C States Act, 1951."

The motion was adopted.

Shri V. P. Nayar: I introduce the Bill.

WOMEN'S AND CHILDREN'S INSTI- TUTIONS LICENSING BILL

Shrimati Jayashri (Bombay—Suburban): I beg to move for leave to introduce a Bill to regulate and license

[Shrimati Jayashri]

institutions caring for women and children.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to regulate and license institutions caring for women and children."

The motion was adopted.

Shrimati Jayashri: I introduce the Bill.

SUPPRESSION OF IMMORAL TRAFFIC AND BROTHELS BILL

Shrimati Jayashri (Bombay—Suburban): I beg to move for leave to introduce a Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels.

Mr. Chairman: The question is:

"That leave be granted to introduce Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels."

The motion was adopted.

Shrimati Jayashri: I introduce the Bill.

ELECTRICITY (SUPPLY) AMENDMENT BILL

Shri Sadhan Gupta (Calcutta—South-East): I beg to move for leave to introduce a Bill further to amend the Electricity (Supply) Act, 1948.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Electricity (Supply) Act, 1948."

The motion was adopted.

Shri Sadhan Gupta: I introduce the Bill.

EX-ARMY PERSONNEL'S LITIGATION BILL

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill to provide remedy and to regulate the ex-army personnel's litigation with respect to their pay, allowances, pension, gratuity and all other emoluments payable under army regulations and usage of the army and punishments inflicted on them without jurisdiction or in excess of jurisdiction, or in excess of the quantum prescribed by the army Laws.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide remedy and to regulate the ex-army personnel's litigation with respect to their pay, allowances, pension, gratuity and all other emoluments payable under army regulations and usage of the army and punishments inflicted on them without jurisdiction or in excess of jurisdiction, or in excess of the quantum prescribed by the army Laws."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

FUNERAL REFORMS BILL

Shri Telkikar (Nanded): I beg to move for leave to introduce a Bill to reform the funeral system in India.

Mr. Chairman: The question is:

"The leave be granted to introduce a Bill to reform the funeral system in India."

The motion was adopted.

Shri Telkikar: I introduce the Bill.

PENSIONS (AMENDMENT) BILL

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Pensions Act, 1971.

Bill

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Pensions Act, 1871."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

ARMY (AMENDMENT) BILL

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Army Act, 1950 (*Insertion of new section 57A*).

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Army Act, 1950 (*Insertion of new section 57A*)."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

ARMY (AMENDMENT) BILL

Dr. N. B. Khare (Gwalior): I beg to move for leave to introduce a Bill further to amend the Army Act, 1950 (*Insertion of new section 61A*).

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill further to amend the Army Act, 1950 (*Insertion of new section 61A*)."

The motion was adopted.

Dr. N. B. Khare: I introduce the Bill.

WIDOWERS' RE-MARRIAGE BILL

Shri K. C. Sodhia (Sagar): I beg to move for leave to introduce a Bill to provide for the remarriage of widowers.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide for the remarriage of widowers."

The motion was adopted.

Shri K. C. Sodhia: I introduce the Bill.

CONSTITUTION (AMENDMENT OF THE SIXTH SCHEDULE) BILL

Shrimati Khongmen (Autonomous Distts.—Reserved—Sch. Tribes): I beg to move for leave to introduce a Bill to amend the Sixth Schedule of the Constitution of India.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to amend the Sixth Schedule of the Constitution of India."

The motion was adopted.

Shrimati Khongmen: I introduce the Bill.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL—Contd.

Mr. Chairman: The House will now proceed with the further consideration of the following motion moved by Shrimati Maniben Patel on the 23rd April, 1954:

"That the Bill to regulate and license institutions caring for women and children, be taken into consideration."

Shri D. C. Sharma (Hoshiarpur): What is the amount of time allotted for the discussion of this Bill?

Mr. Chairman: I understand the time allotted for the discussion of a Private Member's Bill is four hours. One hour was spent last time and if hon. Members so choose, they can go on with the discussion of this Private Member's Bill. Let us see how many people are interested in it.

Shri D. C. Sharma: Who are the speakers who took part in the discussion of this Bill last time?

Mr. Chairman: About eight Members have already spoken on this Bill. They took about an hour.

Shri Raghbir Sahai (Etah Dist.—North East *cum* Budaun Dist.—East): Mr. Chairman, I rise to accord my fullest support to this Bill which has been brought forward by our sister Shrimati Maniben Patel. The object of this Bill is a very praiseworthy one.

Shri Sinhasan Singh (Gorakhpur Dist.—South): On a point of order: the House has just now given leave to Shrimati Jayashri Raiji to introduce a Bill similar to the one under discussion now. If this Bill is thrown out by the House, or amended, what will be the fate of the Bill introduced today?

Mr. Chairman: This Bill was introduced and considered last time. When the fate of this Bill is known, Shrimati Jayashri Raiji will decide whether to proceed with her Bill or not. For the present there is no point of order.

Shri Raghbir Sahai: I was proceeding to say that the object with which this Bill has been introduced is very laudable, namely, 'to protect women and children from exploitation legislation is necessary to regulate and license the orphanages and other institutions caring for women and children under 18 years of age and to provide for the proper custody, care and training of their inmates'. It has also been stated in the Statement of Objects and Reasons that a large number of bogus children's houses and orphanages are existing in the country exploiting the destitute women and children.

In this connection, I may be permitted to say that in order to tackle this thorny problem, the U.P. Government, in the year 1948, set up an enquiry committee to go into the question of working of the orphanages and widows' homes in U.P. I was one of the members of that committee and I had the privilege to go round the country and especially I visited many of the districts in U.P. Some of the conclusions to which I and one of my friends who accompanied me in those tours came are embodied in the report of that committee and are given on page 21. With your permission, Sir, I wish to take the House into confidence

with regard to some of the observations that were made after the completion of that tour of the districts in U.P. and that led us to the following conclusions. The conclusions are: "Most of the widows' homes and orphanages run by different organisations are hopelessly mismanaged and are entirely unsuited for the task they pretend to perform. They are a cloak for making money and swindling. The managing committees are only in name doing virtually nothing in the direction of ameliorating the miserable plight of widows and orphans.

(2) Good many institutions are merely collecting centres for all sorts of women good, bad and indifferent, brought together by all possible means, fair and foul. They are then disposed of to avaricious purchasers for huge sums of money in the name of marriage.

(3) In some cases, accounts were not properly kept and duly audited and at places they disclosed clear fabrication and fraud.

(4) Many an institution had been started by unscrupulous and bogus persons for making money and deceiving the public.

(5) There was a great multiplicity of such institutions in some of the important towns of U.P. Fewer institutions, well managed, should have served the purpose, admirably well.

(6) One special feature that attracted notice was the absence of educated, devoted and sincere lady workers in these institutions mostly run by men, by no means, of unimpeachable character and transparent honesty. These institutions had no plan, no clear objective before them to improve the lot of the helpless widow and the unfortunate orphan."

Shri D. C. Sharma: May I know from which book the hon. Member is quoting?

11 A.M.

Shri Raghbir Sahai: From the report of the U.P. Orphanages and

Widows' Homes Committee, which was submitted to the U.P. Government.....

Shri D. C. Sharma: Were you a member?

Shri Raghbir Sahai: I was a member and we have given our conclusions. I am glad to say that these conclusions have been accepted by the U.P. Government and they have set up a Board to look after these institutions in the province. I quoted these conclusions to which I and one of my friends came and which we formed after that long tour in order to emphasise the point that there is a multiplicity of such bogus institutions all over the country. That problem should be tackled with all seriousness.

You may remember that last year Shri M. L. Dwivedi also brought forward an Orphanage Bill in this House and the matter was discussed at great length. The points that have been made out in the discussion of this Bill—almost everyone of them—were made out in the discussion on that Bill also. If I remember aright, it was on the assurance of the hon. Law Minister that that Bill was withdrawn. The hon. Law Minister then gave an assurance that the Government were contemplating to bring forward a comprehensive Bill on this subject at a very early date. After the discussion on Mr. Dwivedi's Bill, I think a Bill was brought forward in the Council of States, now known as Rajya Sabha, and that Bill, I believe, has now been passed.

I think that that Children's Bill will not serve the purpose as its scope is very limited. In the first place, it is only confined to Part C States. Moreover, it does not relate to the already existing institutions which are spread over the entire country. A Bill of this nature, as has been brought forward by our revered sister, Shrimati Maniben Patel, is absolutely necessary.

I may also invite the attention of the House to some of the observations that have been made in the First Five Year Plan in this connection. One of the

chapters that the planners have devoted is with regard to the social welfare, especially of women and children.....

Mulla Abdullahai (Chanda): Mr. Chairman, there is no quorum in the House.

Mr. Chairman: Yes, there is no quorum. There is now quorum. The hon. Member may go on.

Shri Raghbir Sahai: I was referring to the Five Year Plan in which this subject has been dealt with. With regard to the children's welfare and women's welfare, they made some weighty observations. I will only read out the one which is given on page 126. In regard to the organisation of institutions for the welfare of handicapped children, orphans, the disabled and destitute, it was stated there that "the orphanages and other similar institutions should be registered and supervised". It was laid down some three or four years ago when the Plan was drafted, that these existing institutions should be registered and supervised. When we look at the book about the progress of the plan which was prepared in January 1954 and which was supplied to us during the last session, I am sorry to say that not one single word has been mentioned there about the progress that has been made in this direction, which means that this subject was indifferently treated and nothing so far has been done with regard to the social welfare of children and women. This discloses a very lamentable state of affairs. This matter should not have been so shabbily treated.

As I have said, the present Bill only demands what was specifically laid down by the Five Year Plan that these institutions which are in a great number all over the country and which are proving themselves to be a great nuisance, should be controlled and supervised. I would suggest to the House that whatever steps have now been taken by the U.P. Government should be taken almost in every other state and that a Bill of an all-India nature is absolutely necessary.

[Shri Raghbir Sahai]

Here, with your permission, I might also say that although we are making very appreciable advance in all possible directions—we are concentrating our attention on greater production of foodgrains, development of big industries, progress in Community Projects, opening of National Laboratories, which are all very good in themselves as they raise the status of India as a whole—our progress is not to be judged by them alone. If we neglect the progress and improvement in the condition of our destitute women and children, all the progress will mean absolutely nothing. So I would emphasize that this aspect should be taken note of and the purpose of this Bill should be appreciated.

Lastly I would submit, because of the great neglect that has been shown so far in regard to this important matter, that it is very necessary that a separate Ministry should be set up for dealing with the subject of the social welfare of women and children. Unless and until that is done, perhaps the subject will not be properly dealt with.

With these words I beg to accord my fullest support to this Bill.

Shrimati Jayashri (Bombay—Suburban): I thank you for giving me this opportunity to speak on this Bill. The drafts of these two Bills which some of us here have introduced, namely the Women's and Children's Institutions Licensing Bill and the Suppression of Immoral Traffic and Brothels Bill, were prepared by the Association of Moral and Social Hygiene in India. These drafts were sent to the Home Ministry about two or three years back; but I am sorry to say that in spite of the promises that were given to some of us who had approached the Minister, so far no action has been taken. The Chairman of the Association of Moral and Social Hygiene, Shrimati Rameshwari Nehru, called some of us and asked us to bring these as Private Members' Bills. And

some of us have brought these Bills before Parliament.

I am glad that after waiting for a long time this Bill has got an opportunity to be discussed, and I hope the Members will support this Bill. It is a non-controversial Bill. At the same time it is a very important Bill, in this way that at present so many bogus institutions started in the name of looking after and giving shelter to women and children are run to exploit these women and children.

We know the present condition of our society, the evil customs of child marriage and dowry, the one-sided civil laws which keep women dependent on men. Women are thrown out on the streets and they are exploited, and they fall into evil hands.

These homes which call themselves institutions for looking after women are practically homes of evil fame, we should say brothels.

In our constitution we have laid down the policy that the State shall in particular direct its policy towards securing that childhood and youth are protected against exploitation and against moral and material abandonment. I am sorry to say that so far very little has been done in this matter. As I said, we have yet to pass legislation which will give protection to children and women. As the hon. Member just now told the House, we had a Children's Bill which aims to supervise the institution for children.

Mr. Chairman: May I make an appeal to hon. Members, and through those that are present to those who are not present here, that we have, after great persuasion or pressure, got a day in a week fixed for private Members' business. Of course, hon. Members are free to go out. But when the position is that hardly the quorum is present, we are always on tenter-hooks. And it is a thing which I think all non-official Members of the House will generally take into account as not being desirable.

Dr. Ram Subhag Singh (Shahabad South): Everybody can be easily present if the chance is given only to those present. But different parties submit the names. Only those remain who are interested.

Mr. Chairman: Today it may be the Bill of X, tomorrow it may be the Bill of Y. When there is a discussion of non-official Bills, for which provision has been made that there should be some hours devoted every week. I think it should be fairly the duty, the conscientious duty, at least of the non-official section to be present in the House. Suppose the number present is hardly sufficient to constitute quorum. I do not know where we will have to stop. I do not want to give a ruling, but it is an appeal which may be conveyed to those who are outside so that they may come in.

Dr. Ram Subhag Singh: It would be better. Sir, you accept the principle that chances to speak will be given only to those who are alert and try to catch the eye of the Chair.

Pandit Munishwar Datt Upadhyay (Pratapgarh Distt.—East): I think it will be proper to wait so that hon. Members may come in. There is no quorum.

Mr. Chairman: That is what I said. There is quorum probably. Some time back I got it counted. As I said, we are always on tenter hooks.

Dr. Ram Subhag Singh: Another difficulty is that chances should be given to private Members in the sense that it should be made possible for private Members to get Bills or Resolutions passed. Then, they can be present without any difficulty. Usually, the practice is that Bills and Resolutions of private Members.....

Mr. Chairman: I do not know what the difficulty is. I do not make any distinction between Bills and Bills. This is time fixed for non-official business. There is a large number of Bills introduced even today. After great

efforts when some Bill is under discussion before the House, the Members should be present

Shri Gadgil (Poona Central): There is a lot of wastage of paper, money and time involved in printing all these things. We are not fair to the taxpayer.

