

Third Series, No. 24

Thursday, December 19, 1963
Agrahayana 28, 1885 (Saka)

LOK SABHA DEBATES

**Sixth Session
(Third Lok Sabha)**



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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N.B.—The sign † marked above the name of a member on Questions, which were orally answered indicate that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Thursday, December 19, 1963/
Agrahayana 28, 1885 (Saka)

The Lok Sabha met at Eleven
of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Relief to Pensioners

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- *657. { Shri Pratap Singh:
Shri S. M. Banerjee:
Shri Balkrishna Wasnik:
Shri Maheswar Naik:
Shri P. C. Borooah:
Shri P. R. Chakraverti:
Shri Rameshwar Tantia:
Shrimati Renuka Barkataki:
Shri Mohan Swarup:
Shri Virbhadra Singh:

Will the Minister of Finance be pleased to state:

(a) whether Government have now taken any decision to give some financial relief to the Government pensioners; and

(b) if so, the nature of relief to be given?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). Yes, Sir. A copy of the orders is laid on the Table of the House. [Placed in Library. See No. LT-2187/63].

Shri Pratap Singh: Will the hon. Finance Minister be pleased to state whether these concessions are also equally enforceable to the pensioners of the erstwhile Part C States Forces like Madhya Pradesh, Vindhya Pradesh, Himachal Pradesh, Manipur and Tripura?

Shri T. T. Krishnamachari: This will apply entirely to Central Government servants. The question of application to pensioners of erstwhile Part C States will have to be considered.

Shri D. C. Sharma: May I know if the Finance Minister has written to the State Governments also that they should also make changes in accordance with the changes made for Central Government servants, so far as their pensioners are concerned:

Shri T. T. Krishnamachari: I have no *locus standi* in the matter. But I can discuss it with the Finance Ministers and Chief Ministers when the opportunity arises. Social security is one of the items for discussion and the Finance Ministers are asked to apply their minds to it. But I have no powers really to ask them to do anything.

श्री यशपाल सिंह : पेन्शनरों को जो चार चार, पांच पांच महीने बाद पेन्शन मिलती है और टाइम पर पेमेंट नहीं होती है, उसके लिए सरकार क्या कर रही है ?

अध्यक्ष महोदय : यह तो दूसरा सवाल है ।

Shrimati Savitri Nigam: May I know whether the Finance Ministry has also approved of the scheme submitted by the Health Ministry to give the benefit of the Contributory Health Service Scheme to the pensioners?

Shri T. T. Krishnamachari: I cannot recollect at what stage that scheme is. I think it is better for the hon. Member to ask the Health Minister about it.

Shifting of Offices from Delhi

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*658. { Shri Vishram Prasad:
Shri R. G. Dubey:

Will the Minister of Works, Housing and Rehabilitation be pleased to refer to the reply given to Starred Question No. 758 on the 19th September, 1963 and state the further progress since made in the matter of shifting the Government offices from Delhi to some other places?

The Deputy Minister in the Ministry of Works, Housing and Rehabilitation (Shri P. S. Naskar): No further progress has been made in the matter.

Shri Vishram Prasad: May I know whether the Government is thinking of shifting some offices out of Delhi, considering the pressure of population and the high standard of living in Delhi?

Shri R. S. Naskar: It is always in the mind of the Government....

Mr. Speaker: This question has been asked so many times and answered so many times.

Shri Daji: We have also asked the question many times and the same reply has been given many times. We want to know at what stage the matter is and why is the matter not being finalised? What is the difficulty?

Shri P. S. Naskar: The same reply has not been given. Government is earnestly trying to shift some offices which can function well outside Delhi. Last year we decided to shift 20 offices. So far 7 offices have been shifted. The other 13 offices are yet to be shifted. One main difficulty is to find suitable accommodation in places where we want to shift the offices. But every effort is made to shift them.

Shri Kapur Singh: May I know whether the desirability of holding at least one session of Parliament every year in the south has been examined?

Mr. Speaker: It is not about offices; it is a different question.

Shri Bhagwat Jha Azad: From the reply it appears that Government is still continuing with the decision to shift offices. But no progress has been made in the last so many months. May I know what are the reasons why progress has not been made?

Mr. Speaker: He said non-availability of accommodation where they want to shift.

Shri Inder J. Malhotra: May I know how much time Government would take to finally decide this matter?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): The main question is to find suitable accommodation. We are working from two ends, firstly to build suitable accommodation in Delhi and also to find suitable accommodation outside. During the last one year we have sanctioned about 25 lakhs square feet of office accommodation.

Premium Prize Bonds

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*659. { Shri Yashpal Singh:
Shri Bishanchander Seth:

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 383 on the 17th August 1963 and state whether the proposal regarding replacement of the existing Premium Prize Bonds by another scheme has since been finalised?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): Yes, Sir. A copy of the Notification, dated 16th December, 1963 announcing the introduction of the new Premium Prize Bonds Scheme with effect from the 1st January 1964 is placed on the Table. [Placed in Library. See No. LT-2188-63].

श्री यशपाल सिंह : क्या उड़ीसा और प्रांथ प्रदेश की तरह से यहां भी लाटरी का कोई सिस्टम शुरू करने का खयाल है ?

श्रीमती तारकेश्वरी सिन्हा : जी नहीं । जो प्राइज बांड्स की स्कीम है, सिर्फ वही

स्कीम है। उसके अलावा कोई और स्कीम नहीं है।

अध्यक्ष महोदय : क्या माननीय सदस्य लाटरी के हक में हैं ?

श्री यशपाल सिंह : जी नहीं। मैं उसके हक में नहीं हूँ।

अध्यक्ष महोदय : तो फिर माननीय सदस्य उसके बारे में पूछते क्यों हैं ?

श्री यशपाल सिंह : पहले प्राइज बांड्स और इन प्राइज बांड्स में कितना फर्क है ? पहले कितनी तादाद रही है और अब कितनी तादाद है ?

श्रीमती तारकेश्वरी सिन्हा : तादाद तो प्राइज बांड्स के बिकने पर मालूम होती है। पहले के प्राइज बांड्स और इनमें फर्क इतना ही है कि पहले प्राइज बांड्स (सौ रुपये वाले और पांच रुपये वाले) का जब भी ड्रा होता था, तो उनका भी ड्रा होता था। जो नये बांड्स निकाले गये हैं, उन का ड्रा साल में सिर्फ दो बार हुआ करेगा। मान लीजिये, १९६३ में हम ने बांड्स निकाले, तो उनकी गिनती दो बार १९६४ में होगी और अगर उनमें इनाम निकल सकेंगे, तो इनाम दिये जायेंगे। १९६५ में नये बांड्स की गिनती होगी इनामों के लिए। एक फर्क यह भी है कि जो पुराने बांड्स थे, उन पर कोई सूद नहीं मिलता था, जब कि नये बांड्स पर बराबर दो प्रतिशत का सूद भी मिलेगा।

राजघाट समाधि

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*६६०. { श्री प्रकाशचौर शास्त्री :
श्री रामरतन गुप्त :
श्री बसुमतारी :

इया निर्माण, आवास तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) राजघाट पर महात्मा गांधी की समाधि के निर्माण में इस बीच और क्या

प्रगति हुई है और इस काम के कब तक पूरा हो जाने की संभावना है;

(ख) क्या यह सच है कि समाधी के मध्य में उत्कीर्ण शब्द "हे राम" वहाँ से हटा दिये गये हैं और उनको अब समाधि के नीचे के भाग की ओर उत्कीर्ण कर दिया गया है; और

(ग) यदि हाँ, तो इसके क्या कारण हैं ?

निर्माण, आवास तथा पुनर्वास मंत्रालय में उपमंत्री (श्री पू० शे० नास्कर) : (क) मुख्य समाधि पर, जिसमें आंगन, संगमरमर की आड़ और चारों ओर बनी मिट्टी की मेंड सम्मिलित है, काम पूरा हो चुका है। ग्राम पास की भूमि को बगीच, बनावटी नहरें इत्यादि बना कर विकसित करने का काम इस समय चल रहा है और आशा है कि वह मार्च १९६५ तक पूरा हो जायेगा।

(ख) और (ग). महात्मा गांधी की समाधि को फिर से संवारने में उस पत्थर की शिला की जगह, जिस पर "हे राम" खुदा हुआ था, एक काले ग्रैनाइट की शिला लगाई जानी थी, जिस पर वे ही शब्द प्रविकारी इस्पात (स्टेनलेस स्टील) के प्रक्षरों लगाये जाने थे। उम्मी के अनुसार "हे राम" ये प्रक्षर ग्रैनाइट शिला के खड़े हुए पार्श्व में और ऊपर की ओर भी जड़ दिये गये हैं।

[(a) Work has been completed on the main Samadhi including the courtyard, the marble barriers and the surrounding earthen mound. The development of the land around with gardens, artificial canals, etc., is in progress and is expected to be completed by March, 1965.

(b) and (c). The redevelopment of Mahatma Gandhi's Samadhi involved replacement of the stone slab with the inscription "हे राम" by a black granite with the same text in stainless

steel lettering. The letters "हे राम" have, accordingly, been fixed on the vertical side of the granite as well as on its top.]

श्री प्रकाशबीर शास्त्री : जब यह समाधि तैयार हुई थी, तो उस समय "हे राम", जो कि गांधी जी के अन्तिम शब्द थे, उनके हृदय-प्रदेश पर, अर्थात्, समाधि के ऊपर लिखे हुए थे। लेकिन बीच में इस प्रकार की बात उठाई गई कि "हे राम" लिखने से साम्प्रदायिकता की बू आती है, जिस के कारण कुछ लोगों को समाधि पर फूल-माला चढ़ाने में कष्ट होता है और इस आधार पर उन शब्दों को बिल्कुल हटा दिया गया। बाद में जनमत के प्रभाव से वे शब्द फिर लिख दिये गये, परन्तु वे हृदय-प्रदेश पर न लिखे जा कर चरणों पर लिखे गये, जब कि उनको हृदय-प्रदेश पर, अर्थात्, समाधि के ऊपर, लिखा जाना चाहिए था। मैं यह जानना चाहता हूँ कि क्या सरकार उन शब्दों को उसी जगह पर, अर्थात्, समाधि के ऊपर, हृदय-प्रदेश पर, लिखने का विचार कर रही है, यदि हाँ तो कब तक।

निर्माण, आवास तथा पुनर्वास मंत्री (श्री मेहरचन्द खन्ना) : यह दुस्त है कि शब्द "हे राम" वैसे ही लिखे हुए थे, जैसे कि माननीय सदस्य ने कहा है। फिर हमें यह सूचना दी गई कि जहाँ लोग सामने आते हैं और चरणों पर फूल चढ़ाते हैं, वहाँ भी "हे राम" लिखा जाय। इसलिए हमने दोनों जगह, ऊपर भी और सामने भी, "हे राम" लिखा है।

श्री प्रकाशबीर शास्त्री : "हे राम" पहले गांधी जी के हृदय-प्रदेश पर ही था। अब जो समाधि है, उस पर ये शब्द केवल चरणों में हैं।

अध्यक्ष महोदय : वह कहते हैं कि दोनों जगह पर हैं।

श्री प्रकाशबीर शास्त्री : इस समाधि पर सरकार ने कुल कितना राया व्यय करने का निश्चय किया है और उसमें से अब तक

कितना व्यय हो चुका है और शेष कितना व्यय होना बाकी है ?