Mr. Chairman: It is a matter for non-official Members. Today, the time is fixed for Private Members' Bills. It may be this Bill today and another Bill some other time. What I was saying is this. Under the rules, I cannot compel any Member to remain present. I would only appeal that hon. Members should treat it as their sacred duty to be present. When they have got special time allotted for Private Members' business, let them remain present.

Pandit Munishwar Datt Upadhyay: On a point of order, Sir, I think the bell may be rung. There is no quorum at present.

Mr. Chairman: That is the attitude generally. I do not know whether we deserve all these hours allotted for Private Members' Bills.

Shri N. M. Lingam (Coimbatore): There is a feeling that Government do not take seriously Private Members' Bills and Resolutions.

Mr. Chairman: It is not a question of the Government at all.

The Minister of Law and Minority Affairs (Shri Biswas): On behalf of Government, I should like to repudiate the suggestion which has been made. It all depends on the character of the Bill. Suppose it is a matter on which the Government themselves are taking action, there is no point in rushing through a Bill. There were some non-official Members in those days—I am talking of pre-Independence days—there was a meeting and so on and everybody said, India is to be saved, but if India is to be saved it should be saved by my hand and none other. That is the attitude of the Private Members. If the Private Members bring a Bill, the object is that

[Shri Biswas]

the ends which the Bill has in view should be given effect to. It does not matter whether that object is achieved at the instance of Member A, or Member B or Member C or even of Government. Therefore, it all depends. Suppose Government are undertaking legislation on that very subject and a Bill is ready. Take for instance the next Bill, the Dowry Bill. When it is called on, I should like to point out that a draft Bill is before me on my table, I am examining it carefully, I am not satisfied with all the clauses, I am recasting them and so I would appeal to the hon. Mover to drop it

Pandit Thakur Das Bhargava (Gurgaon): May I submit a word, Sir?

Shri Biswas: I am only giving an illustration. It was suggested that Government take no interest. I am repelling that charge.

Pandit Thakur Das Bhargava: In reply to what the hon. Law Minister has said, I may say that it has been the practice in this House, as soon as Government say that they are ready with a Bill or that they are going to take up the subject, hon. Members have always withdrawn their motions. Members have never taken up the attitude that they must be the persons who should bring the Bill.

Shri Biswas: It was the charge which was made: that Government take no interest in these matters. I am repudiating that.

Pandit Thakur Das Bhargava: As a matter of fact, when non-official Bills are there, we find one Minister only. None others are usually present.

An Hon. Member: That is also true.

Mr. Chairman: My only idea is to draw attention particularly not so much of official Members as of non-official Members, that when Private Members' Bills are under discussion, they should try to attend in larger numbers.

Pandit Thakur Das Bhargava: All should attend, including Government Members.

Mr. Chairman: Moreover, this is Private Members' Bills day.

Pandit Thakur Das Bhargava: Private Members' Bills are of general interest. Government should also be present.

Shri Gadgil: At least we should see that the quorum is there. After a long fight, non-official Members have succeeded in getting a day in a fortnight for Private Members' Bills. This business must be pursued with diligence.

Pandit Thakur Das Bhargava: There are already 54 Bills and ten were introduced today. If Members are not even present, what is the use of bringing all these Bills?

Mr. Chairman: I never expected to start a discussion between officials and non-officials. I only wanted to suggest that when Private Members' Bills are under discussion, it is better that non-official Members attend in larger numbers. Let us now go on with the business.

Pandit Munishwar Datt Upadhyay: There is no quorum.

Mr. Chairman: There is quorum.

Shrimati Jayashri: I was saying, Sir, that the Children's Bill has been passed in the Rajya Sabha. The scope of that Bill is limited. It does not deal with children's homes started by voluntary organisations. I do not want to run down the efforts made by voluntary organisations which have been doing very good work during the last so many years. We have very good institutions like the Shradhanand Ashram in Bombay, the Children's Aid Society and also institutions in many other places. I know voluntary organisations have been looking after women and children. There are a few voluntary organisations such as the Shradhanand Ashram and the Children's Aid Society in Bombay which are doing very useful work for women and children. But, at the same time, there

are a few organisations that are exploiting the situation and we can call them bogus institutions. We, especially those in big cities, know that small children are sent with bands and one receipt book, and they go and collect funds for some bogus *Ashram*. We do not know what happens to that money, and whether such an institution is genuine. In this way, children are asked to beg in the streets. The idea of introducing this Bill was to request the Government to register these institutions which are started to give shelter to women and children. In this Bill, we have said that there should be inspection by the Government of all the institutions whether started by the Government or by private voluntary organisations. In the Children's Bill that has been passed in the Rajya Sabha, homes will be started for destitute children and also for neglected children, and these homes will be inspected by the Government Inspector. But, other homes started by voluntary organisations will be out of this inspection. So, the idea of moving this Bill is to protect the women and children who will be exploited by such bogus homes.

Much has been said by the hon. Member who spoke before me about what the U.P. Government has done. I also saw the report, and I find that there are a large number of such institutions. There is no proper management, no accounts are kept, there is no managing committee. So, in this Bill provision is made for the establishment of a proper managing Committee, for looking to the audit, etc. I hope there will not be any difficulty in supporting this Bill. The Government have not to spend a large amount. There are already inspectors who will be appointed to visit the institutions which are started by the State. Together with that, they should say that all those voluntary organisations should also register themselves and inspection should be made of those organisations. That is the only thing which this Bill asks, and I hope there will not be any difficulty in passing this legislation.

पंडित मुनीरवर वृत्त उपाध्याय : सभापति महोदय, इस विषय पर इस से पहले भी बहुत से हमारे मित्र अपने विचार प्रकट कर चुके हैं। और जब से यह बिल इस सदन के सामने आया बहुत से माननीय सदस्यों ने अपने विचार प्रकट किये। इस सम्बन्ध में जो कुछ मुझे विशेषकर खटकता है वह यह है कि सारे देश में जो संस्थायें बनी हैं, प्रायः उन का बनाने का उद्देश्य ही पवित्र नहीं रहा है। प्रायः उन का उद्देश्य अपवित्र रहा है। जहां कहीं ऐसी संस्थायें बनाई गई हैं अगर उन के प्रबन्धकर्ताओं पर आप ध्यान दें या उन की जो मैनेजिंग कमिटीज कहलाती हैं, उन पर ध्यान दें, या जो विशेषकर उन के फाउण्डर मैनेजर हैं उन पर आप ध्यान दें तो आप यह पायेंगे कि उन का उद्देश्य प्रायः, मैं यह नहीं कहता कि सभी इस तरह की हैं, या हर संस्था सराब है, हो सकता है कि थोड़ी संस्थायें ऐसी हों जो मुस्तसना हो सकें, नहीं तो प्रायः जितनी संस्थायें बनी हैं, जो उन के फाउण्डर मैनेजर थे, उन का उद्देश्य यही रहा है कि उन के जरिये से पैसे कमायें। नम्बर अब्बल तो यह है, लेकिन मैं यहां तक जाऊंगा कि बहुत सी ऐसी रही हैं जिन का उद्देश्य यह भी रहा है कि पैसे के अलावा उनको व्यभिचार के लिए भी इस्तेमाल करें। जहां संस्थाओं को स्थापित करने का उद्देश्य ही ऐसा हो, वहां यह उम्मीद करना कि वहां रहने वाली स्त्रियां और वहां रहने वाले बच्चे किसी प्रकार अच्छे निकल सकते हैं या अच्छे रास्ते पर चलाये जा सकते हैं, उन का चरित्र पवित्र हो सकता है, वह एक देश के अच्छे नागरिक बन सकते हैं, सरासर गलती होगी। विशेषकर इन संस्थाओं के सम्बन्ध में जो मेरे दिमाग पर असर है वह यह है, और मैं ने जहां तक देखा है, सम्भव है कुछ मुस्तसना हों, प्रायः जो फाउण्डर मैनेजर रहे हैं, जिन्होंने उन की बुनियाद डाली है, जिन के दिमाग में यह बात आई कि ऐसी संस्थायें कायम करें उन का उद्देश्य पवित्र कभी नहीं रहा है। एक दफा जब श्री एम० एल० दूविवेदी ने एक विधेयक पेश किया था उस वक्त भी यह मसला हमारे सामने आया था और हम समझते थे कि हमारी सरकार इस वक्त इस

[पीडित मुनीश्वर दत्त उपाध्याय]

बात पर बहुत गम्भीरता से विचार कर रही हैं और जल्दी ही कोई कार्रवाई करने वाली हैं और शायद ऐसा एक विधेयक आ रहा है कि इन विधेयकों की आवश्यकता ही न रह जाये। लेकिन अब तक तो कुछ नजर नहीं आया, पता नहीं इस पर क्या विचार हो रहा है और क्या होने जा रहा है। हम यह सोचते रहे कि ऐसी संस्थायें बना कर के और जांच कमेटी कायम कर के, उस पर रिपोर्ट ले कर के, कुछ संशोधन कर के, कुछ सुधार कर के अगर हम कुछ दशा सुधार सकते हैं तब कुछ थोड़ा सन्तोष होगा, अभी हमारे एक मित्र ने हमारे प्रदर्श में जो एक कमेटी कायम हुई थी उस का जिक्र किया और उन्होंने यह भी बताया कि उस की बहुत सी सिफारिशें हुईं। इस में कोई सन्देह नहीं है कि उन सिफारिशों पर उत्तर प्रदर्श की सरकार ने भी गम्भीरतापूर्वक ध्यान दिया और अमल भी किया। लेकिन बावजूद इस अमल के आज हालत क्या है? हां, यह हो सकता है कि जितनी बांगस संस्थायें थीं, जो इसी उद्देश्य से अर्थात् व्यभिचार तथा पैसा कमाने के लिये कायम की गई हैं, उन में कुछ सुधार हो गया हो, उन में कुछ कमी हो गई हो, लेकिन, यह तो जरूर है कि इस कमेटी को कायम करने में जो हमारा अच्छा उद्देश्य था, जो हम चाहते थे कि हमारे प्रदर्श की संस्थाओं की ऐसी शकल हो, वह उद्देश्य हमारा पूरा नहीं हो सका।

मैं ध्यान दिलाऊंगा कि यह बिल भी आज सदन के सामने है, अगर यह पास भी हो जाये और लागू भी हो जाये तब भी अगर आप चाहें कि ऐसी संस्थाओं का सुधार कर के, आसानी से उन को, रास्ते पर लावें, तो यह वैसा ही कठिन है जैसे कि अभी हमारे सामने वो विधेयक थे। एक में फूड एडल्टरेशन की बात थी और दूसरे में अनटचीबिलिटी की बात थी जिन में हमें यह दिखाई दिया है कि जब तक हम विशेष रूप से इस पर ध्यान दते हुए कोई प्रबन्ध नहीं करते तब तक हम इन संस्थाओं में सुधार नहीं ला सकते हैं। और न

इन संस्थाओं की शकल बदल सकते हैं, न जिन उद्देश्यों से इन बड़े बड़े फाउण्डर मनेजरो ने उन को कायम किया है और आज जो उन की दशा है तथा जिस तरह से उन को वे लोग इस्तेमाल कर रहे हैं, उस में कोई कमी कर सकते हैं। इस में सन्देह नहीं है कि हमारी बहन मणिबेन ने जो बिल पेश किया उस के पीछे एक बड़ी पवित्र विचार धारा है, एक बड़ी योजना है, लेकिन यह भी है कि ऐसी योजनायें जब तक हमारी सरकार गम्भीरतापूर्वक नहीं उठाती है तब तक इस में हम कुछ नहीं कर सकते हैं।

अभी हमारे मित्र श्री रघुवीर सहाय जी ने हवाला दिया हमारे प्लॉनिंग कमीशन का कि उस में इस का जिक्र है। प्लॉनिंग कमीशन की रिपोर्ट में दुनिया के जितने तरीके सुधार के हो सकते हैं सारे के सारे लिखे गये हैं। लिख तो सब दिये गये हैं, लेकिन पता नहीं उन पर अब तक क्या कार्रवाई हुई है और क्या नहीं हुई है। रिपोर्ट में कुछ थोड़ी सी बात जरूर आई है, लेकिन अगर आप उस रिपोर्ट को भी देखें तो यह नहीं जान पड़ता है कि एक काम भी इस तरह का है जो कि हमारे देश को इस तरफ ले जा सके। ऐसी स्थिति में यह नहीं सोचना चाहिये कि हम आसानी से इस में कुछ कर लेंगे और सरकार की ओर से कोई बिल न आये, प्राइवेट प्रस्ताव या बिल ही आये और वह बिल किसी भी शकल में पास हो, और जैसा हमारे मित्रों ने कहा कि प्राइवेट प्रस्ताव या बिल जो पास होते हैं उन के सम्बन्ध में हमारी सरकार का क्या व्यवहार होता है, उस से मैं किसी हद तक सहमत हूँ कि इस को वह बायें हाथ से लेती हैं। उस पर कितना ध्यान दिया जाता है यह हम सबों को मालूम है। ऐसी हालत में ऐसे विधेयक या ऐसे सुधार के काम जिन से कि हम अच्छे नागरिक बनाने वाले हैं, और वह भी तब जब कि हमारी स्टेट एक वेल्फेअर स्टेट कहलाती है इनके सम्बन्ध में सरकार का व्यवहार हमें उचित नहीं जान पड़ता। यह भी बहुत मुनासिब नहीं जान पड़ता