Shri P. S. Naskar : This Samadhi Project has been phased out into two. The first phase costs about Rs. 37 lakhs and the second one costs about Rs. 50 lakhs.

Mr. Speaker : What has been spent up till now?

Shri P. S. Naskar : We have worked only on the first phase and more or less it has been completed. I cannot say exactly how much has been spent; the C.P.W.D. has not yet furnished us that figure.

Shri Basumatari : May I know whether there was a committee set up to select the design for the Samadhi; if so, the name of the person who was the Chairman of that Committee and who were the members?

Mr. Speaker : Now we have far advanced that stage.

Shri Basumatari : When there was some dispute over the matter a committee was set up. I want to know the name of the person.

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna) : There is the Rajghat Samadhi Committee. I believe it has been appointed under the direction of the Parliament and there are Members representing both the Houses on that Committee. That Committee goes mostly into all these matters.

Shri Basumatari : I want to know the name of the person.

Shri Mehr Chand Khanna : The Chief Commissioner is the Chairman. Then, I think, we have Shri Shiv Charan Gupta from this House. I do not know the name of the other Member.

Mr. Speaker : I think Shri G. S. Musafir is a member.

Shri Mehr Chand Khanna : I am not sure. There is also a Member from Rajya Sabha. Then there is

Shri Chandiwala and somebody representing the Gandhi Smarak Nidhi. It is a well represented committee.

श्री बृज बिहारी मेहरोत्रा : क्या कोई ऐसा संकेत भी लिखा जायगा कि यह महात्मा गांधी की समाधि है क्योंकि इस तरह की कोई चीज कहीं पर लिखी हुई नहीं है ?

श्री मेहर चन्द खन्ना : इस का नाम तो राजघाट है । यह गांधी समाधि है और हम जो चीज करते हैं, एक आर्किटेक्ट जो बम्बई का है और जिनका बड़ा नाम है, उनके कहने के ऊपर ही हम तमाम चीज कर रहे हैं । जो माननीय सदस्य का सुझाव है यह मैं राजघाट समाधि कमेटी के पास पहुंचा दूंगा। आगे जैसी उनकी सिफारिश होगी, उसको हम करेंगे ।

श्री शिव नारायण : क्या सारा खर्च सरकार ही करती है या गांधी मैमोरियल फंड जो है उसमें से भी रुपया खर्च हो रहा है ?

श्री पू० शे० नास्कर : सारा सरकार का खर्चा है ।

श्री विभूति मिश्र : क्या यह सही है कि "हे राम" जो गांधी जी के वक्ष स्थल पर था उसका लोग बहुत आदर करते थे और अब इन शब्दों को पैरों के पास लिख देने से लोगों को एतराज है; क्या यह अच्छा नहीं होगा कि ये शब्द छाती पर ही लिखे रहें ?

अध्यक्ष महोदय : इसका जवाब दे दिया गया है ।

श्री विभूति मिश्र : पैरों के पास अब ये शब्द लिखे हुए हैं और लोग इसका विरोध करते हैं । मैं चाहता हूँ कि वक्षस्थल पर ही "हे राम" शब्द रहें ।

अध्यक्ष महोदय : वह चाहते हैं कि यहां पर ये न रहें । सरकार इस पर भी गौर कर ले ।

श्री गुलशन : महात्मा गांधी पोलिटिकल विचारधारा के साथ साथ ईश्वर के भी

उपासक थे । हम यह चाहते हैं कि उनकी समाधि के ऊपर कोई प्रार्थना करने के लिए पार्टी रखी जाए । मैं जानना चाहता हूँ कि ऐसी पार्टी रखने का सुझाव भी क्या सरकार के विचाराधीन है ?

अध्यक्ष महोदय : यह नई सजेशन है । मिनिस्टर साहब इस पर भी विचार कर लें ।

श्री श्रींकार लाल बेरवा : गांधी स्मारक निधि के पास अब तक कितना रुपया इकट्ठा हुआ है और उसमें से इस काम के लिए कितना रुपया लगाया गया है ?

Shri P. S. Naskar: As I said earlier, all that expenditure.....

Mr. Speaker: What is the collection?

Shri P. S. Naskar: That I cannot say. All the expenditure so far has been met by the Government.

श्री गुलशन : मेरे सवाल का जवाब नहीं मिला है ।

अध्यक्ष महोदय : मैंने कहा है कि न दें ।

Premium Rates

*661. { Dr. L. M. Singhvi:
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Shri M. G. Thengondar:

Will the Minister of Finance be pleased to state:

(a) whether Government have reviewed or propose to review the premium rates for life insurance in this country according to actuarial considerations; and

(b) whether any detailed actuarial studies have been made with a view to considering the possibility of reducing premium rates?

The Minister of Planning (Shri B. B. Bhagat): (a) and (b). A detailed investigation of the mortality experience of assured lives for the years 1961 to 64 has been undertaken by the Life

Insurance Corporation. The question of reviewing the premium rates can be considered only after the results of this investigation are available.

Dr. L. M. Singhvi: May I know whether the LIC are in a position to concede that the life expectancy has increased and as a consequence of that and on actuarial consideration the premium rate should be reduced if it is shown that the experience in terms of mortality has been favourable?

Shri B. R. Bhagat: This is precisely on what the actuarial work is going on. There are other considerations also. They will take a decision taking into consideration all these favourable and unfavourable considerations.

Dr. L. M. Singhvi: May I know by when this consideration would be completed and the House informed about the results of this consideration?

Shri B. R. Bhagat: It will take some time. They have not indicated any date.

Shri Sham Lal Saraf: Apart from the rise in the span of life, may I know what other considerations are there?

Shri B. R. Bhagat: There are factors like rise in the cost, wages, salaries and other things.

Sterilisation of Leper Patients and Lunatics

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*662. { **Shrimati Savitri Nigam:**
Shri Yashpal Singh:

Will the Minister of Health be pleased to state:

(a) whether Government propose to start intensive programmes of sterilisation amongst the leprosy patients, lunatics and others suffering from incurable diseases; and

(b) if so, the particulars thereof?

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): (a) and (b). No separate sterilisation

programme for those suffering from leprosy and other incurable diseases and lunatics is proposed to be started.

The Government of India have emphasised the need for facilities for voluntary sterilisation of persons including those suffering from leprosy, T.B. and mental diseases etc. The State Governments have also been requested that facilities to persons suffering from these diseases may be extended by detailing a mobile family planning clinic which could visit the institutions meant for those patients.

Shrimati Savitri Nigam: May I know whether the hon. Minister is aware that unless the children of these people are segregated completely the newly born babies are bound to get infection; if so, what action the Government is taking to either segregate them or to make sterilisation compulsory for the people who are affected by this disease?

The Minister of Health (Dr. Sushila Nayar): No action of the nature mentioned by the hon. Member is contemplated for the simple reason that in India the children do not come in contact merely with the mother or the father but other members of the family like grandmother, aunts, uncles and others also come in contact with the children quite intimately. Therefore, the suggestion given by the hon. Member is not going to help. Secondly, it is also a fact that leprosy is not an incurable disease any more. If we make it compulsory for anyone getting leprosy to be sterilised, it is likely to induce people to hide the disease rather than take treatment. Also, when we do not sterilise people suffering from tuberculosis etc. there is no reason why there should be compulsory sterilisation for people suffering from this disease.

Shrimati Savitri Nigam: May I know if the hon. Minister has got any information as to in how many countries this compulsory sterilisation is prevalent.

Dr. Sushila Nayar: Well, there are not too many countries where leprosy is prevalent at the present time. As such, the question of gathering this information is not of so much importance. I do not have this information at this moment.

श्री विभूति मिश्र : क्या मंत्री महोदय को पता है कि जो आदमी कोढ़ी है, उसके बाल बच्चे जो उसके साथ रहते हैं, उनको भी कोढ़ हो जाता है; वे अलग रहें, इसका क्या इंतजाम सोचा जा रहा है ?

डा० सुशीला नायर : अगर दवाई दे देते हैं जिसको कुष्ठ रोग है, उस मरीज को और उसके बच्चे को भी तो उसका बहुत अच्छा प्राफलैक्टिक, प्रिवेंटिव असर होता है। बीमारी बच्चे को नहीं होती है।

श्री यशपाल सिंह : सरकार ने क्या गौर किया है कि अगर ऐसा रूल बना दिया जाए कि जब तक कम्प्लीट हैल्थ का सर्टिफिकेट डाक्टर न दे दे तब तक किसी को मॅरेज की इजाजत न दी जाए तो फिर स्टैरेलाइजेशन की जरूरत ही न रहे जवाब नहीं मिला है। उन के लिए अगर यह चीज लाजिमी कर दी जायगी तो स्टैरेलाइजेशन की जरूरत ही नहीं रहेगी।

अध्यक्ष महोदय : बहुत अच्छा सजेशन है। उन तक यह पहुंच गया है और वे गौर कर लेंगे।

श्री रामसेवक यादव : यह कोढ़ के बीमार हिन्दुस्तान के किस राज्य में सब से अधिक हैं और उस राज्य के किस इलाके में ?

डा० सुशीला नायर : करीब २४-२५ लाख कुष्ठ रोगी इस देश में हैं। उनमें से कोई आधे दो राज्यों में, मद्रास और आंध्र प्रदेश में हैं, ऐसा अंदाजा लगाया जाता है।

Shri Kapur Singh: The House has been told about the facilities which the Government provide for voluntary sterilisation. May I ask whether the

Government have acquainted themselves with the psychological side effects of sterilisation as they have emerged from the studies into the implementation of the Nuremburg laws in Nazi Germany?

Dr. Sushila Nayar: I am sorry I did not hear the latter part of the question.

Mr. Speaker: The results achieved by the study made into the implementation of the Nuremburg laws in Nazi Germany.

Dr. Sushila Nayar: Quite a number of studies have been carried on in India among the sterilised persons and in 98 per cent. of the cases there are no bad effects of any kind. One or two per cent of the people have made some complaint but it is considered that they are not directly the result of sterilisation operation.

Shri Kapur Singh: My question has not been understood or answered. It has been evaded. Have the Government acquainted themselves with the studies that have been made into the implementation of the sterilisation laws enacted at Nuremburg during the Nazi regime in Germany?

Dr. Sushila Nayar: I do not know what the Nuremburg has got to do with the present question. I am afraid, I do not know much about it.

श्री प० ला० बारूपाल : क्या स्वास्थ्य मंत्रालय के ध्यान में यह बात आई है, और आई है तो कहां तक सत्य है, कि राजस्थान के रोणीचा गांव में रामदेव नाम के एक सिद्ध पुरुष हुए हैं, और वहां पर एक पानी की बावड़ी है, वहां पर हजारों रोगी लोग जाते हैं और स्नान कर के उन सिद्ध पुरुष की दृढ़ आराधना करते हैं जिससे उनका कुष्ठ रोग ठीक हो जाता है ?

अध्यक्ष महोदय : वहां कुष्ठ रोगियों का एक मेला हर साल क्यों नहीं करते ?

श्री प० ला० बारूपाल : करते हैं ।

अध्यक्ष महोदय : वह मेला आप शुरू कर दें तो सब लोग चले जाया करेंगे ।

श्री प० ला० बारूपाल : मेरा मतलब है कि वहां बहुत से लोग जाते हैं ।

अध्यक्ष महोदय : आप उस को और पापुलर कीजिये ।

Purchase of Generating Sets

*663. { Shrimati Savitri Nigam:
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Shri P. C. Borooah:

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

(a) whether, in order to effect economy, Government are making a bulk purchase of generating sets for five power projects from the International General Electric Company;

(b) if so, the concession secured in this way and the total resultant economy from this step; and

(c) the number of sets being purchased and for which projects?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes, Sir.

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

STATEMENT

(b) A reduction to the extent of about 25 per cent over one unit price for these International General Electric Sets has been obtained by ordering 14 sets of 62.5 MW at a time. The total cost of 14 sets is about Rs. 781.3 lacs F.A.S., New York. The total resultant saving is estimated at Rs. 180 lakhs. The delivery periods also were reduced.

(c) Fourteen generating sets each of 62.5 MW capacity are being purchased for the following projects:—

- | | | |
|-------------|-----------|---------------------------|
| (1) Paras | . 1 unit | Under U.S. Exim Credit |
| (2) Talcher | . 4 units | Under D.L.F. Loan No. 190 |

(2) Delhi	. 3 units	Under A.I.D. Loan No. 50.
(4) Satpura	5 units	Under A.I.D. Loan No. 77
(5) Ramagundam	1 unit	Under A.I.D. Loan No. 49
TOTAL		14 units

Shrimati Savitri Nigam: May I know how many East European countries have offered to sell these sets to India?

Dr. K. L. Rao: In this particular case the aid comes from the A.I.D. It is an American loan. Therefore, the purchase has to be made only from the United States of America.

Shrimati Savitri Nigam: May I know whether any offers have come from the East European countries to sell these sets in rupee payment.

Dr. K. L. Rao: That is what I am saying. In this particular case, the purchase has to be made only from the United States of America. There is no question of purchasing from other places. In other cases, we are also buying from the other countries.

माताटीला परियोजना

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*६६४. { श्री म० ला० द्विवेदी
श्री स० चं० सामन्त :
श्री ब० कु० दास :
श्री स० भो० बनर्जी :

क्या सिंचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या माताटीला बिजलीघर का निर्माण-कार्य अभी भी आरम्भिक अवस्था में है जबकि इसको कई वर्षों से बनाया जा रहा है ;

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

(ग) माताटीला विद्युत् परियोजना कब तक पूरी हो जायेगी ?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) to (c). Matatila Power Project was sanctioned in 1958. Ordering the power plant had to be deferred on account of non-availability of foreign exchange till 1960. Orders were placed in March 1961 for three turbo-alternators required with auxiliary equipment and 90 per cent. of the equipment has been received. There was some delay in the construction of the power house building and consequently the installation of generators has been delayed. Efforts are being made by the State Government to make up the lost time. The erection of the machine will start in August 1964 and the first machine is expected to be commissioned and commercially operated by December, 1964.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि जब बुंदेलखण्ड पिछड़ा हुआ इलाका है और आप ने इस बात पर जोर दिया है कि पिछड़े इलाकों का सुधार जल्दी होना चाहिये, तब सेकेन्ड फाइव इयर् प्लैन के कोर में से इस योजना को क्यों हटा दिया गया ?

Mr. Speaker: Why was it excluded from the core of the Second Five Year Plan?

Dr. K. L. Rao: During the Second Five Year Plan, many of the power projects which had not to do anything with steel and other priorities were omitted from the core of the Plan. I am afraid, I will not be able to say further than that.

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि जो १० फी सदी सामान एलेक्ट्रिक प्लैन्ट का अब तक नहीं आया है वह कब तक आ जायेगा और क्या उस की वजह से काम रुका हुआ तो नहीं है ?

Dr. K. L. Rao: 90 per cent. of the equipment connected with Matatila project has been received and the rest will be received within the course of this year. There will be no delay on account of the receipt of the equip-

ment. But the delay is on account of the power house.

श्री बड़े : माताटीला के निर्माण के सम्बन्ध में शुरू में जो लागत रक्खी गई थी क्या उस को बदल कर अब उस की लागत ज्यादा बढ़ा दी गई है ? यदि हाँ तो क्या इस सम्बन्ध में मध्य प्रदेश गवर्नमेंट को कंसल्ट किया गया है ?

Dr. K. L. Rao: The original estimate was Rs. 374 lakhs which has gone upto Rs. 643 lakhs due to the fact that originally they wanted to put up 3 units of 5 MW and now they are putting up units of 10 MW.

Mr. Speaker: Has Madhya Pradesh also been consulted?

Dr. K. L. Rao: There is no participation of Madhya Pradesh in this project.

Shri Vishram Prasad: May I know, after the completion of Matatila project, what will be the actual generation of electricity and what are the provinces which will be benefited by it?

Dr. K. L. Rao: The Matatila project generates 30 MW of power and it is meant essentially for U.P. Recently, there has been some sort of an agreement by which some power may go into Madhya Pradesh. But I am not aware of that.

Shri Bade: On a point of information, Sir . . .

Mr. Speaker: I cannot allow this in between. I have passed two questions.

श्री सरजू पाण्डेय : मैं यह जानना चाहता हूँ कि माताटीला के निर्माण के लिये कितने फारेन एक्सचेन्ज की जरूरत है और उसे कब तक हासिल किया जायेगा ?

Mr. Speaker: What is the foreign exchange involved and when would it be available?

Dr. K. L. Rao: The foreign exchange required for the installation of this has already been given and the units

'have been obtained. That is about Rs. 44 lakhs and the balance foreign exchange required is a very little amount and it will also be released.

Shri J. P. Jyotishi: May I know whether there is any disagreement between the Government of Madhya Pradesh and the Government of Uttar Pradesh regarding the distribution of electricity?

Mr. Speaker: That has also been answered.

Shri Sheo Narain: May I know what was the estimate in 1958 and what is the estimate now?

Mr. Speaker: That has also been answered.

Shri Bade: Sir, there is my request. In the first place, he said that Madhya Pradesh is not considered at all. In another place, he said that Madhya Pradesh is entitled to have some quota of the power. I want to ask whether the Madhya Pradesh has got more power according to his statement?

Mr. Speaker: He has said that Madhya Pradesh was not a participant in that. Now a representation has been made and it would be considered if something can be given to Mr. Bade.

Coal Transport

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- *665. { **Shri M. L. Dwivedi:**
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri B. K. Das:
Shri S. M. Banerjee:
Shri Daji:

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 376 on the 29th August, 1963 and state:

(a) whether the team of foreign consultants has submitted its report about the coal transport problem in India;

(b) if so, the main suggestions made in the report; and

(c) if not, the reasons for delay?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) The team has submitted an interim report.

(b) The main suggestions made in the report are laid on the Table. [Placed in Library. See No. LT-2189/63].

(c) Does not arise.

श्रीमती तारकेश्वरी सिन्हा : मैं इस का हिन्दी में भी उत्तर बतला दूँ क्योंकि प्रश्न केवल अंग्रेजी में था ।

कुछ माननीय सदस्य : जी हाँ ।

श्रीमती तारकेश्वरी सिन्हा : (क) टीम ने एक अन्तरिम रिपोर्ट पेश की है ।

(ख) जो उस के सुझाव हैं वे सभा के पटल पर रखे गये हैं ।

(ग) प्रश्न नहीं उठता ।

श्री म० ला० द्विवेदी : मैं जानना चाहता हूँ कि टीम ने जो सुझाव दिये हैं उन का परिपालन सरकार कब तक कर देगी और कितनी हद तक ?

श्रीमती तारकेश्वरी सिन्हा : जो मौजूदा सुझाव दिये गये हैं वे यह मद्दे नज़र रख कर दिये गये हैं कि उन का प्रतिपालन तुरन्त हो जाय और जिन मंत्रालयों को उन का प्रतिपालन करना है वे इस पर गौर कर रहे हैं और जल्दी से जल्दी उसे पूरा करेंगे । रेलवे मंत्रालय है और जिस मंत्रालय का कोयले से ताल्लुक है वे सब विभाग इस के बारे में तुरन्त कार्रवाई कर रहे हैं ।

अध्यक्ष महोदय : जिस प्रश्न का जवाब सिर्फ इतना हो कि "Statement is laid on the Table of the House" या यह कि "the question does not arise" और हिन्दी में हो कि "विवरण सभा पटल पर रख दिया गया है या यह कि "प्रश्न नहीं उठता" तो उस का दूसरी भाषा में तर्जमा करने की

जरूरत नहीं है। अब माननीय सदस्यों को कोशिश करनी चाहिये कि एक दूसरे की जवान को ज्यादा समझें।

श्री म० ला० द्विवेदी : माननीय मंत्री महोदय ने जो यह कहा कि स्टेटमेंट सदन पटल पर रख दिया गया है उस के सम्बन्ध में मैं कहना चाहता हूँ कि जो कागजात सदन पटल पर रखे गये हैं उन में यह रिपोर्ट नहीं है। इस लिये मैं जानना चाहता हूँ कि इस रिपोर्ट का मुख्य सारांश क्या है और उस के परिणाम-स्वरूप क्या फायदा हुआ ?

श्रीमती तारकेश्वरी सिन्हा : जो स्टेटमेंट मैं ने रखा है उस में जो मुख्य मुद्दा हैं वे दिये हुए हैं।

श्री म० ला० द्विवेदी : उन में नहीं है। जो कागजात बांटे गये हैं उन में मुझे नहीं मिला।

अध्यक्ष महोदय : था या नहीं इस का फैसला हो जायेगा बाद में।

श्री म० ला० द्विवेदी : मेरे प्रश्न का उत्तर तो दे दिया जाय।

श्रीमती तारकेश्वरी सिन्हा : उसे सभा पटल पर रख दिया गया है लेकिन अगर माननीय सदस्य को नहीं मिले हैं और वह कोई जानकारी चाहते हैं तो मैं दे देती हूँ।

अध्यक्ष महोदय : सभा पटल पर जो विवरण रखा गया है उस में क्या यह रिपोर्ट है ?