हैं कि हमारी सरकार उन पर इतने हल्के तौर पर विचार करे ।

एक आध संस्थायें जो आज कल चल रही हैं, हमारे सोशल वेल्फेअर सेन्टर्स चल रहे हैं जिन की चेंजरमैन श्रीमती द्युर्गाबाई जी हैं, उन में कुछ काम ऐसे जरूर हुए हैं, लेकिन ऐसी संस्थायें बहुत बड़ी तादाद में नहीं हैं जिन का काम और जिन का इन्तजाम ठीक ढंग से चल रहा है और जो पवित्र संस्थायें हैं । प्रायः संस्थायें अच्छी प्रकार की नहीं हैं । जैसा उद्देश्य इस विधेयक का है वैसे संस्थायें बहुत नहीं हैं । बावजूद इस के कि बड़ी लम्बी फेहरिस्त नियमों की दी हुई होती है जिन को पढ़ कर जान पड़ता है कि वह ऐसी संस्थायें हैं जैसा कि उद्देश्य इस विधेयक का है, लेकिन उन का पता लगाने से, जहां तक इल्म मुझों हो सका था, जान पड़ा कि नाम कुछ और हैं और काम कुछ और हैं । गो यह जरूर है कि वहां पैसे के इन्तजाम में कोई गड़बड़ नहीं मालूम होती है और उन के उद्देश्य भी खराब नहीं हैं, कोई व्यभिचार की बात नहीं है, कोई पैसे कमाने की बात नहीं है, यह सब कुछ नहीं है, लेकिन शकल तो उन की बतायी जाती है कि आफर्नज के लिये इन्तजाम कर रहे हैं, अनाथ लड़की लड़कों के लिये, विधवा औरतों के लिये कर रहे हैं, लेकिन दूरअसल वह संस्थायें यह काम कर रही हैं, यह सीद्दग्य है और ऐसी संस्थायें चल रही हैं । इस सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि जब तक इन संस्थाओं की बुनियाद ऐसी है और जब तक उस को सुधारने का कोई प्रयत्न नहीं किया जाता, जब तक बराबर ध्यान देते हुए, तत्पर हो कर सरकार कोई प्रबन्ध नहीं करेगी तब तक कोई सुधार जल्दी नहीं हो सकता है । सरकार के तत्पर हो जाने पर भी यह काफी समय ले लेगा । इस तरह के बहुत से प्राइवेट मंत्रों के बिल आते हैं और उनके लिए कह दिया जाता है कि इसी तरह की एक चीज गवर्नमेंट की तरफ से आ रही है आप इसको हटा लीजिये । इस तरह से न जाने कितने बिल हट जाते हैं । और उस विषय पर सरकार की ओर कार्रवाई होने में

वर्षों लग जाते हैं । इस पर एक बिल तो यह आया और दूसरा पेश होने को है । और इससे पहले भी ऐसा बिल आ चुका है । इस सदन के माननीय सदस्यों का ध्यान इस पर विशेष रूप से जा रहा है । मैं सरकार से यह आग्रह करूंगा कि वह इस सम्बन्ध में जो कुछ प्रबन्ध करना चाहती है करे, क्योंकि इस तरह से जो संस्थायें हमारे देश में भ्रष्टाचार और व्यभिचार को प्रोत्साहन दे रही हैं वह हमारे लिये शर्म की बात हैं ।

पंडित ठाकुर दास भार्गव : जनाब चेंजरमैन साहब, मैं अपनी बहिन मणिबेन पटेल को बुधवारकाद देता हूँ कि उन्होंने इस बिल जरूरी सवाल पर यह बिल लाकर सरकार की तवज्जह इस तरफ दिलायी है ।

असलियत यह है कि किसी मुल्क की गवर्नमेंट जो अपने आपको वेल्फेयर स्टेट कहती है वह एक एक बच्चे की तरबियत और उसकी वेल्फेयर के लिए जिम्मेवार है । अभी हमें स्वराज्य हासिल हुए थोड़ा अर्सा हुआ है । अबतक जो गवर्नमेंट ने काम किया वे बहुत जरूरी थे और उन पर गवर्नमेंट की तवज्जह रही और अभी तक गवर्नमेंट उन मुश्किलों पर अपूर हासिल नहीं कर सकी है जो कि उसके गस्तों में हायल थीं । गवर्नमेंट ने जो अबतक काम किया है वह बिला शक ऐसा है जिस पर कि हर शकस नाज कर सकता है । जो काम गवर्नमेंट ने फाइव इअर्स प्लान में किया है वह निहायत सराहनीय है । लेकिन किसी गवर्नमेंट के फरायज उस वक्त तक पूरे नहीं हो सकते जबतक कि उसकी तवज्जह एक एक औरत और एक एक बच्चे की तरफ न जाये । इसमें अर्सा लगेगा यह मैं मानता हूँ । मैं गवर्नमेंट को इसका जिम्मेवार करार नहीं देता । जिस वक्त गवर्नमेंट ने यहां की हुकूमत का चार्ज लिया उस वक्त की हालत इतनी डरावनी थी और उस वक्त गवर्नमेंट के सामने ऐसी मुश्किलात थीं कि कोई भी गवर्नमेंट, चाहे वह सुपरनेचुरल भी हो, उनको इतने कम अर्से में हल नहीं कर सकती थी । गवर्नमेंट ने जो अबतक किया है

[पीडित ठाकुर दास भार्गव]

उससे मुझे कोई शिकायत नहीं है क्योंकि हम सब लोग जानते हैं कि गवर्नमेंट ने क्या क्या किया है। वह काफी काम है जो कि अब तक हुआ है। लेकिन ताहम भी कोई शल्स स्वाह वह गवर्नमेंट का अफसर हो या वह बाहर का हो इस बात की तरफ गवर्नमेंट की तवज्जह दिलाये बगैर नहीं रह सकता कि वह अभी तक हर एक उस बच्चे और औरत की तरफ तवज्जह नहीं दे सकी है जो कि तकलीफ में है। इंस्टीट्यूट चिल्ड्रन ही क्या जो बच्चे कि मां बाप वाले हैं उनकी ही हालत क्या अच्छी है। उनकी तरफ भी कहां तवज्जह होती है। मैं अर्ज करूंगा कि अगर उनकी तरफ ज्यादा तवज्जह न हो तो ज्यादा शिकायत नहीं क्योंकि उनके देखने वाले मौजूद हैं, उनका भी कुछ क्यूसर है अगर वह उनकी तरफ तवज्जह नहीं करते। लेकिन ऐसे बच्चे और औरतें जिनका इस बिल में जिक्र है वे तो गवर्नमेंट की तवज्जह के खास तौर पर मुस्तहक हैं। अभी मरं दोस्त ने आपकी तवज्जह इस तरफ दिलायी कि इस देश के अन्दर बहुत से ऐसे इंस्टीट्यूशन्स हैं जो यह काम कर रहे हैं। मैं सार इंस्टीट्यूशन्स को रनडाउन नहीं करना चाहता मरं इल्म में ऐसे इंस्टीट्यूशन्स हैं जो कि इस बार्ड में निहायत अच्छा काम कर रहे हैं और जो बच्चों और औरतों की पूरी तरह से केअर करते हैं। लेकिन मुझे अफसोस के साथ कहना पड़ता है कि उनकी तादाद बहुत कम है। ब्रिटिश गवर्नमेंट के जमाने में इन बातों की तरफ बहुत कम तवज्जह होती थी। अब उसके मुकाबले में बहुत ज्यादा तवज्जह होती है। उस वक्त जो लोग काम करना शुरू करते थे और जिन्होंने सोशल रिफार्म का काम किया उन्होंने उस जमाने में निहायत अच्छा काम किया। कितने ही ऐसे इंस्टीट्यूशन्स खुले जिनके अन्दर निहायत अच्छा काम होता था। कुछ जमाने की रफ्तार है कि ज्यों ज्यों यह काम ज्यादा होता जाता है त्यों त्यों लोगों की नीयत रुपया कमाने की तरफ जाती है और बच्चों और औरतों

को लाकर एक्सप्लाइंट किया जाता है। अभी रीसेंटली एक केस मरं नॉटिस में आया जिसमें राजस्थान में एक साहब ने जो कि एक अच्छे आदमी समझे जाते थे एक ऐसा इंस्टीट्यूशन खोल रखा था। वह खुद उसके प्रेसीडेंट थे, उनकी बीबी उसकी सुपरिंटेंडेंट थी और उनका एक रिश्तेदार मैनजर था। उनका काम यह था कि स्टेशनों पर जाना और बच्चों और स्त्रियों को आश्रम में ले आना और फिर उनको बचाना या और किसी तरह से इस्तेमाल करना। कितने ही ऐसे आश्रम और कितनी ही ऐसी चीजें मौजूद हैं कि जहां लड़कियों के साथ और लड़कों के साथ सिर्फ बुरा सलूक ही नहीं किया जाता बल्कि उनकी आयन्दा जिन्दगी भी तबाह कर दी जाती है और उनको एक निकम्मी जगह बनाया हुआ है जहां क्राइम होते हैं। गवर्नमेंट का फर्ज सिर्फ इतना ही नहीं है कि ऐसे बहुत से इंस्टीट्यूशन्स कायम करें। जो इंस्टीट्यूशन्स कायम हैं उनकी अच्छी तरह से देखभाल हो यह भी गवर्नमेंट का फर्ज है। मैं ऐसा मानता हूँ कि यह गवर्नमेंट का फर्ज है कि वह हर बच्चे की तरफ तवज्जह दे सके। लेकिन अभी यह दिन दूर है। वह दिन मुबारक दिन होगा। मैं इस बिल में एक प्रावजन देखता हूँ :

18. *Custody of inmates of institution on cancellation of licence of an institution.*—The licensing authority, on cancellation of the licence of any place under section 16 and 17 or otherwise closing down of an unauthorised institution under section 12, may direct that any woman or child who is an inmate of such place, be,—

(a) restored to the custody of her or his parent, husband or guardian, as the case may be;

(b) released to the care of any other fit person; or

(c) transferred to another institution.

मैं अब से पूछता हूँ कि ऐसे इंस्टीट्यूशन कहां हैं। अगर कहीं ऐसे काफी बच्चे और औरतें हैं तो उनको कहां भेजा जायेगा। मुझे

तो कोई ऐसा इंस्टीट्यूशन नजर नहीं आता । अब जरूरत तो इस बात की है कि गवर्नमेंट इस चीज को दो तीन तरह से लीड दे । पहली बात जो मैं चाहता हूँ वह यह है कि गवर्नमेंट कुछ न कुछ ऐसे इंस्टीट्यूशन कायम कर दे जिनमें ऐसे बच्चों और औरतों की हिफाजत हो सके । जब मैं इस का जिक्र करता हूँ तो मेरे सामने वह काम आता है जो कि हमारा मौजूदा रिहैबिलिटेशन मिनिस्ट्री ने रिफ्यूजीज के लिए किया है । रिहैबिलिटेशन के सिलसिले में जो बच्चे और औरतें आयी थीं उनके लिए रिहैबिलिटेशन मिनिस्ट्री ने काफी काम किया है और उसने अब यह जिम्मेवारी ली है कि वह उनकी आखिर तक देखभाल करती रहेगी । गवर्नमेंट ने उनके वास्ते जो काम किया है वह निहायत ही अच्छा है और रिहैबिलिटेशन मिनिस्ट्री हमारे शुकरिये की मुस्तहक है । मैं चाहता हूँ कि जो काम रिहैबिलिटेशन मिनिस्ट्री ने इन रिफ्यूजीज के लिए किया है वही काम हमारी गवर्नमेंट सार्व दश के लिये करे । यह गवर्नमेंट का फर्ज है । अगर गवर्नमेंट ऐसा नहीं करती तो वह जिम्मेवारी जो उसने एक वेलफेयर स्टेट के नाते अपने ऊपर ली है और जिसके बारे में उसने जोर से सारी दुनिया में कहा है कि हम एक वेलफेयर स्टेट हैं, उस जिम्मेवारी को वह पूरा नहीं करेगी । मैं इस बारे में बहुत ज्यादा जोर से इसलिए नहीं कहता क्योंकि मैं जानता हूँ कि यह काम कितना मुश्किल है, इसके वास्ते कितने रुपये की जरूरत है, कितने इन्तजाम की जरूरत है । लेकिन ताहम चूँकि यह इतना जरूरी काम है इसलिए कम से कम इसकी शुरुआत तो कर ही देनी चाहिए । गवर्नमेंट की ओर बहुत बड़ी बड़ी स्कीम्स हैं । लेकिन जहाँ तक इसका साल्लुक है मैं नहीं देखता कि इन सात सालों में गवर्नमेंट ने क्या किया है । मेरे एक दोस्त ने फरमाया कि अभी तक इस तरफ गवर्नमेंट की तबज्जह नहीं गयी । मैं तो सात बरस से गवर्नमेंट को कह रहा हूँ कि एक सोशल रिफार्म मिनिस्ट्री कायम कीजिये जिसके अन्दर इस तरह की चीजों पर तबज्जह हो । लेकिन गवर्नमेंट

ने यह चीज नहीं की । गवर्नमेंट ने दश के लिए बहुत जरूरी जरूरी काम किये हैं लेकिन इस नेशन बिल्डिंग काम की तरफ तबज्जह नहीं की । कौन जानता है कि इन बच्चों में से कौन ऐसा निकलगा जो कि सार्व दश को ऊँचा उठा दे । और सार्व दश के लिए एक न्यायत साबित हो । इस दश का हर एक बच्चा हमारा सरमाया नाज है । दश के आदमी और बच्चों की तरफ हमारी पूरी तबज्जह होनी चाहिये क्योंकि वही हमारा असली सरमाया है । हम उनकी तरफ से तबज्जह नहीं हो सकते । मैं अर्ज करना चाहता हूँ कि इस बिल का बहुत थोड़ा मतलब है । इस बिल के अन्दर यह क्लेम नहीं किया गया कि गवर्नमेंट इस किसम का कोई काम कर ले और गवर्नमेंट की जिम्मेवारी दे दी हो या गवर्नमेंट पर इसको धोप दिया हो । इस बिल का तो छोटा सा और सीधा सा मकसद है लेकिन यह मतलब हल नहीं हो सकता जब तक गवर्नमेंट खुद अपने इंस्टीट्यूशंस कायम न करे और उन इंस्टीट्यूशंस को सारी नेशन की गायीडियंस के वास्ते ऐसी मॉडल चीजें न बनाये । मौजूदा बिल का तो मतलब बहुत थोड़ा है वह तो कहता है कि जितने इस तरह के इंस्टीट्यूशंस हैं उनकी पूरी निगरानी हो । सबसे पहली चीज जो बिल चाहता है और जो बड़ी जरूरी है वह यह है कि कम से कम उन पर गवर्नमेंट का कंट्रोल तो हो और ये चंदा इकट्ठा करने वाली संस्थायें दश के साथ जो एक्सप्लायेटेशन और अत्याचार करती हैं वह बंद हो जाये और इसके वास्ते बिल में सुझाव है कि एक "लाइसेंसिंग" हो । इसमें किसी को एतराज नहीं हो सकता कि यह सार्व इंस्टीट्यूशंस लाइसेंस होना चाहिये । और जितनी इसके अन्दर रैक्वीजिट कंडीशंस हैं वह एक इंस्टीट्यूशन में मौजूद हों और बाकायदा उनका हिसाब किताब रक्सा जाये और उन के अन्दर जो औरतें और बच्चे हों उनके खाने पीने, और मॉरल एजुकेशन का ठीक तरह से इंतजाम किया जाये, यह न हो कि अनाथालय से चार बच्चे बँड बाजा बजाते हुए सड़कों पर भीख मांगते फिर, बेगिंग इंस्टीट्यूशन न बनाया जाय ।