श्रीमती तारकेश्वरी सिन्हा : जी हां।

श्री म० ला० द्विवेदी : अध्यक्ष महोदय सभा पटल पर जो कागजात रखे जाते हैं वे हमको आधे घंटे पहले मिल जाते हैं। लेकिन इस सवाल के मुतालिक कागजात हमको नहीं मिले हैं इसलिए हम कोई पूरक प्रश्न नहीं पूछ सकते। इसलिए मैं चाहता हूँ कि वह स्टेटमेंट हमको बता दिया जाए। उसको केवल

सभा पटल पर रखने से हम पूरक प्रश्न नहीं पूछ सकते क्योंकि वह हमको नहीं मिला है।

अध्यक्ष महोदय : सभा पटल पर जो कागजात रखे जाते हैं उनकी नक्लें नोटिस आफिस में मिलती हैं।

श्री म० ला० द्विवेदी : नहीं मिलीं।

अध्यक्ष महोदय : मैं इसकी तहकीकात कर लूंगा कि क्यों नहीं मिलीं। लेकिन जो ब्यान दे दिया जा चुका है उस पर बार बार कितने सवाल दुहराता चला जाऊँ।

Shri Daji : What steps have been taken to ensure that the default of the railways, which has been pointed out as one of the major factors contributing to the bottle-necks in coal transport, is remedied in a very short time and the bottle-neck is removed?

The Minister of Finance (Shri T. T. Krishnamachari) : I am afraid that the question has an implication that there is default on the part of the railways. It is not conceded.

Mr. Speaker : Shri Bhagwat Jha Azad.

Shri Daji : I seek your protection, Sir.....

Mr. Speaker : Order, order. I have called Shri Bhagwat Jha Azad now.

श्री भगवत झा आज़ाद : क्या इस अन्तरिम रिपोर्ट के अलावा ऐसा भी कोई संकेत उन्होंने किया है कि वे कब तक अन्तिम रिपोर्ट देने में समर्थ हो सकेंगे ?

श्रीमती तारकेश्वरी सिन्हा : अनुमान है कि मार्च/अप्रैल सन् १९६४ तक यह रिपोर्ट पेश हो जाएगी।

Shri Daji : My submission is that the hon. Minister has taken shelter behind the use of the term 'default'. But, as far as we learn, one of the causes pointed out by the team is—we may not use the word 'default', but we may use the word 'shortage'

—shortage of railway wagons and rolling-stock; that has been said to be one of the premier reasons for bottle-neck in coal transport. Could the hon. Minister enlighten us as to the immediate steps that are being taken to ensure that this bottle-neck is removed? The hon. Minister has taken exception to the use of the word 'default' and he says that there is no default. Let him answer at least this question.

Mr. Speaker: The hon. Member had used the word 'default'. The answer is that there is no default and the presumption of the hon. Member is wrong. Now, he has modified the question and says that if there is no default then there may be shortage. That would be a fresh question altogether.

श्री शिव नारायण : मैं यह जानना चाहता हूँ कि इस कंसल्टेटिव कमे कौन से मेम्बर हैं और उन के मुख्य मुद्दाव क्या हैं ?

श्रीमती तारकेश्वरी सिन्हा : जो मुख्य मुख्य मुद्दाव थे वे स्टेटमेंट में दे दिए गए हैं । जिस स्टीयरिंग कमेटी ने इसके बारे में कुछ कार्रवाई की है उसके दो मेम्बर हैं । उस कार्रवाई के बाद रिपोर्ट लिखने के लिए कंसल्टेटिव कमेटी को दे दी गयी जो कि इस काम में एक्सपर्ट हैं । स्टीयरिंग कमेटी के एक मेम्बर हैं श्री जी० एल० बंसल, सेक्रेटरी जनरल इंडियन चेम्बर आफ कमर्स, और दूसरे हैं श्री एडवर्ड मेसन, हारवर्ड यूनीवर्सिटी के ।

Anti-Fraud Squad

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6.7 **Shrimati Savitri Nigam:**
Shri Maheswar Naik:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government are contemplating the setting up of a high-power anti-fraud squad to

check and penalise economic offences in the Corporate Sector; and

(b) if so, when the proposal is likely to be put into effect?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b) The question of widening the scope of work of the enforcement staff under the Ministry of Finance and of strengthening that staff to cope with the increased work is under consideration. It is however not possible to state precisely when the reorganised arrangement will be given effect to.

Shrimati Savitri Nigam: May I know the names of the members of this committee which is going to give its final decisions?

Shri B. R. Bhagat: It is done by the Department, by the officers concerned, and finally, the Finance Minister will take a decision on this.

Shrimati Savitri Nigam: May I know in what way this committee is intended to strengthen this whole unit, and in what way it is going to make it more and more effective?

Shri B. R. Bhagat: This is being done by the Ministry. There is no committee.

Shri Kapur Singh: May I know whether Government have made a proper examination of the merits and demerits of the question of in-built checks versus exterior controls, and if so, whether they will give a second look to this innovation of squad inspections of Government offices?

The Minister of Finance (Shri T. T. Krishnamachari): I could not catch the question.

Mr. Speaker: I could not understand it. I must confess that.

Shri Kapur Singh: I am very sorry. I shall try to make myself clearer. Have Government examined whether in administration in-built checks are more effective or sporadic exterior controls are more effective, and if they have, will they give a second look to this innovation of outsider squads swooping on offices? Is the question clear now?

Shri T. T. Krishnamachari: As I said, I share with the Chair the difficulty in precisely understanding the import of the question. The idea really is to have an organisation which will be in-built into the revenue structure. But in regard to its operations, it would certainly come under the disciplinary jurisdiction of an overall organisation which will be outside the Ministry.

Mr. Speaker: Though I must give the hon. Member credit for his intelligence, intellect and learning etc., I would request all hon. Members to use such language as might be intelligible to most of us.

Shri Kapur Singh: I apologise for my obtuseness. But the question that I have asked is fundamental.

Mr. Speaker: I do not doubt that. I am giving him credit for that.

Shri A. P. Jain: You are giving him credit and not to others. That is discrimination.

Mr. Speaker: I had only to compare my own intelligence and not that of others.

Shri Daji: May I know whether the reorganised scheme will take some time to come into effect, and may I also know the broad details of the reorganisation scheme and how it differs from the present system?

Shri T. T. Krishnamachari: We are still in the stage of thinking about it. We have not yet reached a finalisation stage. When we do so, we shall be happy to inform the hon. Member and the House.

Shri S. N. Chaturvedi: May I know whether this organisation is intended to be an intelligence or investigating agency or both?

Shri T. T. Krishnamachari: All this will be premature at the present moment. The organisation available in the various departments in the revenue section of my Ministry is not

adequate, both in regard to investigation and also in regard to the processing of that investigation. We are trying to remove the defect, and as I have said, the complete picture is not before us yet?

Shri Bhagwat Jha Azad: Till this reorganisation scheme comes into operation how do Government propose to deal with the economic offences which are on the increase in the country?

Shri T. T. Krishnamachari: The existing organisations will do it. So far as the Excise Department is concerned, they do some work and there is the Special Police Establishment in the Home Ministry which is also supposed to assist us.

श्री रामेश्वरानन्द : पहले की अपेक्षा सारे देश में और सारे सरकारी विभागों में अधिक भ्रष्टाचार फैल रहा है जिसको रोकने का सरकार यत्न करती है। मैं जानना चाहता हूँ कि इसका क्या कारण है ?

अध्यक्ष महोदय : इसकी बहस हम अलाहिदा से करेंगे ।

Non-Project Loans

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*668. { **Shri D. C. Sharma:**
Shri Bishanchander Seth:
Shri Dhaon:
Shri B. P. Yadava:
Shri P. C. Borooah:

Will the Minister of Finance be pleased to state:

(a) whether India is likely to get more non-project loans as the principle of non-project loans has been accepted by the World Bank and Members of the Aid India Consortium; and

(b) if so, what are the expectations?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). Out of the

pledges of assistance made in the India Consortium this year (Rs. 501 crores roughly two-fifths (i.e. about Rs. 200 crores) is estimated to accrue in the form of non-project assistance; it is expected that negotiations for loan agreements in this regard will be completed shortly. It is hoped that in future also a substantial proportion of such development assistance that we get will be in non-project form.

Shri D. C. Sharma: May I know whether the Ministry has sent up any inventory of the non-project expenditure, and if so, the nature thereof?

Shrimati Tarkeshwari Sinha: It is very difficult to prepare any inventory of the non-project assistance. The very basis of non-project assistance is to allow flexibility of approach; wherever we need and wherever the requirement of the economic development warrants it, we shall utilise non-project loans. Therefore, what the hon. Member is saying is just contradictory.

Shri D. C. Sharma: Has any assessment been made so far, in spite of the flexibility of approach, and what are those non-project expenditures which are of the highest priority all over India?

Shrimati Tarkeshwari Sinha: So far as the consortium are concerned, their assistance for the Third Plan so far has amount to Rs. 1,206.95 crores during the first 2½ years of the Plan. Of this amount, Rs. 447.16 crores is given or is going to be given for non-project expenditure. We are utilising that assistance in order to supplement some of the project programmes and also to meet our basic requirements of important imports of capital goods and machinery we would like to have.

Shri Tyagi: Will this non-project loan be put in some investments which will pay their own way with interest and so on or will it be consumption expenditure?

The Minister of Finance (Shri T. T. Krishnamachari): Ultimately, it will be an investment. As my colleague

mentioned, this non-project assistance would be in the form of components and in the form of basic materials like copper, nickel and so on, all of which goes into manufacture. They are not really consumed in the sense that we eat them up; it is something which is there, and therefore, adds to the capital structure of the particular unit in which it is used.

Dental Decay

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*671. { **Shri Swell:**
 { **Shri D. C. Sharma:**
 { **Shri Prakash Vir Shastri:**

Will the Minister of Health be pleased to state:

(a) whether it is a fact that dental decay is alarmingly increasing in the country;

(b) the reasons for this increasing decay; and

(c) the steps, if any, taken by Government to combat the decay?

The Deputy Minister in the Ministry of Health (Dr. D. S. Raju): (a) to (c). A statement is laid on the Table of the Sabha.

STATEMENT

(a) No country-wide survey has taken place to determine the incidence of tooth decay in India or its increase. However findings of research carried out in the field of dental Caries and Periodontology, in selected towns and areas under the Indian Council of Medical Research, World Health Organisation and the All India Dental Association, indicate that the incidence of dental caries in all age-group is 60 per cent and of Periodontal diseases it is 97 per cent. The Working Group under the Indian Council of Medical Research for the epidemiological Studies of dental diseases in India is still carrying on Research—one in the North at Amritsar and the second in the South at Trivandrum.

(b) The increase is mainly due to the change in eating habits from hard

to highly milled soft food and neglect of oral and dental hygiene.

(c) About 70 dental clinics were established during the Second Plan. According to information received from 9 State Governments, another 35 are expected to be established by the end of the 3rd Plan. During the Fourth Plan, it is proposed to accelerate the programme for Dental Care.

Shri Swell: I am bewildered and confused by the statement laid on the Table. In the beginning, it says that 'no countrywide survey has taken place to determine the incidence of tooth decay in India or its increase'. In the next paragraph, it is stated, 'The increase is mainly due to the change in the eating habits...'. It does not say whether there has been an increase. But I assume there has been an increase. If there has been an increase in tooth decay in the country and the Minister talks of increasing facilities for dental care, why then do they preclude dental treatment from the facilities extended to MPs and Central Government employees?

The Minister of Health (Dr. Sushila Nayar): The hon. Minister reads the first two lines of the first paragraph and not the lower five or six lines. So he is confused. If he reads the whole of the paragraph, his confusion will disappear.

Secondly, there is no preclusion of dental care. We have dental clinics and we are giving dental care to MPs also. But there are certain things that the hon. Members and everybody else can do for themselves, namely, keeping their teeth clean, which reduces the incidence of dental disease very much.

Shri Swell: I am afraid the Minister has not given the correct information.

Mr. Speaker: If he has got the correct information, why should he ask?

Shri Swell: No, she has not given the information which their own publications have given to us.

The Minister talks of negligence of dental hygiene as the cause for this dental decay in the country. Will it not be helpful if we make dental hygiene a necessary training in our educational institutions?

Dr. Sushila Nayar: I entirely agree that dental hygiene plus the other health education can be best imparted in the schools, and we are trying to take steps in that direction.

Shri D. C. Sharma: I find from the statement that 70 dental clinics have been established in the Second Plan and 35 are expected to be established. Will these 105 clinics at the most that will be set up during the Third Plan spread all over the country be ever able to meet the needs of this country? Is it not a fact that the small number of dental clinics shows that the Minister is playing with this thing?

Dr. D. S. Raju: There is no doubt the number of dental clinics is very inadequate. We are trying to establish a dental clinic in each district, as early as possible.

श्री प्रकाशबीर शास्त्री : दिल्ली में हाल में दातों के चिकित्सकों का एक बहुत बड़ा सम्मेलन हुआ था जिस में इस विषय के सब से बड़े विशेषज्ञ ने चेतावनी देते हुए यह कहा था कि अगर दंत क्षय को तेजी के साथ न रोका गया तो आने वाले समय में ऐसी स्थिति भी उत्पन्न हो सकती है कि २० वर्ष की आयु के जवान लोग पोपले हो जायेंगे, तो इस चेतावनी के बाद भी क्या सरकार कोई गम्भीर निर्णय लेने का विचार कर रही है ?

डा० सुशीला नायर : श्रीमान्, हकीकत यह है कि डेंटल क्लीनिक्स को खोलने का धन स्टेट्स के प्लांस में शामिल है। यह एंजेंड स्क्रीम है। अब स्टेट्स के पास हम पत्र भेजते हैं और

उन का ध्यान इस तरफ खींचते हैं लेकिन उन के पास दूसरे ऐसे काम हैं जिन को वह ज्यादा महत्व का समझते हैं और डेंटल क्लीनक्स उनको जितनी खोलनी चाहिए, वह नहीं खोल रहे हैं। हम फिर उन का ध्यान इधर खींच रहे हैं। अब इस से ज्यादा हम क्या कर सकते हैं।

अध्यक्ष महोदय : श्री प्रकाशवीर शास्त्री को डर है कि अगर ऐसी ही हालत बनी रही और स्टेट्स जवाब नहीं देंगी तो २० साल में हम सब लोग दांतों के वगैर हो जायेंगे तो वह जानना चाह रहे हैं कि सैटर उस के लिए क्या विशेष कार्यवाही कर रहा है ?

Shri A. P. Jain: I thought the hon. Minister said that some sort of dental assistance could be given to MPs. My artificial teeth are getting loose. Can I get free artificial teeth replacement?

Mr. Speaker: That question should not be put so directly. Can a Member of Parliament get his denture replaced?

Shri Tyagi: Personal questions are objectionable in Parliament. Nobody can further his own cause here.

Mr. Speaker: Therefore, I did not allow that question, but modified it by asking whether a Member of Parliament can get his dentures replaced.

Dr. Sushila Nayar: No, supply of dentures is not included in the dental services.

Mr. Speaker: Shri Jaipal Singh.

श्री यशपाल सिंह : क्या यह सही है कि डेंटल डिफेंस का सब से बड़ा कारण

Mr. Speaker: I called Shri Jaipal Singh.

Shri Jaipal Singh: Is the hon. Minister in a position to enlighten us whether vegetarians have a harder time in dental hygiene than non-vegetarians and whether prohibition-

ists are more vulnerable to dental decay than anti-prohibitionists?

Dr. Sushila Nayar: The hon. Member is completely wrong. Prohibition has no relation to the health of the teeth and vegetarians are no more vulnerable to tooth decay than non-vegetarians.

Shri A. P. Jain: That is very encouraging to the hon. Member!

श्री कछवाय : क्या यह बात सही है कि दांतों में खराबी आने और उन में रोग पैदा होने का एक सब से बड़ा कारण दांतों के नये नये मंजन हैं जोकि बाजार में विकने हैं ?

डा० सुशीला नायर : किमी मंजन का दोष तो हमें मालूम नहीं है लेकिन खाने के तुरन्त बाद कुल्ला करने की आदत लोगों में कम हो रही है जिस में कि दांतों को जरूर नुकसान हो रहा है।

श्री यशपाल सिंह : क्या यह सही है कि भारत संसार में अकेला ऐसा अभाग्य देश है जहां कि डालडा और काटोजम की सब से ज्यादा खपत है और यही डालडा और काटोजम डेंटल डिफेंस का सब से बड़ा कारण है ?

डा० सुशीला नायर : श्रीमन्, डालडा, काटोजम के कई दोष हो सकते हैं लेकिन दांतों के डिफेंस का उस के साथ सम्बन्ध है यह मैं ने आज नई बात सुनी है।

गवर्नमेंट सिक्वोरिटी प्रेंस, नासिक

*६७४. **श्री प्रकाशवीर शास्त्री :** क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गवर्नमेंट सिक्वोरिटी प्रेंस, नासिक में कुछ अन्य देशों के नोट तथा डाक टिकट छपने इस बीच बन्द हो गये हैं; और

(ख) यदि हां, तो इसके क्या कारण हैं ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) सिक्वोरिटी प्रेंस में दूसरे देशों के नोट छापने का काम बन्द कर दिया गया है लेकिन

दूसरे देशों के डाक-टिकट अब भी वहां छापे जाते हैं ।

(ख) दूसरे देशों ने खुद ही नासिक प्रैस को नोट छापने के आर्डर देने बन्द कर दिये । इस मामले में उनसे लिखा-पढ़ी इसलिए नहीं की गयी कि एक तो इण्डिया सिक्योरिटी प्रैस में पहले से ही काम का बहुत जोर है और दूसरे विदेशी मुद्रा (फारेन-एक्सचेंज) की तंगी के कारण उन देशों के आर्डर पूरे करने के लिए नोट छापने के काम आने वाला कागज बाहर से मंगाने के लिए हम विदेशी मुद्रा की कोई भी रकम खर्च नहीं कर सकते ।

श्री प्रकाशबीर शास्त्री : क्या मैं जान सकता हूँ कि नासिक के सिक्योरिटी प्रैस में दूसरे किन-किन देशों के नोट छपते थे और क्या उन्होंने इसलिए हमारे यहां आर्डर देना बन्द कर दिया कि उन की छपाई समय पर नहीं होती थी या भ्रष्टी छपाई नहीं होती थी ? आखिर किस कारण उन के नोट छपने बन्द हो गये ?

श्री ब० रा० भगत : ऐसी बात नहीं है । उदाहरण के लिए हम नेपाल के नोट छापते थे, जिन का छपना अब बन्द हो गया है । उन के लिए जो पोस्टेज स्टैम्प और दूसरे कागज छापे जाते हैं, उन में बाहरी कागज लगता है । इस लिए हम ने नेपाल सरकार से कहा कि अगर वह बाहरी कागज मंगा कर हम को दे, तो हम इन को छापें, क्योंकि हम बाहरी कागज मंगाने के लिए अपना फारेन एक्सचेंज नहीं खर्च कर सकते ।

अध्यक्ष महोदय : मैं देख रहा हूँ कि हाउस के सब तरफ बातें हो रही हैं, जिन की वजह से कुछ सुनाई नहीं दे रहा है । —मेरे कहने के बावजूद भी कई जगह बोलना बन्द नहीं हुआ है ।

श्री प्रकाशबीर शास्त्री : मैं यह जानना चाहता हूँ कि नासिक के सिक्योरिटी प्रैस में, जहां एक एक कागज के ऊपर बड़ी सावधानी

और निगरानी रखी जाती है वहां की क्या ऐसी घटना भी कोई वित्त मंत्री के कानों में पड़ी है कि प्रैस के सब से बड़े अध्यक्ष ने उस प्रैस में क्रिसमिस के कार्ड छपवाये । अगर आज वह क्रिसमिस के कार्ड छपवा सकते हैं, तो कल नोट भी छपवा सकते हैं । इस बारे में सरकार ने क्या कार्यवाही की है ?

श्री ब० रा० भगत : माननीय सदस्य ने क्रिसमिस कार्ड छपवाने के बारे में जो सूचना दी है, मैं उस की छानबीन करूंगा ।

श्री रामेश्वरानन्द : अध्यक्ष महोदय, मेरा निवेदन है कि जो कुछ भी पूछा जाता है, मंत्री महोदय कहते हैं कि हमें मालूम नहीं है, हम जानकारी लेंगे, आदि । माननीय मंत्री को सब प्रश्नों का उत्तर देने के लिए तैयार रहना चाहिए । आप इस विषय में उन को आदेश दें ।

अध्यक्ष महोदय : मैं माननीय सदस्य से सहमत हूँ । बाकी बहुत से माननीय सदस्यों का जवाब तो वह दे देते हैं, मगर चूंकि स्वामी जी की बात बहुत गहरी होती है, इसलिए शायद वह जवाब न दे सकें । उस के लिए उन को तैयार रहना चाहिए ।

श्री रामेश्वरानन्द : ऐसा नहीं होना चाहिए ।

श्री विश्राम प्रसाद : सिक्योरिटी प्रैस, नासिक में जो कागज नोट छापने के लिए बाहर से आता है, उस के लिए भारत सरकार को कितना रुपया खर्च करना पड़ता है और क्या उस तरह का कागज अपने देश में ही बनाने की व्यवस्था हो रही है ?

श्री ब० रा० भगत : यह सवाल दूसरे देशों के लिए नोट आदि छापने के बारे में है । हम अपने यहां के लिए नोट आदि छापने के लिए कितना कागज मंगते हैं, यह एक अलग सवाल है । अगर माननीय सदस्य सूचना देंगे, तो मैं उस का जवाब दूंगा । जहां तक बाहरी देशों के लिए नोट, पोस्टेज

स्टैम्प या स्टेशनरी छापने का सवाल है, हमारा जो खर्चा लगता है, वह हम ले लेते हैं। जहाँ तक बाहर का कागज मंगाने का सवाल है, वे मंगा कर दें, तो हम छापें।

Shri Kapur Singh: May I know if the Nasik Security Press is now omni-competent to meet all our requirements of security printing? If not, to what other countries do we take resort to have our requirements?