[पीडित ठाकुर दास भार्गव]

दूसरी चीज जो हमने बिल में कही है वह "मैनेजमेंट एन्ड इंस्पेक्शन" है। गवर्नमेंट को इसके वास्ते इंस्पेक्टर्स मुकर्रर करने चाहिये जो इन चीजों को देखें। जहां तक मैं समझता हूँ। चिलड्रेंस एक्ट कई स्टेट्स में हो गया है, पंजाब में है और कुछ दूसरी जगहों पर है, लेकिन यहां अभी तक कोई आल इंडिया चिलड्रेंस एक्ट नहीं आया है, इसीलिये मैं अदब से अर्ज करूंगा कि इन इंस्टीट्यूशंस के बारे में आप कोई माकूल इंतजाम करें और यहां पर ऐसे इंस्टीट्यूशंस बनायें जो ठीक तरह से काम करें। मैं इसको पसन्द नहीं करता कि इसके अन्दर कोई किस्म का मुहकमा ही न बने। प्लानिंग कमिशन को देखना पड़ेगा कि इन बच्चों और औरतों के वास्ते देश में इस तरह की मुसीबत है, इसके वास्ते नई आर्गनाइजेशन बनानी पड़ेगी। उस आर्गनाइजेशन का एक कैंडिड जहां गवर्नमेंट के इंस्टीट्यूशंस को प्रापरीली मैनेज करे, इंस्पेक्शन के वास्ते और और कामों के वास्ते एक स्टाफ मुकर्रर करे जो उनका मुआयना करे और देखें कि ठीक तरह वहां का काम चल रहा है कि फंड्स हैं कि नहीं। मैं समझता हूँ कि हमारा एक भी ऐसे इंस्टीट्यूशन को चलाना जहां काफी फंड्स न हों, जहां अत्याचार होता है, एक्सप्लायटेशन चलता हो, सारी खराबियों की जड़ है और इस तरह के इंस्टीट्यूशन को हमें हरगिज चलने नहीं देना चाहिये क्योंकि वह दूसरों को इंसेंटीव देता है कि इस तरह से लोग रुपया कमायें। मैं समझता हूँ कि यह जो बिल आया है, यह ऐसा बिल है जिसकी तरफ गवर्नमेंट को खास तवज्जह देनी चाहिये। अगर गवर्नमेंट की तरफ से यह स्टेटमेंट भी हो कि हम बहुत कुछ कर रहे हैं, तो मेरा कहना है कि गवर्नमेंट अपना काम करती रहे लेकिन इस छोट से बिल को जो इतना अनमीटेशंस है गवर्नमेंट को इसको एक्सपैट कर लेना चाहिये। मुझे बड़ी खुशी होगी अगर गवर्नमेंट इससे कोई बेहतर चीज हाउस के सामने लाकर दिखलायें। अब तक नान आफिशियल बिल्स

के बारे में यहां यह कायदा रहा है कि जब कभी गवर्नमेंट ने कहा कि हम एक अच्छा और कम्प्रीहेंसिव बिल ला रहे हैं तो आमतौर पर उन बिलों को मूव करने वाले साहबान अपने बिल को वापिस ले लेते हैं, लेकिन मैं चाहता हूँ और पिछले तजुर्बे की बिना पर सलाह देना चाहता हूँ गवर्नमेंट के महज एश्योरेंस पर वह इस बिल को वापिस न लें, गवर्नमेंट जिस दिन इससे अच्छा बिल लायें, उस दिन वह अपना बिल वापिस लेने को तैयार हों, उससे पहले नहीं। हमने देखा है कि गवर्नमेंट की तरफ से कहा जाता है कि हम अपनी तरफ से बिल लायेंगे लेकिन ६, ६ महीने गुजर जाते हैं और साल साल भर हो जाता है और गवर्नमेंट बिल नहीं लाती और हम इंतजार करते २ तंग हो जाते हैं। हमारे ला मिनिस्टर साहब ने कहा इनके पास बिल तैयार हैं, मैं उनसे कहूंगा कि अगर आपका बिल तैयार है तो उसको ले आइये और जिस दिन आप उसको यहां पर रख देंगे उसी दिन यह प्राइवेट बिल विद्वा हो जायेगा। मैं गवर्नमेंट और नान आफिशियल में कोई फर्क नहीं देखता लेकिन चीक गवर्नमेंट इस किस्म के बिल खुद नहीं लाती, हमको लाना पड़ता है। दूसरे मुल्कों में प्राइवेट मेंबर्स बिल और गवर्नमेंट बिल में फर्क नहीं होता है। विलायत के अन्दर प्राइवेट मेंबर्स बिल इस तरह नहीं आते हैं, गवर्नमेंट खुद उनको अंडरटक करती है। हम बिल लायें गवर्नमेंट की तवज्जह दिलायें, अब गवर्नमेंट प्राइवेट मेंबर्स से अच्छा बिल लायें तो प्राइवेट मेंबर्स अपना बिल विद्वा कर लें यह मैं समझ सकता हूँ लेकिन यह मैं नहीं समझ सकता कि एक प्राइवेट बिल लाया जायें, गवर्नमेंट बयान दे कि हम अपनी तरफ से बिल लायेंगे और वर्ष दो वर्ष तक उसकी कोई पवाह न करे और उस हालत में यह उम्मीद करे कि मेंबर्स कोई बिल न लायें, गवर्नमेंट का ऐसा सोचना दुरुस्त नहीं है। अगर गवर्नमेंट के पास इससे अच्छा बिल है और वह लाती है तो मैं अपनी बहिन से यह प्रार्थना करूंगा कि वह अपने बिल को वापिस

ले लें, लेकिन अगर गवर्नमेंट खाली जबानी बर्मा खर्च करती हैं तो मैं चाहूंगा कि इसको चलने दिया जाय और जो कुछ हमसे हो सकेगा हम इसमें मदद करेंगे कि यह यहां पर पास हो जाय। मैं चाहता हूं कि गवर्नमेंट इस चीज पर सयज्जह दें और एक सही एटीच्यूड एडाप्ट करें, यह एंसा बिल हैं जिसमें ज्यादा खर्चा नहीं करना है और जो राइट इंडरक्शन का बिल है, इस वास्तु इसको कबूल करना चाहिये।

Shrimati Renu Chakravarty (Basirhat): I would also like to add my voice to that of Pandit Thakur Das Bhargava as to the importance to be attached to Private Members' Bills. Specially the Government should take note of them, because they are Bills which bring forward certain very important aspects of social life which require reform. It is true the Government are sponsoring certain Marriage Bills which have been before the country for so many years, but beyond that, Bills of a purely social character seem to be left to be taken up by private Members. I would like to repeat here that the next Bill is my Bill, on the restraint of dowry, and I will press that Bill forward because it has been there, one Bill was there, there was a promise that a fresh official Bill would be placed before this House, over a year has passed and we have been waiting for it; it has not come.

Mr. Chairman: That may be dealt with later.

Shri Biswas: I may inform the hon. lady Member that the draft Bill is before me and I am examining the provisions. Some of the clauses, in my view, require further consideration, and very likely I shall be in a position to introduce the Bill this session.

Mr. Chairman: Let us not further discuss about the Bill next on the agenda.

Shrimati Renu Chakravarty: We are not discussing that Bill; if we did, that would take a whole day. But I

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am just trying to make the point about the importance of Private Members' Bills and the notice that Government should take of them. Another similar Bill is the one that is under discussion. Of course, I know that many of us would have liked certain amendments to it; not only that, but I would say that I would have preferred that the Women's Institutions Licensing Bill and the Children's Institutions Licensing Bill should be separated, because there are certain important things which have to be incorporated in the Women's Institutions Licensing Bill which need not necessarily be there as far as the Children's Institutions Licensing Bill is concerned. We, specially many of us who come from the city of Calcutta, know that during the last few years there have been so many abuses of various women's institutions. Of one institution, I am very conscious because of the amount of trading that has gone on in human flesh in that institution for the last seven or eight years. We all knew about it, but we could not bring those offenders to book, because those who should be really looking after the welfare of these institutions, the police forces etc., were themselves hand in glove with the offenders, and therefore, there was no other official body or authority of inspection which would be able really to go and bring these offenders to book. It is only recently that certain criminal prosecutions have started; we do not know what will happen finally.

Therefore, naturally this is a thing that we would welcome. But the reason why I want that the Women's Institutions Licensing Bill should be separated from the Children's Institutions Licensing Bill is this. Take, for instance, the constitution of the governing body. The constitution of the governing body for a women's institution should be of a specific type. That, I fear, is one of the biggest lacunae in the Bill. For instance, I would take organisations which are managing women's institutions, specially institutions such as rescue homes etc.; I would generally turn all of them

[Shrimati Renu Chakravartty]

as women's institutions—here it says about the governing body:

“Every institution licenced under this Act shall be under the management of a governing body, the members of which shall be deemed to be the managers of the institution for the purposes of this Act...”

Now, I think it is very important that governing bodies which are looking after women's institutions must at least have half the number of members women, because, otherwise, I find that all sorts of complications arise, and there are many cases which have come to the public knowledge. When the entire body is a body of men, various evils creep in. I feel that this is one of the most important things and it should be made clear in this respect that governing bodies of institutions looking after women's institutions must have at least half their number of members women. I realise how difficult it is to get women members who are capable of running such institutions or take interest in such social welfare matters. May be, in the big cities it is possible, but it may not be possible in small district towns. Still, I think, when it comes to a question of licensing, then the Government must ascertain this point and make quite sure there are sufficient number of women on that body. But, in the case of children's institutions it is not quite so important. The definition of 'child' given here is, of course, rather wide. The definition given is :

“‘child’ includes a boy or girl who has not attained the age of eighteen’.

Here again, if you allow it to be so wide, the same question comes in. Supposing it is a boarding school, a hostel run for girls of 18, 17 or 16—high school girls—the same argument would apply for them. But, in the case of children below 12, where it is difficult to have women also associated with managing committees, in the case of such children's institutions I would

leave it open, and all people, men or women, who are interested in the welfare of the young should be associated with it.

Then, Sir, there is the question of the inspection staff. Nothing has been said about the inspection staff. Here too I would say that, especially that staff which is to be set apart for inspecting and finding out whether these institutions are doing the work for which they have been licensed, that inspection staff must be categorically stated to be women where it is a question of inspecting women's institutions. Then also there will be need for guaranteeing other things and not only on rehabilitation—what are the measures of rehabilitation which are being undertaken? The question of leisure will be more important in the case of women than in the case of children. So, I feel that the two Bills should be taken up separately.

The second point which I would like to mention is, why is it we want that sufficient care must be exercised when we grant licences? The object is that we will be able to shut out undesirable elements who use these institutions for their own ends, profit and all that. Yet, we must not make such stringent measures which will lead to harassment of those elements or those sections whom we want to encourage to take up these responsibilities. It is perfectly true—as Pandit Thakur Das Bhargava says—that such social matters become the responsibility of the Government. But, when we have to depend more and more on social welfare institutions, there we have to encourage the right type of people to take up this responsibility. That is why I feel that some of the measures here, though they may help in checking undesirable elements from setting up these institutions, may amount to harassment of the right type of persons, and therefore, a certain amount of relaxation must also be allowed. For instance, there is a section which says that monthly statements of admissions and discharges have to be filed.

We know how very difficult it is for women's organisations to be able to undertake the responsibility of managing these institutions. I am looking at it from a purely practical point of view and I feel that while on the one hand we must safeguard and be quite sure that undesirable elements do not take advantage of these institutions to make their own profit, at the same time we must see that it does not become a kind of machinery of harassment for people of the right type to take up the responsibility of starting such institutions.

Then there is another very important point which I want to bring out here. That is the question as to what will happen when resignation of licence is applied for. Naturally there may come up a situation when after having taken a licence and after having run an institution for some years, a welfare organisation is unable to carry on. There, we just say that we dispose of the inmates of that organisation. One question has been raised by Pandit Thakur Das Bhargava: "Where do they go"? Are there such institutions and can we just transfer the inmates from one to another? It is all very well to say here that the inmates will be transferred to another licensed institution wherever one exists. Let us be practical about it. We know how few are such institutions. It may be possible in a few big cities. But, what about the district towns in various parts of the country? The Government have not come forward to set up these institutions. That is one point which we have to remember. Now, look up sub-clause (b) of clause 18. It says: "released to the care of any other fit person". This is a very dangerous thing. Who is to decide the fit person? We know often it happens that these mushroom organisations come up and after a few days all types of people come forward as benefactors or fit persons to take over these women. We also know that in such cases all sorts of abuses creep in. It is all right in the case of children, but this argument stands where it is the question of female

children of the age of 18. Therefore I feel that this "released to the care of any other fit person" is a very dangerous provision. When you withdraw the licence you should not hand over the inmates to anybody and everybody. I feel that the Government must take the responsibility when they allow an institution to withdraw the licence. The Government must also take the responsibility of seeing that these children are properly housed. This is a very important point which I would like to stress here.

With these words I would commend this Bill and I feel that it is something that is necessary because various abuses have taken place. I would urge Government to support this Bill with suitable amendments.

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श्री रघुनाथ सिंह (जिला बनारस—मध्य) :
 चंअरमन साहब, यह जो विधेयक उपस्थित हुआ है उस विधेयक का समर्थन करने के साथ ही साथ जो वास्तविक दोष हैं उस की तरफ हम को कुछ ध्यान देना चाहिये। मैं एक ऐसे शहर का रहने वाला हूँ जो कि हिन्दुओं का बहुत बड़ा तीर्थ है।

एक माननीय सदस्य : वह कौन सा स्थान है ?

श्री रघुनाथ सिंह : काशी। वहाँ आप इतने अधिक अनाथालय पायेंगे, इलाहाबाद में इतने अधिक अनाथालय पायेंगे और हरिद्वार में पायेंगे जितने कि और कहीं नहीं पायेंगे। इन अनाथालयों की आबादी मेलों के समय में अधिक हो जाती है। होता क्या है कि दूहाल के जो उच्च वर्ग के लोग हैं वह अपनी विधवा स्त्रियों और विधवा लड़कियों को मेलों के समय में वहाँ पर छोड़ जाते हैं। जो उच्च कुल की स्त्रियाँ होती हैं और जिन का किसी से सम्बन्ध हो जाता है, या किसी तरह की और चीज हो गई तो उन को उन के सम्बन्धी लाते हैं और मेलों के समय में इन अनाथालयों में छोड़ कर चले जाते हैं।

Shri D. C. Sharma: Sir, this argument is not clear.

Shri Raghunath Singh: I will make it very clear.

इन अनाथालयों की संख्या दूखेंगे और उनमें जो स्त्रियां रहती हैं उन की संख्या को दूखेंगे जो पायेंगे कि वहां ज्यादातर जो स्त्रियां जाती हैं वह वही होती हैं जो कि उच्च वर्ण की होती हैं। इस का कारण यह है कि जो निम्न वर्ण की स्त्रियां होती हैं उन का अगर किसी से इस तरह से सम्बन्ध हो जाता है तो भी उन की लगवाई हो जाती है, लेकिन उच्च वर्ण की स्त्रियां में ऐसी प्रथा या विधवा विवाह की प्रथा नहीं है। मान लीजिये कि एक स्त्री है जिस की उम्र १६ वर्ष की है और वह इसी अवस्था में विधवा हो गई। विधवा होने के बाद किसी तरह से उस का आचरण ठीक नहीं रह पाता है, तो यह होता है कि गांव वाले, समाज वाले यह समझते हैं कि यदि हम इस कन्या को घर में रखेंगे तो हमारे यहां किसी की शादी नहीं हो सकती है, हम जाति में नहीं रह सकते हैं, समाज में लांछन लगोगा। इस लिये मेलों के समय, पर्वों के समय जो बड़े बड़े तीर्थ स्थान हैं, वहां पर लोग स्त्रियों को ला कर डाल जाते हैं, कन्या को डाल जाते हैं, इन अनाथालयों में भी डाल जाते हैं। इसी लिये आप दूखेंगे कि अनाथालयों की संख्या तीर्थ स्थानों में ज्यादा होती है।

दूसरी बात में यह कहूंगा कि आप जितने अनाथालय पायेंगे वे ज्यादातर हिन्दुओं के होंगे और जहां पर कि सिर्फ हिन्दु स्त्रियां ही रहती हैं। आप ईसाइयों के अनाथालयों में भी जायेंगे तो पायेंगे कि उन में हिन्दुओं की बहुत सी स्त्रियां रहती हैं। इसी तरह से अगर आप मुसलमानों के अनाथालय दूखेंगे तो उन में आप को स्त्रियों की संख्या बहुत कम मिलेगी। जैसे मेरा शहर है, उस में एक ही मुस्लिम अनाथालय था और उस में शायद कभी एक ही स्त्री थी। वह अब बन्द भी हो गया है। कारण यह है कि जब लोग स्त्रियों को डाल जाते हैं तो वह मजबूर हो जाती हैं। हिन्दु समाज में इन हिन्दु स्त्रियों को स्थान देने को हम तैयार

नहीं हैं, अपने घर में स्थान देने को तैयार नहीं हैं, पुर में स्थान देने को तैयार नहीं, तो वह आखिर कर क्या ? वह भी मनुष्य है। उन में भी जीवन है उन के साथ शरीर है। उन को कहीं न कहीं तो स्थान होना ही चाहिये। इसी लिये वह जा कर अनाथालयों में भर्ती होती हैं। आज जितने भी आप अनाथालय दूखेंगे आप यह पायेंगे कि शायद ही पांच प्रतिशत ऐसे अनाथालय होंगे जो कि वास्तव में अनाथालय कहने योग्य हैं नहीं तो सारे अनाथालयों का एक मात्र कार्य यह है कि वे बाहर से लाई हुई कन्याओं और स्त्रियों को रखते हैं। उन की शादियां कराते हैं। हर शादी में वह चार सौ, पांच सौ रुपये लेते हैं। यही उन की एक मात्र आमदनी है जिस से कि इन अनाथालयों का काम चलता है। इस में जो शादी की जाती है, में अपने एक्स्पीरियन्स से कहता हूं, और सब को बतलाना चाहता हूं कि इस तरह की स्त्रियों से जो पुरुष शादी करते हैं वे अधिकतर पंजाब के होते हैं। ५० पी० और बिहार की जो स्त्रियां होती हैं वे ज्यादातर पंजाब को एक्स्पोर्ट की जाती हैं।

Shri D. C. Sharma: I beg to differ from the hon. Member.

Shri Raghunath Singh: I will tell you facts.

होता क्या है कि एक स्त्री के लिए दो सौ चार सौ रुपया कीमत तय हो जाती है और जब वह रुपया तै हो जाता है तो कोर्ट में जाते हैं। स्त्री एफीडीविट देती है, पुरुष एफीडीविट देता है कि हम दोनों की शादी हो चुकी है और हम दोनों एक साथ रहेंगे और किसी और प्रकार का बन्धन नहीं है। सिविल मैरिज के अन्दर आने की वह हिम्मत नहीं करते। कोई कोई एक रुपये के स्टाम्प पर इकरारनामा कर देते हैं।

Shri D. C. Sharma: I beg to submit that the hon. Member does not know the conditions prevailing in the Punjab.

Mr. Chairman: Let the hon. Member have his own say about the Punjab when his turn comes.

श्री रघुनाथ सिंह : इसी वास्ते अभी तक आपकी शादी भी नहीं हुई है। तो मैं आपसे यह अर्ज कर रहा हूँ कि जो वास्तविक दोष है उस दोष की तरफ हम लोगों को देखना चाहिये कि यह कैसे दूर होगा। यह जो विधेयक आपके सामने उपस्थित है इस विधेयक का हम समर्थन करते हैं लेकिन साथ ही साथ हम यह भी कहते हैं कि इस विधेयक में ऐसा संशोधन होना चाहिये कि जो ऐसी स्त्रियाँ हैं उनके विवाह का भी कोई प्रबन्ध हो सके। मैं आपको एक उदाहरण देता हूँ। हमारे यहां काशी अनाथालय है, जो कि एक प्रकार से अर्ध-सरकार अनाथालय है। आप देखेंगे कि उस अनाथालय में उच्च वर्ग की स्त्रियाँ बहुत ज्यादा रहती हैं। कभी न कभी उनमें से एक न एक स्त्री छलांग मार कर भाग जाती है। वह अनाथालय की दीवार साँघ कर भाग जाती है। उस अनाथालय में उनके लिए खाने की, पीने की, रहने की सब सुविधायें हैं, लेकिन फिर भी वह भाग जाती है, कारण यह है कि स्त्री पुरुष के सम्बन्ध मधुर सम्बन्ध हैं और इसलिए जो इस प्रकार की स्त्रियाँ आती हैं अगर हम उनके विवाह का भी प्रबन्ध कर सकें तो हमारे अनाथालय अच्छी तरह से चल सकते हैं। इस वास्ते मैं इस विधेयक का मूलतः समर्थन करता हूँ। ला मिनिस्टर साहब ने कहा है कि वे एक विधेयक हमारे सामने लावेंगे। अच्छा हो यदि इन सब बातों को देखकर वह उस विधेयक को लावे। उस समय हम उसका समर्थन करेंगे।

बाबू रामनारायण सिंह (हजारी बाग पश्चिम) : अध्यक्ष महोदय, मैं इस विधेयक का हृदय से स्वागत करता हूँ। इसमें जो कुछ कहा गया है उससे प्रायः सभी लोग सहमत हैं। इस बिल में जितनी धारायें हैं उनसे भी मैं सहमत हूँ, लेकिन एक बात जो रघुनाथ सिंह जी ने कही वह जरूरी है कि इसमें कुछ ऐसा भी हो जब बच्चे वहाँ सयाने हों उनका प्रबन्ध किया जा सके, जो नौकरी में जाना चाहें उनको नौकरी दिलायी जाय और जो विवाह करना चाहें उनका विवाह कर दिया जाय। मैं चाहता हूँ कि इसमें कोई इस तरह का प्रावजन होना चाहिए।

हमारे विधि मंत्री श्री विश्वास जी ने कहा था कि लोग चाहते हैं कि हमारे ही जरिये यह काम हो और हमारा नाम हो। इस तरह की बात वे कह रहे थे। बात तो सही है...

सभापति महोदय : यह तो सक्जेंट मॅटर आफ डिस्कशन नहीं है।

बाबू रामनारायण सिंह : उन्होंने कहा था कि हम खुद इस तरह का विधेयक लाने वाले हैं। वह बात सब ठीक है। इस सम्बन्ध में मेरे मित्र ठाकुरदास जी ने कहा है कि सरकार की तरफ से बार बार यह कहा गया है कि आप क्यों ऐसा विधेयक लाते हैं, आप इसको वापस ले लें, इस सम्बन्ध में सरकार का बिल आवेगा। सरकार को यह कहने में तो कोई ज्यादा संकोच नहीं होता है, लेकिन एक बरस गुजर जाता है, दो बरस गुजर जाते हैं, लेकिन उस सम्बन्ध का बिल सामने नहीं आता। इस सम्बन्ध में मैं भाई ठाकुर दास जी से सहमत हूँ कि इस बिल को आप पास होने दें। इसमें क्या बुराई होती है। अगर आप चाहें तो उसमें कोई संशोधन कर लें। या इसके बाद जो विस्तारपूर्वक विधेयक आवेगा वह पास हो जायेगा, यह ठीक है। लेकिन इसमें बाधा देना तो ठीक नहीं है। अध्यक्ष महोदय, सभी ने कहा है कि सरकार की तरफ से इस तरह का कार्य होना चाहिए। सरकार अपने को वेलफेयर स्टेट कहती है। शायद इस बात को कुछ लोग मान भी लेते हैं, लेकिन यह स्टेट वेलफेयर स्टेट है या कॉन्सी स्टेट है यह तो सरकार भी जानती है और जिनके मर्ते सरकार पड़ती है वे भी जानते हैं। तो मैं कहे देता हूँ, अध्यक्ष महोदय, कि सरकार को यह मान लेना चाहिए, सरकार की ओर से जितने लोग काम करने वाले हैं उनको समझना चाहिए कि सरकार दुनिया के लिए एक बहुत बड़ी चीज है। मैं कह सकता हूँ कि दुनिया में भगवान के बाद सरकार का ही स्थान है। तो जिस वक्त किसी दश में सरकार बनती है, तो यह मान लिया जाता है कि उस दश के लोगों के सिस् सब चीज के लिए सरकार जवाबदेह है। जब सरकार कायम हो जाती है तो लोगों का जीवन सरकार के हाथ में आ जाता है, धन, सम्पत्ति, इज्जत सब कुछ सरकार के हाथ में आ जाता

[बाबू रामनारायण सिंह]

हैं। तो अगर सरकार ठीक न हो और अगर वह अपने कर्तव्य का पालन न करे तो न तो लोगों की इज्जत की रक्षा हो सकती है, न धन की रक्षा हो सकती है और न जीवन की रक्षा हो सकती है। सरकार को यह मान लेना चाहिए कि चूंकि वह देश में सबसे बड़ी संस्था है इसलिए अगर उस देश में पाप होते हैं तो उन सब पापों के लिए वह दोषी है।

एक माननीय सदस्य : पुण्य के लिए भी।

बाबू रामनारायण सिंह : पुण्य के लिए नहीं। क्योंकि यह तो जाना हुआ है कि बहुत से लोग समाज में बहुत कुछ करते हैं, लेकिन सरकार तो बनती इसी लिए है कि वह उन बुराइयों को दूर करे और देश में पुण्य हो। यह तो सरकार का कर्तव्य ही है। अब अगर अपने कर्तव्य से च्युत होकर सरकार अपना काम ठीक से नहीं करती तो वह दोषी होती है।

अध्यक्ष महोदय, लोगों ने ऐसा भी कहा है कि इस तरह की जितनी संस्थायें बनी हैं उनके संस्थापक लोग या प्रबन्धकर्ता उनका संचालन बुरी नीयत से करते हैं। मैं इस पक्ष से तो मतभेद रखता हूँ। हमारे यहां बिहार में भी ऐसी संस्थायें हैं और मैं जानता हूँ कि वे अच्छी तरह से चल रही हैं। मैं यह नहीं कहता कि इस तरह की कुछ संस्थायें ऐसी नहीं हैं कि जिनमें ठीक काम न होता हो। लेकिन यह कहना कि जितनी संस्थायें हैं सभी बुरी हैं, ठीक नहीं है। मनुष्य का स्वभाव अजीब है। अध्यक्ष महोदय, भर्तृहरि जी ने कहीं पर संसार के विपरीत गुणों का वर्णन करते हुए कहा है : "न जाने संसारं किममृतमयः किम् विषमयः।" न जाने संसार अमृतमय है या विषमय है। न जाने संसार क्या है? भला है या बुरा? कुछ चीजें अच्छी हैं और कुछ बुरी भी हैं। मेरे कहने का मतलब यह है कि सरकार के लिए यह धर्म का तकाजा है, न्याय का तकाजा है, और इमानदारी का तकाजा है कि सरकार इस विधेयक को पास होने दे और इस सम्बन्ध में जो मदद सरकार करना चाहती हो वह करे। सरकार को इसका विरोध नहीं करना चाहिए।

अगर उनका दूसरा विधेयक आने वाला है, तो ठीक है। तब तो हम सब लोग सरकार को बधाई देंगे। लेकिन इस विधेयक को स्वीकार करना चाहिए और जहां तक जल्दी हो सके इसके मुताबिक काम होना चाहिए। मैं फिर इस बिल का समर्थन करता हूँ और आशा करता हूँ कि विश्वास जी भी इसका समर्थन करते हुए इसे स्वीकार होने देंगे।