Shri B. R. Bhagat: For our security printing we do not go to any other country. We have been expanding it to meet all our requirements.

श्री सरजू पाण्डेय : मंत्री जी ने अभी बताया कि बाहरी देशों के नोट और डाक-टिकट छापे जाते थे। मैं यह जानना चाहता हूँ कि बर्मा के अतिरिक्त और किन-किन देशों के नोट और डाक-टिकट छापे जाते थे।

श्री ब० रा० भगत : बर्मा के पोस्टेज स्टैम्प छपते हैं और नेपाल के करैमी नोट छपते हैं। सिक्किम और भूटान के भी छपते हैं।

श्री कछवाय : मैं यह जानना चाहता हूँ कि अन्य देशों के नोट छापना कब से बन्द हुआ और इस समय कितने छपते हैं।

श्री ब० रा० भगत : नोट तो अब नहीं छपते हैं। पोस्टेज स्टैम्प थोड़े छपते हैं लेकिन उन के आंकड़े मेरे पास नहीं हैं।

श्री कछवाय : नोटों को छापना कब से बन्द हुआ ?

U. S. Loans

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*675. { **Shri P. C. Borooah:**
 { **Shri D. C. Sharma:**
 { **Shri Raghunath Singh:**

Will the Minister of Finance be pleased to state:

(a) whether three agreements providing for U. S. Loans totalling \$39.6

million (Rs. 18.6 crores) for three projects had been signed in October this year; and

(b) if so, which are the projects to be financed therewith?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). The following three project agreements totalling \$39.55 million were signed in October, 1963.

- (i) Central Ropeway—"F" Project Establishment of a plant and aerial ropeway to extract and transport sand and use it for stowing in the Jharia Coal Field, Bihar—\$7.7 million;
- (ii) Chandrapura Thermal Electric Power Project Stage II—Establishment by DVC of a 140 MW thermal electric power unit with auxiliary facilities at Chandrapura Station, Bihar—\$16.0 million.
- (iii) Purchase by Indian Railways of 54 Broad Gauge Diesel electric locomotives including necessary spare parts and training of personnel—\$15.85 million.

Shri P. C. Borooah: What are the terms of the agreements and to what level US Loans to India have been reached after the conclusion of these agreements?

Shrimati Tarkeshwari Sinha: These agreements were signed in October 1963. These loans are repayable in dollars over a period of forty years with a grace period of ten years. The hon. Member knows that the US Agency for International Development charges no interest but only a credit fee of $\frac{3}{4}$ to 1 per cent per annum.

Shri P. C. Borooah: The second part of the question how far total loan had been received—has not been answered.

Shrimati Tarkeshwari Sinha: The agreement has been signed only in

October. Probably some machinery also has to be imported. For instance, wagons are to be imported. They can be imported only after the orders are placed.

Shri Tyagi: What is the total amount of loans received from the USA so far and how much is our total annual liability for interests?

Shrimati Tarkeshwari Sinha: This question is in respect of these three loans. If the hon. Member wants to know about the total loans, I shall make them available later on.

Shri D. C. Sharma: May I know whether any loan has been asked for from USA for any other project and if so the names of those projects?

Shrimati Tarkeshwari Sinha: I have to submit again that this agreement concerns only these three projects. In the future also we hope to get loans in case we need them and they also agree to the terms. The projects concerned are not with me just now.

Kishau Dam

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*67E { **Shri D. C. Sharma:**
Shri P. C. Borooah:
Shri Bishanchar Seth:
Shri B. P. Yadava:
Shri Dhaon:
Shri Onkar Lal Perwa:
Shri Abdul Ghani Goni:
Shri Gopal Datt Mengi:

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

(a) whether the details of the Kishau Dam on the Tons river have been worked out;

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

(c) whether the dispute between the States concerned to execute the dam has been resolved?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) No, Sir. Detailed investigations and preparation of Project Reports and estimates

are being taken in hand by U.P. Government.

(b) Does not arise.

(c) The concerned State Governments have agreed to share the cost and benefits of Kishau Dam.

Shri D. C. Sharma: When was the project for this dam mooted and how long has it been under consideration?

Dr. K. L. Rao: I expect that the project investigations will take about a year and I hope it will be possible for consideration of this project for the Fourth Plan sometime in about a year's time.

Shri D. C. Sharma: May I know what will be the potential of this dam in terms of irrigation and power?

Dr. K. L. Rao: This project is expected to irrigate about three and a half lakh acres and give about a quarter of a million kilowatt of power.

WRITTEN ANSWERS TO QUESTIONS

बाल पक्षाघात निरोधक औषधि

*६६६. { श्री विद्वन्मन्त्र पण्डेय :
श्री बालगोविन्द वर्मा :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार बाल पक्षाघात निरोधक औषधि बनाने के सम्बन्ध में विचार कर रही है;

(ख) यदि हां तो यह कब से बननी शुरू हो जायेगी और औषधि बनाने का कारखाना कहाँ बनेगा; और

(ग) अनुमानतः इस पर कितना धन व्यय होगा ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) और (ख). अभी तक किसी बाल

पक्षाघात निरोधक औषधि का पता नहीं चला है किन्तु प्रतिरक्षण का विकास किया गया है जिससे बाल पक्षाघात से रक्षा हो जाती है। पास्त्युर संस्था कुनूर और हफिकन संस्था बम्बई में लाइव पोलियो वैक्सिन के उत्पादन की व्यवस्था की जा रही है। आशा है कि ६ महीनों में ही उत्पादन शुरू हो जायेगा।

(ग) कुनूर में भवन और उपकरणों पर अनुमानतः १४ लाख रुपये खर्च होंगे और हफिकन संस्था में लगभग १८ लाख रुपये। पोलियो वैक्सिन की एक मात्रा की कीमत लगभग २० नये पैसे होगी।

Loans for Refugees

*669. Shri P. G. Sen: Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether any steps have been taken to remove the weightage of loan on the refugees who are not in a position to pay and who want easy instalments of payment as declared; and

(b) if so, the details thereof?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). So far as the recovery of loans from displaced persons is concerned, the policy is that these loans should be recovered from those who are in a position to repay and that certificate proceedings should not be pressed if that would make the loanee destitute again. The general question whether a part of these loans should be remitted and, if so, to what extent, is under consideration.

Power Breakdowns in Delhi

*670. Shri A. V. Raghavan: Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any proposal to replace overhead cables by underground cables for reducing breakdowns of power in Delhi;

(b) if so, whether any decision has been taken in the matter; and

(c) the estimated cost of this project and the amount of foreign exchange involved?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes, Sir.

(b) it is accepted that important bulk supply feeders and feeders supplying essential loads may be converted to underground system.

(c) Estimates are under preparation.

River Valley Projects

{ Shri B. P. Yadava: ..
*672. { Shri Dhaon:
{ Shri Bishanchander Seth:

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

(a) whether it is a fact that the Central Board of Irrigation and Power held a meeting in New Delhi and made several recommendations for the removal of bottlenecks in the execution of river valley projects;

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

(c) the other recommendations made by the Board; and

(d) the extent to which they have been accepted and implemented?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) to (d): A statement is laid on the Table of the House. [Placed in Library. See No. LT-2190/63].

Collaboration Agreement with Thai Firm

*672-A. Shri Indrajit Gupta: Will the Minister of Finance be pleased to state:

(a) whether Messrs Sahu Jain have been permitted to enter into a collaboration agreement with a Thai

firm to provide the latter with technical know-how for setting up jute manufacturing units in Thailand;

(b) if so, whether Government approve of giving Indian assistance to countries for entering into competition with our own jute goods; and

(c) whether the agreement in question had the prior approval of the I.J.M.A.?

The Deputy Minister in the Ministry of Finance (Shrimati Tarkeshwari Sinha): (a) Yes, Sir.

(b) Subject to the limitations imposed by our foreign exchange situation, it is not the policy of the Government to withhold such assistance to other developing countries, especially our neighbouring countries, in their programmes of industrial development.

(c) No, Sir.

नजफगढ़ विकास खंड, दिल्ली में पानी का भर जाना

*६७३. श्री नवल प्रभाकर : क्या सिंचाई और विद्युत मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली के नजफगढ़ विकास खण्ड के गांवों के खेतों में पंजाब के ढासा गांव की ओर से पानी छोड़ दिये जाने के कारण भर गया है;

(ख) क्या इससे फसल को पर्याप्त हानि हुई है;

(ग) क्या गांव वालों ने इस सम्बन्ध में दिल्ली प्रशासन और भारत सरकार को अभ्यावेदन दिया है और यदि हां, तो उनकी शिकायतों को दूर करने के लिए क्या कार्यवाही की गई है; और

(घ) इसके कारण खेती की कितनी जमीन में पानी भर गया है और कितना नुकसान हुआ है ?

सिंचाई और विद्युत मंत्री (डा० कु० ल० राव) : (क) से (घ). दिल्ली क्षेत्र में बाढ़ का नियंत्रण करने के लिये १९५६ में रेडी समिति (Reddi Committee) द्वारा दी गई सलाह के अनुसार नजफगढ़ नाले की क्षमता के बढ़ने का काम दिल्ली प्रशासन ने आरम्भ कर दिया है। निर्माण कार्य प्रगति पर है और आशा है कि अगली वर्षा-ऋतु से पहले पूरा हो जायेगा। इस नाले को बड़ा करने से पंजाब और दिल्ली दोनों के मर्म क्षेत्रों को जिन में अभी तक वर्षा ऋतु में तुंगियानी आ जाया करती थी, लाभ होगा।

दिल्ली प्रशासन ने बताया है कि १९६३ में आई बाढ़ ने ४,१५६ एकड़ भूमि पर प्रभाव डाला और २,८८५ एकड़ क्षेत्र में खड़ी हुई फसलों को जिनकी कीमत ११,५४,००० रुपये अनुमानित है, नुकसान पहुंचाया।

दिल्ली प्रदेश में बाढ़ पीड़ित गांवों की ओर से एक आवेदन पत्र मिला है। दिल्ली क्षेत्र और पंजाब के सहवर्ती इलाके की स्थिति की ध्यानपूर्वक निगरानी की जा रही है। कम से कम नुकसान पहुंचे इस बात को ध्यान में रख कर दिल्ली प्रशासन तथा पंजाब सरकार बाढ़ के पानी को निकालने के लिए आवश्यकता-नुसार उचित तरीके अपना रहे हैं। इसी अभिप्राय से ढासा बांध से गुजरते हुए पानी के प्रवाह को उस बांध में लगाई गई नालियों के जरिये ध्यानपूर्वक नियमित किया जा रहा है।

State Finance Ministers' Conference

*677. { Shri P. C. Borooah:
Shri G. Mohanty:
Shri Balkrishna Wasnik:

Will the Minister of Finance be pleased to state the decisions taken to raise additional resources by the States for the Third Plan and to hold price line at the State Finance Ministers' Conference held on the 7th November, 1963?

The Minister of Planning (Shri B. R. Bhagat): As the talks were of an exploratory nature, the Conference was not expected to take any final decisions.

Agricultural Income Tax

***678. Shri D. C. Sharma:** Will the Minister of Finance be pleased to state:

(a) whether Centre has suggested to the States to merge agricultural income-tax in the Central income-tax and prescribe graduated rates of tax for the composite income;

(b) if so, the purpose of the suggestion; and

(c) the reaction of the State Governments thereto?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). Agricultural Income Tax was one of the various subjects on which views were exchanged at the Finance Ministers' Conference held in November, 1963. No definite conclusions were, however, reached at the Conference in regard to the reforms in Agricultural Income-tax legislation.

Kothagudam Thermal Project

1925. Shri Eswara Reddy: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that M/s. Ewbanks and Partners of United Kingdom have been appointed as consultants for Kothagudam Thermal Project, Andhra Pradesh;

(b) the nature of assistance that the firm will render; and

(c) the amount that will be paid to the consultants?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) The Consulting Engineers are expected to review with Government Engineers the existing load forecasts of Andhra Pradesh, make an Econo-

mic study of various alternative proposals for plant sizes, type of station, unit or other system, circulating water system and water supplies, review the transmission line scheme, locate suitable site for power station, review and modify the draft specifications prepared by Govt. Engineers for boiler plant and accessories, turbo-generator and feed heating plant, prepare site plan, bid analysis of all tenders received and submit recommendations, make complete cost estimate for the project segregating foreign and local currencies, carry out the complete design of the power station in accordance with upto date Engineering practice on the basis of plant and equipment recommended and agreed upon, prepare all drawings, certification of all contractors' key drawings, the planning of all Civil, Electrical and Mechanical works to ensure co-ordination of manufacture, delivery and erection so as to meet the required Commissioning programme. Inspection at manufacturer's works, train the Government's Engineers fully even at manufacturer's works. Supervision at construction and Commissioning, prepare a detailed manual of instructions for the operation of the plant with all its auxiliary and accessory systems.

(c) Rs. 33 lakhs.

College of Nursing in Andhra Pradesh

1926. Shri Eswara Reddy: Will the Minister of Health be pleased to state:

(a) whether any assistance is being rendered to the College of Nursing in Andhra Pradesh by the Central Government during 1963-64; and

(b) if so, the nature of assistance so far given?

The Minister of Health (Dr. Sushila Nayyar): (a). No.

(b) Does not arise.

Indo-Commercial Bank

1927. **Shri M. P. Swamy:** Will the Minister of Finance be pleased to state:

(a) the payment made till now to the depositors of the Indo-Commercial Bank (now merged with Punjab National Bank); and

(b) whether the remaining depositors will be paid in full and if so, when?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Besides the initial payment of Rs. 250 or the balance at credit, whichever was less, the depositors have been paid or credited with amounts equal to 68.6 per cent of the residual deposits.

(b) Further payments will depend on the extent of the recoveries from the remaining assets of the Indo-Commercial Bank.

Operation on Dog

1928. { **Shri Vishram Prasad:**
 { **Shri R. G. Dubey:**

Will the Minister of Health be pleased to state:

(a) whether Government's attention has been drawn to a news item regarding Soviet Surgeons successful operation of dogs killed and again brought back to life; and

(b) if so, whether this experiment is watched in India with some useful results?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) An experiment on the transplantation of heart from one dog to another was conducted with encouraging results at the Seth G.S.M. College and K.E.M. Hospital, Bombay recently. Further research is being done.

Suburban Townships of Delhi

1929. **Shri D. C. Sharma:** Will the Minister of Works, Housing and Rehabilitation be pleased to refer to the reply given to Starred Question No. 762 on the 19th September, 1963 and state the progress made in the implementation of the decision taken some time back to set up suburban townships of Delhi at Faridabad and Ghaziabad?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): In Faridabad work on the provision of roads, water supply, etc. is being taken up and tenders for the construction of office and residential accommodation have been received and are under scrutiny.

In Ghaziabad, the Ghaziabad Improvement Trust have on our request initiated action for acquisition of land required by the Central Government.

Foreign Aid for Implementation of Five Year Plan

1930. { **Shri Yashpal Singh:**
 { **Shri Surendra Pal Singh:**
 { **Shri Rameshwaranand:**
 { **Shri Ramanathan Chettiar:**

Will the Minister of Finance be pleased to state:

(a) the total amount of loans received by the Government of India from various countries for the implementation of the three Five Year Plans;

(b) the amount repaid; and

(c) the total amount of interest paid thereon?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Rs. 1344.97 crores upto 30th September, 1963.

(b) and (c). Rs. 122.71 crores and Rs. 104.41 crores respectively upto 30th September, 1963.

लाजपतराय मार्केट, दिल्ली

१९३१. श्री प्रकाशबीर शास्त्री : क्या निर्माण, आवास तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या लाजपतराय मार्केट, दिल्ली का निर्माण-कार्य पूरा हो चुका है ;

(ख) यदि नहीं, तो क्या रुकावटें उम में आ गई हैं ; और

(ग) उन्हें दूर करने के क्या प्रयास किए जा रहे हैं ?

निर्माण, आवास तथा पुनर्वास मंत्री (श्री मेहर चन्द खन्ना) : (क) काम अभी चल रहा है ।

(ख) और (ग) दिल्ली नगर निगम ने, जो इस मार्केट को बनवा रहा है, यह सूचना दी है कि इस स्थान पर अपात्र व्यक्ति अनधिकृत रूप से कब्जा किये बैठे थे । इन अनधिवासियों (स्क्वैटर) में से लगभग ५० प्रतिशत को निगम ने इस क्षेत्र को खाली करने के लिए मना लिया है । एक अनधिवासी ने दीवानी न्यायालय से एक व्यादेश (इंजंक्शन आर्डर) ले लिया है कि निगम को उसका खोखा हटाने से रोका जाये और अब यह मामला न्यायाधीन है । अन्य अनधिवासियों को स स्थान को खाली करने के लिए मनाया जा रहा है ।

Polio

1932. { Shri Bhagwat Jha Azad:
Shri D. N. Tiwary:

Will the Minister of Health be pleased to state:

(a) whether the incidence of Polio has increased in the country; and

(b) whether in recent past Polio Vaccine has been presented to India by U.S.S.R. and some other countries?

The Minister of Health (Dr. Sushila Nayar): (a) In some parts of the country there has been increase in the incidence of Polio.

(b) A gift of 2,00,000 doses of polio vaccine has been received from the Government of U.S.S.R. through the Indian Red Cross Society during the year 1963.

अल्प-बचत

श्री ओंकार लाल बेरब :
श्री धवन :
१९३३. { श्री रामेश्वर टांटिया :
श्री मुरारका :
श्री रवीन्द्र वर्मा :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) अल्प-बचत योजना के अन्तर्गत १९६२-६३ और १९६३-६४ में अभी तक कितनी राशि एकत्रित हुई है ;

(ख) क्या अल्प-बचतों का तीसरी योजना में निर्धारित लक्ष्य पूरा हो जायेगा ; और

(ग) देश में अनिवार्य जमा योजना का अल्प-बचतों पर क्या असर हुआ है ?

वित्त मंत्री (श्री तिमोतु कृष्णमाचारी) : (क) १९६२-६३-७२.६३ करोड़ रुपया ।

(ख) अप्रैल से नवम्बर १९६३ तक— ६१.०१ करोड़ रुपया (अस्थायी) ।

(ग) अब अनुमान है कि तीसरी पंच-वर्षीय आयोजना की अवधि में ६०० करोड़ रुपये के लक्ष्य के मुकाबले लगभग ५०० करोड़ रुपये की वास्तविक रकम इकट्ठी हो जायेगी ।

(ग) छोटी बचतों के आन्दोलन पर अनिवार्य जमा योजना के जारी किये जाने का कोई बुरा असर नहीं पड़ा, क्योंकि चा ल

वित्तीय वर्ष के पहले आठ महीनों में इकट्ठी हुई रकम पिछले वर्ष की इरा अवधि में इकट्ठी हुई रकम के दुगुने से भी ज्यादा है। इस के अलावा, आयकर देने वालों से सम्बन्ध रखने वाली अनिवार्य जमा योजना को छँड़ आर सभी अनिवार्य जमा योजनाएँ अब वापस ले ली गयी हैं ; आयकर देने वालों के लिए जो योजना बनाई गई है उस के अनुसार, आयकर, देने वाले अनिश्चित अधिभार में कमी की मांग कर सकते हैं। ऐसा न होने पर अधिभार की यह रकम उन्हें अदा करनी पड़ेगी। इसलिए अनुमान है कि अपनी इच्छा से की जाने वाली बचतों पर इस का कोई प्रभाव नहीं पड़ेगा।

Medical College in Rajasthan

1934. Dr. L. M. Singhvi: Will the Minister of Health be pleased to state:

(a) whether the Government of Rajasthan have during the last six months submitted any proposal or scheme for setting up a medical college or colleges in Rajasthan within the Third Plan period; and

(b) if so, the details thereof and the action taken by Union Government thereon?

The Minister of Health (Dr. Sushila Nayar): (a) No formal proposal or scheme for setting up a Medical College or Colleges in Rajasthan has been received from the Government of Rajasthan.

(b) Does not arise.

Medical Facilities in Rural Areas

1935. Shrimati Savitri Nigam: Will the Minister of Health be pleased to state:

(a) whether Government propose to organise surveys in the rural areas to find out the people's actual medical requirements and conditions of rural dispensaries; and

(b) if so, the details thereof?

The Minister of Health (Dr. Sushila Nayar): (a) No, Sir. A comprehensive Survey was recently conducted by the Health Survey and Planning Committee (Mudaliar Committee) and a detailed report was submitted by the Committee in 1961, which gives in detail the existing position and future requirements of medical care in the country.

(b) Does not arise.

Customs Duty on Hearing Aids

1936. { Shrimati Savitri Nigam:
Shri Maheswar Naik:

Will the Minister of Finance be pleased to state the percentage of customs duty on hearing aids and components of hearing aids levied by the Customs Department?

The Minister of Finance (Shri T. T. Krishnamachari): The statutory rate of customs duty leviable on hearing aids and component parts thereof, on import into India, is 60 per cent *ad valorem* (Standard) and 50 per cent *ad valorem* (Preferential) plus surcharge at the rate of 10 per cent of the duty. However, by a notification, this statutory rate has been reduced to 10 per cent *ad valorem* (Standard), plus surcharge at the rate of 10 per cent of the duty, and Nil (Preferential). Parts which can be used otherwise than in hearing aids are not entitled to the reduced rates of duty and are assessed at different rates under the appropriate items.