श्री श्री ३०० शास्त्री (शाहडाल-सीसी) : सभापति जी, वस्तुतः इस विधेयक का बड़ा महत्व है और मैं इसका हृदय से स्वागत करता हूँ। आजकल देखा जाये तो महिलाश्रमों और अनाथालयों की क्या दशा है, यह शायद किसी से छिपी नहीं है। अनाथालयों में जितने बच्चे आते हैं, पहले तो उनकी भरती बड़ी सरलता से हो जाती है और जो उसके प्रबन्धक होते हैं वह बच्चों को भरती कर लेते हैं लेकिन बाद में हम देखते हैं कि ये बच्चे बच्चे दिन रात या तो बँड बजा कर पैसा पैदा करते हैं, या भीख मांगते फिरते हैं और या पट्टबाजी और सर्कस दिखाकर पैसा पैदा करते हैं और उनका लक्ष्य सिर्फ यह रहता है कि जैसे भी हो पैसा पैदा करें और जो पैसा इस तरह से पैदा किया जाता है वह अनाथालय के जो संरक्षक होते हैं वह उसको गलत तरीके से खर्च करते हैं या अपने फायदे के लिये उस पैसे को काम में लाते हैं। मैंने तो यहां तक देखा है कि कुछ अनाथालयों के प्रबन्धकों ने अनाथालय के नाम पर जमीनें ले रखी हैं, सैकड़ों हजारों एकड़ जमीनें ले रखी हैं, गवर्नमेंट से फोर्स डाल कर जमीनें अपने कब्जे में कीं और कुछ लोगों ने तो व्यापार धंधे भी खोल रखे हैं लेकिन उन सब का फायदा न तो अनाथ बच्चों के काम में आता है न उनकी शिक्षा के काम में आता है, न कोई सामाजिक सुधार होता है और न कोई ऐसी तरक्की अनाथालय की होती है कि जिससे हम देखें कि वह लड़के भविष्य में अपने जीवन को सुधार सकें। वस्तुतः जैसा अभी भार्गव जी ने कहा, एक एक बच्चा देश का एक एक रत्न है, उनका मूल्य है, उनके जीवन की कोई

कामित हैं, पता नहीं किस बच्चे में भविष्य में कितनी शक्ति हो कि वह देश का कितना बड़ा नेता, कितना बड़ा सुधारक और कितना बड़ा व्यक्ति हो सकता है तो हमें यह देखना है कि वस्तुतः इस तरीके से अगर किन्हीं लड़कों का उनकी शक्ति का और उनके बौद्धिक बल और उनकी शिक्षा सम्बन्धी आदि शक्तियों का दुरुपयोग होता है तो वह न हमारे लिये और न इस नये बनने वाले देश के लिये कल्याण की चीज होगी।

दूसरी बात में स्त्रियों की बाबत भी कहना चाहता हूँ। अभी मेरी एक माननीया सदस्या ने सुझाव रक्खा है कि महिलाश्रमों में प्रबन्ध महिलाओं के हाथ में होना आवश्यक है। हम देखते हैं कि महिलाश्रमों में प्रबन्धक पुरुष होते हैं और नतीजा यह होता है कि पुरुष अपने पूर्ण अधिकारों और शक्ति का प्रयोग करते हैं और जैसे कि उन्होंने शिकायत की कि स्त्रियाँ वहाँ पर ६, ६ और ८, ८ दिन रहती हैं और फिर छलांग मार कर महिलाश्रमों से निकल जाती हैं, हमें उसको समझने का यत्न करना चाहिये कि आखिर ऐसा क्यों होता है। पुरुष प्रबन्धक होने के कारण न तो वह स्त्रियाँ अपने विचार, भाव उसको बता सकती हैं और न वह उनको अच्छी तरह समझ सकता है और न वह लज्जावश उसको पूरे तरीके से और खुल कर सब कुछ बता ही सकती हैं। लेकिन अगर पुरुष के स्थान पर प्रबन्धक के पद पर कोई स्त्री हो तो वह उनकी सारी दिक्कतें और विचार समझ सकती है। वह उनके स्वभाव, उनके विचार और उन सारी चीजों को समझ सकती है और वे बहिनें भी स्त्रियों से अपनी सब कठिनाइयों को बता सकती हैं और उनको बता देने में कोई संकोच भी नहीं होता। इसीलिये यह जरूरी है कि महिलाश्रमों की प्रबन्धक स्त्रियाँ हों, प्रबन्ध करने का जो बोर्ड होता है उसकी अध्यक्षता अगर स्त्री न भी हो तो कम से कम उस बोर्ड में महिलाओं का समावेश होना आवश्यक है, गाँव जैसे अभी बताया गया यह बड़े २ शहरों में ही सम्भव है जहाँ कि आपको इस प्रांगण एड्जुकेटड महिलाएँ मिल सकती हैं। लेकिन

छोट-छोट कस्बों और देहातों में ऐसी पढ़ी लिखी औरतों का मिलना मुश्किल होता है फिर भी हम लिट्टेसी की ओर धीरे धीरे बढ़ते जाते हैं और हमें महिलाओं को समझाना चाहिये कि यह उनके कल्याण की चीज है। देश में एक सामाजिक सुधार होने जा रहा है, इसमें आपको हिस्सा लेना चाहिये और इसमें देश का बहुत बड़ा कल्याण निहित है और मैं समझता हूँ कि कदाचित् इस प्रगतिशील संसार में ऐसी स्त्रियों का मिलना मुश्किल भी नहीं है। इसीलिये मैं आपके सुझाव का समर्थन करता हूँ और चाहता हूँ कि इस विधेयक में ये चीजें अवश्य रक्खी जायें।

दूसरी बात यह है कि अभी हमारे साथी रघुनाथ सिंह ने जो बहुत सी बातें कहीं, वह मेरी समझ में नहीं आयीं। उन्होंने कहा कि यह देखा गया है कि मेलों-ठलों के समय महिलाश्रमों में ऐसी-ऐसी महिलाएँ रखते हैं जिनसे अनाचार होता है और न जाने क्या क्या गड़बड़ होती है। कुछ भी हो यह वाक्य है कि इन आश्रमों में स्त्रियों को शरण मिलती है और उस ठुकराई हुई स्त्री को जिसका कोई घर नहीं, जिस को गाँव में रहने की इजाजत नहीं और जिससे समाज घृणा करता हो, उसको वहाँ पर शरण दी जाती है कि वह अपना सिर छुपा सके। आखिर उसके भी शरीर है, उसके भी विचार हैं और संसार में उसके लिये कोई ठौर, ठिकाना न हो, तो यह तो बुरी बात है। तो जहाँ तक शरण देने की बात है उससे तो किसी को एतराज हो नहीं सकता। हाँ, हमें देखना यह चाहिये और ऐसा प्रबन्ध करना चाहिये कि उनका दुरुपयोग न हो, उनके साथ दुरुपचार न हो। अगर हम इस विधेयक को स्वीकार करते हैं तो इस विधेयक के बावजूद हमारे जो इंस्टीट्यूशन्स हैं, अनाथालय हैं, हम उनके प्रबन्ध पर कड़ी निगरानी रख सकते हैं और आवश्यक प्रबन्ध कर सकते हैं। अब रही यह बात कि गवर्नमेंट की तरफ से इसके स्थान पर दूसरा विधेयक आवे। वैसे तो मुझे इसमें कोई एतराज नहीं, लेकिन मुझे उनके बाधक में विश्वास नहीं है क्योंकि हम देखते हैं कि

[श्री बी० डी० शास्त्री]

गवर्नमेंट की तरफ से बिल लाने का वायदा तो किया जाता है लेकिन वह आता नहीं है और नतीजा यह होता है कि वह मामला टलता जाता है। मेरा कहना यह है कि जब गवर्नमेंट इस तरह के बिल को जरूरी समझती है और वह इसके खिलाफ नहीं है तो उसको इससे अभी स्वीकार कर लेना चाहिये, बाद में अगर गवर्नमेंट की तरफ से और अच्छा विधेयक आयेगा तो सदन उसे फिर स्वीकार कर लेगा, लेकिन फिलहाल जबतक वह नहीं आता तब तक इस विधेयक की बहुत जरूरत है, क्योंकि इसमें लाखों बच्चों और औरतों का हित निहित है।

Mr. Chairman: Shall I call upon the mover to speak, or, if any other Member wants to speak, he may speak.

Dr. Rama Rao (Kakinada): Just a few words.

Mr. Chairman: Yes.

Dr. Rama Rao: I have almost understood—almost understood—the whole speech of Pandit Thakur Das Bhargava. I support his views. I only want to bring out one or two points. We are a welfare State.

An Hon. Member: No, no.

Dr. Rama Rao: At least we claim to be so, and the first charge on the welfare State should be the orphans and helpless people. What is the Government doing for these orphans and helpless women? Now, we have a Social Welfare Board which distributes lakhs and crores of rupees, but why not the Government start—in fact they must start—institutions on their own account. Of course they will say it is the responsibility of the State, this and that. There are so many Part C States, besides the Central Government. They are spending several crores. They have spent some lakhs now. But the Government of India have allotted crores of rupees for the Social Welfare Board. On the other hand, the Government must first start their own

institutions for orphans and helpless people. Apart from very respectable institutions, there are several other institutions which have also done very commendable work in this line. Another point to be remembered, however, is that in several places, the starting of institutions for orphans and widows has become a profitable business. So, this Bill, or some such step in this direction, is essential, and I hope the Government will take the responsibility for starting their own institutions for orphans and helpless people.

Mr. Chairman: Before I call upon the mover, the House may like to know the reaction of the Government.

Shri Biswas: Even at the risk of being misunderstood, I will renew the appeal which I believe was made on the last occasion to hon. mover of a similar Bill to withdraw the Bill. I shall shortly state the grounds on which I do so.

As you will see from the Bill, the machinery has got to be provided for the States. The opinions of State Governments were obtained, and we got replies from most of them. In some of the States, they are proposing legislation. In one or two States, legislation has been introduced, though I am not quite sure whether they have been enacted. Utter Pradesh, for instance, have said that they have decided to legislate for widows' homes and orphanages and that they will provide for licensing of these institutions in that Bill. In Bihar, they have introduced a Bill: the Bihar Supervision of Orphanages and Widows' Homes Bill. Assam has said that it proposes to undertake legislation. The Andamans and Nicobar Islands have said that the question does not arise. There are no such institutions there. That is not a problem there. In Bombay, Madras, Madhya Bharat, Madhya Pradesh and Rajasthan, they have the matter under consideration and they expect to introduce legislation very shortly. These are the answers we have obtained from these States.

An hon. Member: What about Delhi?

Shri Biswas: They also propose to enact a Bill on similar lines in their own legislature. This reply was obtained sometime back. I am not quite sure what steps have actually been taken by the Delhi State since then: possibly, they may have already introduced the Bill. That is how the matter stands, and I am quite sure similar legislation will be undertaken in other States where this has not yet been done.

If this Bill becomes law the machinery for administering it will have to be provided by the States. If you look at clause 19 of this Bill, you will find that the State Governments are empowered to make such rules and regulations as they may deem fit for the management of the institutions or for the performance of the services. Sir, the real question is the management of these institutions. Now, what is provided for in this Bill is this: no one shall be entitled to run a home of this kind unless a licence is previously obtained. That does not advance matters very much, because after all it all depends on charitably-disposed persons to bring these institutions into existence. There are some institutions which are doing very good work—quite true. So far as West Bengal is concerned, Mrs. Chakravartty pointed out some of them—I can also vouch for that. While some of them are no doubt good, some of them have a very bad reputation. In fact, nobody wants these institutions only to be exploited by their founders for their own purposes. Unfortunately, we have not got good sense amongst all who put themselves forward as public workers. That is our misfortune. So, when they start an institution of this character, they make large promises: they even constitute managing committees with very big names on them and everybody is duped. That is how they collect money. Ultimately when things go wrong the people are disillusioned. Let me say this. Whether these institutions have been started with or without Government permission, whenever

anything comes to the adverse notice of Government about the management of these institutions, action is always taken. Merely because a license is granted and official inspections are made, things are not going to improve.

What do you find about schools and colleges? Elaborate provisions are there regulating their working—inspections, checks, examinations, all these are there. Still we all know that some of the schools which have obtained recognition from Government, which are inspected by the inspectors at regular intervals, are not conducted as they should be. What about the colleges which are affiliated to Universities, which are subject to inspection? I speak with a certain amount of personal knowledge of these educational institutions, because I have been connected with many of them: in West Bengal, for instance, some of them, are absolutely of the worst character. Any number of inspections will not put them right. After all it is those who actually run the institutions that matter. I may go and inspect; the inspector goes and inspects. He is entertained in all sorts of ways and there comes a very good report. If you pay a surprise visit, then you find the picture is quite different. I can speak with personal knowledge about educational institutions, though not about hospitals.

Babu Ramnarayan Singh: What about Government themselves?

Shri Biswas: I am speaking of institutions which are also under Government control, or University control or departmental control, I am speaking of those. If this is the state of affairs about such institutions, what can you expect by merely insisting on a license being obtained at the start?

We are all agreed about our objective in the matter of social welfare. Government are fully alive to their responsibilities; but we cannot do all that we should or should like to do overnight. There is a Social Welfare Board which has been recently established. Four crores of rupees have been plac-

[Shri Biswas]

ed in their hands. Let us see how they work. For the time being they have not yet started institution of their own. They are only helping those institutions which after inspection they find to be deserving of help. They go and visit those institutions.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Bogus institutions are also given grants.

Shri Biswas: Bogus institutions may be getting grants. Bogus institutions are there for doping and duping those who go to inspect them. We all know these facts: what is the use of repeating them? After all the remedy lies with ourselves and in ourselves. If we—every one of us—are mindful of our duties and responsibilities, these things cannot happen. But there you are. It is the standard of morality in the community that accounts for a good deal. We might be shouting here for a welfare state, providing money and so on. But if those who work the whole thing are of a different mentality, or different character, what can we do? We have to work with some agents; and if the agents fail us we are helpless. We are trying to do our best. So, Government have addressed themselves to this task of social welfare and they are doing their very best. Whenever any inequities or irregularities are brought to their notice, they do and will take action. But if the salt itself were to lose its savour, wherewith shall it be salted? You may criticise and I may meet that criticism.

Dr. Rama Rao: Will the hon. Law Minister tell us how many institutions Government have started on their own?

Shri Biswas: If you table a question I shall be in a position to answer the question. This is a matter in which figures have to be collected from the States, and I cannot off-hand give a correct reply. But there are institutions, not started by Government, in which a great deal of interest is taken by Government.

Take, for instance, the "Refuge" in Calcutta. That is a very big institution. It had been started by a gentleman, some Biswas,—no relation of mine,—he was a Christian. He was a very poor man to start with. But after some time when the management changed the institution almost came to ruin. The matter came to the notice of the Government who appointed a strong committee with a High Court Judge as Chairman. I happened to be a member of that committee. They went into the matter very thoroughly, recast the whole institution and now you go and see on what lines that institution is run. Government do not want such institutions to be run in any manner; they are very much interested in seeing that they are properly run, and that they serve the purpose which all of us have in view. It may be that there are institutions in which you will see quite big and pretentious names on the governing body. The trouble is that these gentlemen do not always care to perform their duties as members of the governing body. There is the case of one institution to which a veiled reference was made by Mrs. Chakravartty. The case of that institution was brought to my notice about four or five years ago, though I was not connected with it. I sent for the members who constituted the governing body—very big names in Calcutta—and had a meeting at my house and then I discovered that for six or seven years there had not been a single annual meeting of the executive committee. Everything was left in the hands of a certain gentleman. That is bad. What could I do? I told them that this was not the way to do things; if they were unable to do their work they might retire, and another governing body may be formed. Just for a very short time, things improved. Some ladies were brought there and so on. But that was all that happened. Well this is how things are done. It is no use blaming Government.

I say that a Bill like this will not achieve anything. It only provides for granting of licences—nothing more.

You are laying down rules. These rules are there as a matter of fact; nothing is lost because there are no rules. You want institutions to be run on proper lines. For that purpose you require men locally, men who will take active interest and who will make it their duty to visit these institutions.

Take the case of another institution in Calcutta—the late Chunnilal Bose was President of this institution all his life. Every morning he would go there and see it. Take another institution with which I am connected—the Blind School in Calcutta which houses handicapped children. It was in the hands of men like Rajendra Nath Mukerjee and then Chunnilal Bose and so on. I had the privilege and good fortune of being its Secretary and President for a number of years. I would go there every week. I would take my wife with me, we would go and see, the little girls of 15 and 16, talk to them, encourage them. That is the way how they should be run. That is not a licensed institution but it is one of the best in Bengal—I would say—in India. That is how it goes on. But nothing improves by merely saying that you should obtain a licence from the District Magistrate. He will give you a licence, and then the rest is left in the hands of the subordinates who may do their duty or who may not do their duty. But it is the local men who constitute the governing body of the institution or who form the managing committee that matters; much depends upon them. How can you get them to work the institution?—that is the point. Government have a Social Welfare Board. They will visit these institutions. They will see things and satisfy themselves. They will meet the members of the managing committees, and if there is anything wrong, they will advise them as to what is to be done. That is the way the Central Social Welfare Board is functioning.....

Shri Velayudhan: Has the Government any legal sanction to inspect?

Shri Biswas: What is the legal sanction which you want by means of a

Bill of this character is more than I can understand. As a matter of fact, if this was a Bill which said: we want to raise one crore rupees from the public; authorise us to raise us money and then we shall start institutions; give us legal sanction to start such institutions, I could understand that. Merely saying that we should ask for power to compel institutions, good or bad, to take out a licence, will not set things right. If you say that, by this, all will become good, I do not believe in that...

Shrimati Renu Chakravarty: I would like to point out this. I am taking the case of this particular institution in West Bengal. People knew that there were a lot of bad things going on there. But can the Government, under the law now existing, make surprise inspections? Have they ever been granted that position? Can the Government just intervene at any time by surprise visits? Is there only legal provision for them to do that?

Shri Biswas: As a matter of fact, they do whenever there is a complaint. There must be some complaint. It is open to Government to go and inspect when there is a complaint; there is no question of legal authority. If Government wish to inspect any institution, nobody can stop them from doing so. You do not require licence for that purpose. What about the massage clinics in Calcutta? Action was taken although there was no question of any licence. That could be done. Even in the case of the institution to which you referred, some complaint was made. The police went there. When the police went there, a number of girls of that institution came and complained and said, 'I have been treated this way; I have been treated that way'. That has led to the institution of criminal proceedings; the case is still pending. I cannot say more about it. So, whenever any such matter is brought to the notice of the Government, action is taken. That is my experience in West Bengal. It does not make any difference if there is no licence.....

Pandit Thakur Das Bhargava: There can be criminal complaints under section 420 or for kidnapping, enticing, etc. I can understand that. But how can Government inspect them unless there is legal provision authorising them to do so?

Shri Biswas: Government have ways of doing it. It may not have legal powers but if somebody says: I have got to inspect; he will not be stopped. If he is stopped, an enquiry is made. Many of these institutions—I do not know how—are in receipt of Government grants. How they managed to secure such grants is itself a mystery. If there is a grant, that itself is a lever which the Government can use for the purpose of inspection. I do not think any practical difficulty will arise or has arisen so far in respect of inspections. If the Government themselves do not move, that is another matter. This is a matter which should be considered and legislation may have to be undertaken. I do not say that legislation is not necessary. The authorities should take action when action has to be taken; just as they can help these institutions by grants of money and advice, they can also make inspections and check abuses.

I would say: leave this to the States; impress upon the States that the responsibility is primarily theirs, not merely legal but moral. It is a matter for the States to take action and that is why I am suggesting that Central legislation will not help you best. The States will have to take action; they should do much more than granting a licence. So, if you leave this to the States, remind them of their responsibilities and tell them that this is what they must do, the Governments will take that step. I can give you this assurance on behalf of the Central Government that they will advise all the States once again and impress upon them their duties in this matter and urge them to take action if they have not already done so and initiate the necessary legislation. I can give you that assurance.....

Babu Ramnarayan Singh: What is the harm if you allow the Bill to be passed.

Shri Biswas: What is the Bill? There are so many points. This Bill lumps together women and children. That is not right; as a matter of fact, the governing bodies, must be separate in the case of children's institutions and in the case of women's institutions. The same questions do not arise always. It may be that in the case of little girls and boys, there need not be any difference but it is not so in all places.

You will also see that there is a Bill in the Home Ministry for the suppression of immoral traffic and one of its declared objectives is to prevent exploitation of women. Taking out a licence does not stop that. That is my view personally. The comprehensive Bill for suppression of immoral traffic is about to be introduced; it is before the Home Ministry.....

An Hon. Member: When will it be introduced?

Shri Biswas: When, I cannot tell you. Hon. Members seem to think that it is as easy to prepare a Bill and introduce it as to say a Bill must be introduced. It is quite easy for you to say that there must be legislation on this subject, on that subject and so on, but it is not quite so easy to give effect to that.....

So much has been said against Government. Almost at every meeting you have Shri Satya Narayan Sinha coming and laying before you a statement of assurances given by Ministers. If they are not fulfilled, the House is there to give the Ministers a push, as hard a push as it is capable of giving; and the Ministers will absorb the shock, I am sure!

As regards children, there is the Children's Bill. Dr. Seeta Parmanand, who has introduced a similar Bill today in the Council of States, was also a Member of the Joint Select Committee which considered the Children's Bill. She said: "I am recording a minute, but do not treat it as a minute of dis-

sent; I say the definition of a 'neglected child' should have been made wider." However, the Select Committee did not accept her view. If that had been done, she said, the object of her Bill would have been achieved. That Bill is the same as this. So far as children are concerned, that Bill (that is the Children's Bill) is now pending before this House. It can modify that clause. If the widening of the definition will achieve the object of this Bill, which is similar to the Bill which Dr. Seeta Parmanand has introduced in the other House, then why have another Bill? The matter is still in your hands. The Children's Bill has been passed by the other House. But it is still before you, and you can always do that.

So far as women are concerned, I say that a Bill has been prepared. The draft is ready before the Home Ministry. The difficulty is this. As a matter of fact, Bills are drafted, but they require examination. We do our best.

Pandit Thakur Das Bhargava: May I point out that the Suppression of Immoral Traffic and Brothels Bill was introduced in the House in 1953 as No. 36 of 1953, and the signatories are almost all the ladies in the House? It is more than one year and yet the other Bill has not come. If it does not come for two years, what is the use of the assurances?

Shri Biswas: Unfortunately, the Home Minister is not here. There was an international convention on this subject. I am glad the Home Minister is here.

The House wants an explanation why there has been delay on the part of the Home Ministry in introducing a Bill for the suppression of immoral traffic. That is the question which has been put to me. I say that is a question which Dr. Katju ought to answer, not me.

Sir, I will not take up more of your time. Dr. Katju is here. If he will answer that question, nothing will please me more.

Shri D. C. Sharma: What is the definite attitude of the Law Minister towards this Bill?

Shri Biswas: I renew my appeal to the hon. lady Member to withdraw this Bill. I began by saying that and I will end by renewing that appeal. In the other House Dr. Seeta Parmanand was also good enough to withdraw the Bill.

Shri D. C. Sharma: Is it positive or negative?

Mr. Chairman: The point is, there was some reference to the Bill to suppress immoral traffic, but I think we are not directly concerned with it.

Shrimati Renu Chakravartty: We are concerned. There have been promises and assurances.

Mr. Chairman: I might as well say for the information of the Home Minister who has just come that it was suggested by the Law Minister that there is a Bill pending in the Home Ministry for the suppression of immoral traffic, which indirectly deals with the question of taking care of women, etc. and that therefore this Bill need not be pressed, because it is only a licensing Bill. That is the history. If he chooses to say anything, he may do so.

Shrimati Renu Chakravartty: We are asking him to say.

The Minister of Home Affairs and States (Dr. Katju): I am always ready and willing to comply with any direction or behest of the hon. Members here and speak on any topic which they ask me to speak upon.

Mr. Chairman: No. They only want this information.

Dr. Katju: I am giving the information. So far as this particular topic is concerned, I think Parliament discussed it in the last session. And thereupon, this matter having been under our consideration for some time, we asked the State Governments about it, being in the Concurrent List, and obtained their opinions upon it. A Bill has now been drafted. It will soon be placed before the Cabinet for its

[Dr. Katju]

general approval. And I propose, with the sanction of the Speaker, to follow the precedent which was found very helpful with reference to the Criminal Procedure Code Amendment Bill, namely to publish it in the Gazette of India without formally introducing it in the House. That will be done with the sanction of the Speaker. And I propose to do that before the end of this session, that is to say before three or four weeks; and then at the next session of Parliament, to introduce it formally. There will be a gap of a month and a half. The Bill will be before the public. The State Governments have been consulted. But I propose to profit by any comments that we may get and, if any point emerges which may be of interest, then to modify it and to introduce it formally in the next session, somewhere about November or the beginning of December, and then to ask the House to refer it to a Joint Select Committee. That is at present in my mind

So far as the Children's Bill is concerned, I may repeat what I said in the other House this morning, that it (that is, the Bill in the other House) deals with two topics, one with children, the other with women, women of above eighteen years of age, and that I shall revise the Bill and see whether we cannot incorporate the point in that Bill. I have not read this Bill carefully. In the other Bill in the Rajya Sabha the provision was only that no home for women can be started without a licence and that there should be a condition in the licence for inspection and all that. We might put it in that Bill in so far as women are concerned. In so far as children are concerned, you have already got pending before you the Children's Bill where, if the House so pleases, it can insert a section.

Now that I have got upon my legs I should like to say here what I said in the other House, namely, that it is undesirable that we should have a sort of plethora of legislation dealing with the same topic. In the law courts it is not

found convenient. It is much better to have a comprehensive legislation dealing with one problem. It gives the legislature a good idea, a complete picture before them which will enable them to say what is the proper method of dealing with the problem. I am only repeating what I said in the other House. So far as the Suppression of Immoral Traffic Bill is concerned, I hope it will be published, as I said, by the end of this month, or positively in the first week of October. And that Bill, I may say, is a very comprehensive Bill. We have taken advantage of all the information that has been gathered, for instance the private Bill introduced by my revered friend Shrimati Maniben Patel, and various other matters. I think the Bill will be found satisfactory in so far as it goes.

Mr. Chairman: Does the Mover wish to say anything?

श्रीमती मणिबेन पटेल (काँरा-वृद्धिण) :
 चेंबरमें साहब, में ने बहुत गौर से कानून मंत्री की स्पीच सुनी, पर मेरी समझ में यह नहीं आया कि इस सम्बन्ध में सरकार का क्या एटीच्यूड है। मुझ से इस बिल को विदहा करने को तो कहा, मगर क्यों वापिस लेने को कहते हैं और सरकार इसके बारे में क्या करेगी और कब बिल लायेगी और कितने दिन का समय चाहती है, यह नहीं बतलाया गया और इस कारण उन्होंने जो मुझे धीरज रखने की बात कही, वह मेरी समझ में नहीं आती। जहाँ तक लोक सभा का ताल्लुक है, हर पक्ष इस बिल का समर्थन कर रहा है और इसको चाहता है। अब जो इसमें हमारे मंत्री महोदय ने कुछ गलतियाँ बतलाई हैं तो आखिर हम बहनें कोई वकील तो नहीं हैं और अगर वे समझते हैं कि इसमें कुछ कानूनी गलतियाँ रह गयी हैं और आप उसमें कुछ तब्दीली करना चाहते हैं और आपको एंसा लगता है कि इसमें कुछ संशोधन करना चाहिये तो आप हमको वेंसा बतलाइये और आवश्यकतानुसार संशोधन लाइये, यह तो समझ में आता है लेकिन आपका खाली हमसे

यह कहना कि इस बिल को वापिस ले लो, यह मेरी समझ में नहीं आता। और जो बच्चों के बिल की बात आप कर रहे हैं तो मेरी राय में इस बिल से उसका स्कोप बहुत कम है। सरकार अगर कहती है कि इसमें गलतियाँ हैं तो उनको निकाल कर ठीक करें और उसमें जितना सुधार करना है, करें और उसे लाने की कोशिश करें तो वापिस लेने की बात समझ में आ सकती है लेकिन बगैर एसा किये समझ में नहीं आता है कि वह वापिस लेने को क्यों कहते हैं।

Mr. Chairman: May I take it that the hon. lady Member does not want to withdraw the Bill?

Pandit Thakur Das Bhargava: She has only asked the hon. Ministers to explain why they want her to withdraw the Bill. Let them explain and then let her consider. An explanation was given. Perhaps, she has not followed it. Otherwise, she may be prepared to withdraw if there is an assurance from the Government that they are bringing this Bill. The hon. Dr. Katju said that he is bringing two Bills, one a Children's Bill and another, a Women's Bill. If the whole thing is explained, she might be inclined to withdraw. She has herself admitted...

Shri D. C. Sharma: I think it has been made clear.

Mr. Chairman: If I have been able to follow what has been said, it appears that this Bill relates to women and children. There has been some objection raised by some Members that there should be two separate Bills for these two matters. The hon. Home Minister has said that so far as children are concerned, there is a Bill which is ready and which is likely.....

Dr. Katju: There is a Children's Bill which has been passed by the Rajya Sabha, which is now pending in the Lok Sabha and which will come up for your decision.

An Hon. Member: Private Members' Bill?

Dr. Katju: Government Bill. If any hon. Member wants to modify that Bill or improve upon it, it can be done.

Pandit Thakur Das Bhargava: There are Children's Bills in many States also.

सभापति महोदय : आप कहती हैं कि गवर्नमेंट ने केवल चिल्ड्रन के बार् में उस हाउस में बिल रक्खा था और वही बिल पास हो कर इधर आया है। तो चिल्ड्रन का सवाल तो उद्य में है और औरतों के बार् में जो बिल है उस के लिये, जहाँ तक मैंने उन को सुना और समझा है, यह है कि इम्मारल ट्रैफिक के सम्प्रेशन के लिये वह अलग बिल लायेंगे। उस बिल में और भी सार एलाइड सब्जेक्ट्स आ जायेंगे। उन का कहना है कि वह बिल जल्दी ही आने वाला है। तो अगर आप को सन्तोष हो तो आप यह बिल वापस ले सकती हैं। This is the position.

श्रीमती जगिबेन पटेल : बात यह है कि मैंने आपके दातार साहब से पूछा तो उन्होंने कहा कि इस बिल से मेरी कोई निस्वत नहीं है, और हमारा बिस्वास साहब कहते हैं कि यह बिल वापस लो लेकिन वापस लेने का कारण नहीं बतलाते हैं। यह तो मेरी समझ में आता है कि राज्य सभा में एक बिल पास हुआ है, लेकिन इस बिल के लिये मेरी समझ में नहीं आता कि मैं क्या करूँ। जिन के चार्ज में यह बिल है वह कहते हैं कि मेरे चार्ज में नहीं है। दूसरे से पूछो तो वह कहते हैं कि मेरे चार्ज में नहीं है। जिन के चार्ज में यह बिल है अगर वह आ कर कहें कि उन के बिल की शक्त एसी है तब तो वापस लेने की बात समझ में आ सकती है।

Shri Damodara Menon: (Kozhikode): Let there be voting of the House.

Shri Biswas: I did not say that I am going to bring a Bill. But, what Dr. Katju has pointed out is that there is the Children's Bill and a few amendments—Mrs. Seeta Paramanand's minute is there—would achieve the object.

Mr. Chairman: I think if I may interrupt the hon. Minister, the hon. lady Member is probably satisfied so far as the Children's Bill is concerned. I do not speak for her. So far as women are concerned, she wants some more clarification, if it is possible for the Law Minister to give.

Shri Biswas: I have not seen the draft Bill and therefore I am not in a position to give a clarification. Perhaps that is why my hon. colleague has come in and given the reply.

Mr. Chairman: I think, if the hon. the Home Minister could give any definite idea as to what is going to be done in regard to suppression of immoral traffic, the hon. lady Member might consider it.

1 P.M.

डा० काटजू : श्रीमान्, चेंअरमैन साहब, मुझे दुःख है कि मैं ने पहले विदर्शी भाषा में दो चार शब्द कहे थे। अब मैं हिन्दी में कहता हूँ कि बिल का जो मसिवा बना है वह बड़ा सम्बा-बाँड़ा है। उस को इस मसले पर पूरी तरह नजर डाल कर बनाया गया है। मसिवा तैयार हो गया है। उस को सारी प्रदर्शों की गवर्नमेंटों से मशिवरा ले कर, मेरी बहन का जो बिल पहले था उस को देख कर और इन्टर्नेशनल कन्वेंशन जो है उन को मद्द्-नजर रख कर, बनाया गया है। मसिवा तैयार है और मुझे आशा है कि या तो इस महीने के आखीर में या ज्यादा से ज्यादा २ री या ४ थी अक्टूबर तक यह बिल गजट आफ इंडिया में छप जायेगा। उस के बाद जब पार्लियामेंट का अंगला सेशन होगा, वह १४ नवम्बर से हो या छब से भी हो, तब मैं इस बिल को यहाँ पेश कर दूंगा। साथ ही उस को पेश करने के बाद मैं यह तजवीज करूंगा कि उस को सेलेक्ट कमेटी में भेज दिया जाये। मेरी यह कीशिश होगी कि बहुत सी महिलाओं को जो कि मम्बर हैं उस कमेटी में साथ लूँ ताकि उन के मशिवर से हम को फायदा मिले और उस बिल में जो भी घटाना बढ़ाना हो वह सब हो सके।

मैं एक बात कह दूँ, और मैं एक वकील की दृष्टि से कह रहा हूँ, कि एक समस्या पर अगर एक ही कानून बने तो वह समझने में भी अच्छा होता है और बनाने में भी अच्छा होता है। साथ ही वकीलों और जजों को भी उसके बारे में फंसले करने में आसानी होती है। यह कोई सुन्दर बात नहीं है कि एक ही समस्या पर तीन-तीन, चार-चार कानून हों, एक टुकड़े के बाद हम दूसरा टुकड़ा रखें और दूसरे के बाद तीसरा टुकड़ा रखें यह अच्छा नहीं होता है। इसी कारण मेरे मित्र ने जो कि न्याय मंत्री हैं, यह कहा कि अगर आप उस को वापस ले लें तो अच्छा होगा।

Pandit Thakur Das Bhargava: At this stage, may I submit one thing? The present question is, what is to be done with this Bill. I may submit for the consideration of the hon. Mover that at this stage she may not press this Bill for consideration. When the other Bill comes, which, according to the hon. Home Minister will be published in the Gazette at the end of this month or in the beginning of October, it will be before us in December. This Bill may be adjourned till such time as the other Bill comes up. After seeing that Bill, if that is good, what is the use of going on with this Bill? She may be ready to withdraw this Bill if that Bill is satisfactory. If that Bill is not satisfactory, she may like to go on with this Bill.

Mr. Chairman: Then, let somebody make such a motion.

Pandit Thakur Das Bhargava: I make this motion:

"That this Bill be adjourned till December, till the other Bill is introduced in this House."

An Hon. Member: No date.

Mr. Chairman: The question is:

"That the consideration of this matter be adjourned, *sine die*" or what shall we say?

Pandit Thakur Das Bhargava: "Adjourned."

Shrimati Renu Chakravartty: Till the consideration of the new Bill which is to be introduced.

Mr. Chairman: It will be in its own usual terms. The question is:

"That the debate be adjourned."

The motion was adopted.

Mr. Chairman: Consideration of this Bill is adjourned.

BUSINESS OF THE HOUSE

Mr. Chairman: Before we adjourn or take up some other matter, I have to make an announcement regarding the business to be taken up on Monday, the 6th September, 1954.

On Monday, before the further consideration clause by clause of the Special Marriage Bill is resumed, two Government Resolutions regarding increase of export duty on rice and levy of export duty on groundnut oil will be taken up. These Notifications were laid on the Table of the Lok Sabha on the 26th August, 1954 and under the Indian Tariff Act, 1934, they are required to be approved by the Lok Sabha within 15 days of laying i.e., before the 9th September, 1954.

On Monday, this business will be taken up first.

Mr. Chairman: Now, the next item is: **Shrimati Renu Chakravartty** to move that the Bill to provide for restraining the taking or giving of dowry in connection with marriages and for matters incidental thereto be taken into consideration.

With regard to this Bill also, if I remember aright, there was a Bill almost similar to it, if not identical, which was, I think, moved by the hon. Member, **Shrimati Uma Nehru**. I have got the details here. The **Dowry Restraint Bill** by **Shrimati Uma Nehru** was introduced on the 16th July, 1952.

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The motion for consideration was moved on the 28th August, 1953 and 11th September, 1953. The Bill was withdrawn by leave of the House on 27th November, 1953 on an assurance given by the Government to introduce a Bill on the same subject. I think very recently we had discussed the whole of this subject, and I do not know.....

Shrimati Renu Chakravartty (Basirhat): May I just say a few words? I do not want to take up too much time. I do know that this Bill has been before us, we have already discussed it, we have also withdrawn it on the assurance of Government, but even today we have not got the draft Bill. We do not know when it is coming. And why I press it is, when we have gone about in the country trying to mobilise opinion for the new Marriage Bills, the biggest support we have received is for this Restraint of Dowry Bill. There have been many who have raised many doubts about the clauses of the marriage bills, but every person has told us: "The first thing you must do is to pass this Dowry Bill." And as you know, petitions have come to Parliament signed by twelve, thirteen thousand persons. They have said: "If the Government does not bring in their Bill, you must press your Bill." That is what they have told us, and therefore I bring it before the House, because I want to know exactly when the Government is bringing its Bill.

The second point is, when we are discussing this women's right to inherit property, many have told us, even women have told us: "The father has to pay dowry in the first instance, and again he is called upon to give part of the inheritance. We do not want any dowry. That is the biggest demand of the day." So, I think it is very important we should introduce this Dowry Restraint Bill first. As soon as you bring the question of inheritance, there will be a hullabaloo throughout the country. So, I want to know the specific date by which Government expect to introduce their Bill.

Mr. Chairman: I will just try to ascertain from the hon. Law Minister about the position of this Bill, because we need not spend the time of the House on the same subject.

The Minister of Law and Minority Affairs (Shri Biswas): I have already stated to my hon. friend that the draft Bill is before me. It is only I who have not been able to examine all the clauses. Some of the clauses do not satisfy me. This is under examination, and I expect to introduce the Bill towards the end of this session.

Mr. Chairman: The hon. Member does not move it?

Shrimati Renu Chakravartty: No, I do not.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

Pandit Thakur Das Bhargava (Gurgaon): I beg to move:

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946, be taken into consideration."

Mr. Chairman: The motion is:

"That the Bill....."

Pandit Thakur Das Bhargava: Before you place it before the House, may I just be allowed to say a word or two?

The Minister of Commerce (Shri Karmarkar): You have already said them.

Pandit Thakur Das Bhargava: have not made a speech. I may be allowed to say something. This Bill seeks to amend section 7 and section 9 of the Essential Supplies (Temporary Powers) Act, 1946, and in regard to section 7, only a small portion of sub-section (1).

In regard to this section 7, I will call the attention of the House to the fact that this section prescribes penalties for various kinds of offences. Now, in regard to textiles, the words are:

"If any person contravenes any order under section 3 relating to cotton textiles, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine;"

I have no objection in regard to that. Further, on, the words are:

"and property in respect of which the order has been contravened or such part thereof as to the Court may seem fit shall be forfeited to the Government".

These are the words which I want may be to a certain extent modified, and the modification which I seek is given in the Act itself. In regard to foodstuffs, the corresponding provision is this:

"any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government....."

These are the words which I want to be used in relation to section 7(1). These words appear in section 7 (2). The words are these:

".....unless for reasons to be recorded the court is of opinion that it is not necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property:"

I want that these three lines which appear in section 7 (2) in relation to foodstuffs may also be made applicable to penalties given under section 7(1) in regard to cotton textiles.

Now, as the House has observed, in regard to cotton textiles there is absolutely no discretion given to the Court. The court has perforce to forfeit the property in respect of which the contravention has taken place, though the property may not belong to the accused at all. The property may belong to "A". "B" may be in the dock, and the contravention may have taken place in regard to the property of "A", and yet the property has to be forfeited.

In regard to section 7 (2) relating to foodstuffs the law is: the offence may have been committed in respect of a certain foodstuff, yet the discretion has been given to the Court, i.e., the Court may forfeit, or, if there are good reasons, they may not forfeit. In regard to other things, things other than cotton textiles and foodstuffs, the rule is given in section 7 (3) which reads thus:

"If any person contravenes any order under section 3 relating to any essential commodity other than cotton textiles and foodstuffs, he shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both, and if the order so provides, any property in respect of which the Court is satisfied that the order has been contravened may be forfeited to the Government."

So, in regard to all other things except cotton textiles and foodstuffs, unless the original order provides that the court is armed with these powers, the court cannot forfeit, whereas in regard to foodstuffs it has got a discretion to forfeit; in regard to cotton textiles there is absolutely no discretion whatsoever.

Now, the first part of the Bill is directed to amend section 7 so that the provisions which now apply in the case of foodstuffs may also be made applicable to cotton textiles.

Now, why I have given notice of this amendment is, I myself came across a case in which it was held by the courts that the owner of the property was absolutely innocent and ordinarily, unless this provision was there, the court would not have forfeited anything. This was a judicial pronouncement. The court was of the opinion that the owner was innocent and yet the court

had perforce to forfeit the property of the innocent person.

In article 19 of the Constitution we know that we have recognised private property and the owner has a right to dispose of the same. When the court itself comes to the conclusion that the owner whose property is going to be confiscated is innocent, there is absolutely no reason why such property should be forfeited.

Now, if we go to the other provisions of the Act, it will appear that the Act itself has recognised this principle. In section 7A we find in regard to animals, vehicles etc., there is a provision, and it runs thus:

"Provided that no Court trying an offence under this Act shall declare any such package, covering, or receptacle or any such animal, vehicle, vessel or other conveyance forfeited to Government, unless it is proved that the owner thereof knew that the offence was being, or was to be or was likely to be, committed."

It is clear that in respect of all these things you have got this law which recognises the principle that the person will only be put to some injury if he has done something wrong. Then, where is the necessity for having any law in which an innocent person can be put to this loss?

As a matter of fact, this law was enacted in 1946 when the conditions in India as we know.....

Mr. Chairman: I think the hon. Member will take some time.

Pandit Thakur Das Bhargava: Certainly.

Mr. Chairman: The House will now adjourn till 8-15 A.M. on Monday.

The Lok Sabha then adjourned till a Quarter Past Eight of the Clock on Monday the 6th September, 1954.