Rewards in Customs and Excise

1937. Shri D. B. Raju: Will the Minister of Finance be pleased to state the number of cases of rewards in Customs and Central Excise still pending sanction and disbursement since 1951 in Hyderabad Collectorate?

The Minister of Finance (Shri T. T. Krishnamachari): The required in-

formation is as under:—

Number of pending reward cases pertaining to—

	Year 1951	Subse- quent years	Total
Central Excise	4	105	109
Customs	..	21	21
TOTAL	4	126	130

Licences for Goldsmiths

1938. { Shrimati Savitri Nigam:
Shri Hem Raj:
Shri Onkar Lal Berwa:

Will the Minister of Finance be pleased to state:

(a) the procedure for the grant of licences to goldsmiths;

(b) the number of goldsmiths who have applied for licences so far in the Union Territories and other States;

(c) the number of licences which have been given to the goldsmiths in different States and Union Territories; and

(d) whether these licences have been issued by the Central Government or by the State Governments?

The Minister of Finance (Shri T. T. Krishnamachari): (a) The procedure is set out in Rule 126 HH of the Defence of India Rules.

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

(c) No certificates have been issued so far.

(d) The licences will be issued by authorised officers of the State Governments/Union Territories on behalf of the Administrator.

दिल्ली में बिक्री कर

१९३९. श्री मोहन स्वरूप : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली प्रशासन द्वारा बिक्री कर की समस्याओं का अध्ययन करने के लिए कोई परामर्शदाता समिति नियुक्त की जायेगी ;

(ख) यदि हां, तो उसका विस्तृत विवरण क्या है ; और

(ग) उस समिति का गठन कब तक होगा ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) : (क) से (ग). दिल्ली के संघीय राज्यक्षेत्र में बिक्री-कर के प्रशासन से संबंध रखने वाले मामलों में दिल्ली के वीक कमिश्नर का सलाह देने के लिए ६ नवम्बर, १९६३ को एक बिक्री-कर सलाहकार समिति बनायी गयी है जिसमें ये लोग हैं :—

(१) डाक्टर मुद्दसीर सिंह— अध्यक्ष

(२) दिल्ली के विभिन्न वाणिज्य-मंडलों। व्यापार संघों का प्रतिनिधित्व करने वाले सात सदस्य

(३) दिल्ली का बिक्री कर कमिश्नर—
सदस्य-सचिव

Hospital near Mehrauli, New Delhi

1940. Shri Basumatari: Will the Minister of Health be pleased to state:

(a) whether it is a fact that drinking water is not available to the patients in a hospital situated at Fatehpur Beri near Mehrauli, New Delhi; and

(b) if so, the steps Government are taking to remove this difficulty?

The Minister of Health (Dr. Sushila Nayar): (a) No, Sir.

(b) Does not arise.

Primary Health Centres in U.P.

1941. Shri Vishwa Nath Pandey: Will the Minister of Health be pleased to state:

(a) the number of Primary Health Centres proposed to be opened in Uttar Pradesh during 1963-64;

(b) the amount allotted for the purpose; and

(c) the total number of Primary Health Centres opened so far in Uttar Pradesh during the first and second year of the Third Plan period?

The Minister of Health (Dr. Sushila Nayar): (a) 98.

(b) Rs. 2,34,000 (Rs. 95,000 recurring and Rs. 1,39,000 non-recurring).

(c) 31 (24 in the first year and 7 in the second year of the Third Plan).

Accommodation for Income-Tax Officers

1942. Shri Vishwa Nath Pandey: Will the Minister of Finance be pleased to state:

(a) the number of Income-tax officers in Uttar Pradesh who have not yet been given departmental residential accommodation;

(b) whether Government have any proposal to construct residential quarters for the said officers in Uttar Pradesh during 1963-64 and 1964-65; and

(c) if so, the details thereof?

The Minister of Finance (Shri T. T. Krishnamachari): (a) 91.

(b) No, Sir.

(c) Does not arise.

Power Plants

1943. Shri P. C. Borooah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether in pursuance of the scheme to create a standby power

capacity of 100,000 KW some power plants have been procured from the U.S.A. and elsewhere; and

(b) if so, how many from each country and on what terms?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes, from the U.S.A.

(b) 2X12.5 MW gas turbines sets have been procured under the U.S. Exim Credit for Rs. 1,17,24,000 (\$24,62,000). F.A.S. American port.

Thermal Plant in Andhra Pradesh

1944. Shri P. Venkatasubbaiah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Central Government have asked the Government of Andhra Pradesh to submit the project report of the thermal plant which is offered to be set up in private sector; and

(b) the reaction of the State Government thereto?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b). No, however, extension to Ramagundum Power Station by 200 MW is proposed to be done through the agency of a private party, who will handover the Power house on completion.

वाराणसी में विदेशी सोने का पकड़ा जाना

१९४५. श्री विश्वनाथ पाण्डेय : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १५ अक्टूबर १९६३ को वाराणसी में दो व्यक्तियों को ४०० तोला विदेशी सोने के साथ गिरफ्तार किया गया था ; और

(ख) यदि हाँ, तो इस मामले में सरकार क्या कार्रवाई कर रही है ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) : (क) १४ अक्टूबर १९६३ को

वाराणसी में दो व्यक्तियों को ४०० तैले सोला, जिस पर विदेशों ठपे के निशान थे, ले जाते हुए गिरफ्तार किया गया था।

(ख) मामले की जांच की जा रही है। गिरफ्तार किये गये आदमी मजिस्ट्रेट की हिरासत में हैं।

Power Projects in Andhra Pradesh

1946. Shri Kolla Venkaiah: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Centre has agreed to increase the allotment for power in Andhra Pradesh by 19 crores of rupees;

(b) if so, for which projects the increased amount will be spent;

(c) whether it has approved those projects and the revised estimates; and

(d) if not, the reasons therefor?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) No. The Centre has agreed to increase the allotment for power in Andhra Pradesh by Rs. 13.87 crores only.

(b) to (d). A statement is laid on the Table of the House. [Placed in Library. See No. LT-2191/63].

Power Houses in Lahaul Valley

1947. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Punjab Government have approached the Central Government for the installation of two power houses at Sissu and Shains Nullas in the Lahaul Valley of District Lahaul and Spiti in the Punjab;

(b) if so, when; and

(c) the action taken thereon?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) The project report for these schemes was received in June, 1962.

(c) The matter is under consideration in consultation with the Government of Punjab.

मध्य प्रदेश को सहायता

१९४८. श्री कछवाय : क्या वित्त मंत्री यह बताते कि कृपा करेंगे कि मध्य प्रदेश को केन्द्र द्वारा तृतीय पंचवर्षीय योजना के चतुर्थ वर्ष के लिए कितना धन सहायता के रूप में दिया जायेगा और वह किन मदों के लिए है ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) : मध्य प्रदेश सरकार को यह बता दिया गया है कि तृतीय पंचवर्षीय योजना के चौथे वर्ष अर्थात् १९६४-६५ में उन्हें उनके योजना कार्यों के लिये ३६.३ करोड़ रुपये की केन्द्रीय सहायता दी जायेगी। स केन्द्रीय सहायता का वितरण विकास की मात्र मुख्य मदों पर होना है अर्थात् १. कृषि संबंधी कार्यक्रम २. सामुदायिक विकास और सहकारिता ३. मिर्चाई और बिजली ४. उद्योग और खान ५. परिवहन तथा संचार ६. सामाजिक सेवार्थे और ७. विविध। विकास की मदों पर दी गई इस सहायता के वितरण के बारे में केवल तभी मालूम होगा जबकि इन योजना कार्यों के व्यौरों को अन्तिम रूप दे दिया जायगा।

Expenditure on Dandakaranya Project

1949. Shri G. Mohanty: Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) the amount of expenditure incurred in administering the Dandakaranya Project during the last two years; and

(b) the percentage of expenditure on administration as compared to total outlay on works partly or fully executed?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). The expenditure on pay and allowances of the staff engaged on purely administrative duties was Rs. 75 lakhs during

the years 1961-62 and 1962-63. This comes to about 9 per cent of the expenditure on different schemes excluding establishment.

In addition, an expenditure of Rs. 140 lakhs was incurred on the staff employed on machines and vehicles, engineering staff, medical staff, teachers and other miscellaneous staff directly engaged on the execution of different schemes.

सरकारी आदाता द्वारा एक कार का खरीदा जाना

१९५०. { श्री राम सेवक यादव :
श्री स० भो० बनर्जी :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकारी आदाता (रिसीवर) श्री एस० पी० चोपड़ा ने १९६२ में अमेरिका से एक डीज कार संख्या बी० एल० एफ० ६३३० खरीदी थी और उसका मूल्य विदेशी मुद्रा में दिया था ;

(ख) क्या विदेशी मुद्रा में किया गया उपरोक्त भुगतान ऋण पर घन लेकर किया गया था ;

(ग) यदि हां, तो क्या रिजर्व बैंक ने कार खरीदने के लिये विदेशी मुद्रा ऋण लेने की अनुमति दी थी ; और

(घ) क्या विदेशी मुद्रा विनियमन एक्ट के अन्तर्गत इस मामले में कोई जांच की जा रही है ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) :

(क) और (ख). मालूम हुआ है कि मेसर्स एस० पी० चोपड़ा एण्ड कम्पनी के श्री एस० पी० चोपड़ा ने १९६२ में अमेरिका से एक डीज कार मंगायी थी और वह कार एक विदेशी फर्म ने, जिसका प्रतिनिधित्व भारत में मेसर्स एस० पी० चोपड़ा एण्ड कम्पनी करती है, उपहार के रूप में दी थी ।

(ग) और (घ). यह सवाल पैदा ही नहीं होता ।

Land Acquired for Rajasthan Canal

1951. Shri D. C. Sharma: Will the Minister of Irrigation and Power be pleased to state:

(a) the progress made in the work of providing alternative land to those whose land has been acquired by the Rajasthan Canal Project in Punjab;

(b) whether all of them will be provided with alternative land or compensation is likely to be given to some of them for the same; and

(c) when this work is likely to be completed?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b). The owners whose land is acquired in the Punjab for the construction of Rajasthan Canal Project have already been compensated in cash. Most of the oustees will be rehabilitated by allotment of land in the Rajasthan Canal area in Rajasthan State in accordance with the Colonisation policy which will be decided by the Government of India in consultation with the Governments of Punjab and Rajasthan. Necessary action to decide the policy is in hand.

(c) The rehabilitation of the oustees is likely to take some time more.

D.V.C.

1952. Shri Dimen Bhattacharya: Will the Minister of Irrigation and Power be pleased to state:

(a) whether due to the untimely release of water by Damodar Valley Corporation a large area of land has been inundated in West Bengal;

(b) whether Government of West Bengal referred this matter to the Central Government; and

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

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b). The West Bengal Government have reported that due to release of 1,20,000

cusecs of water from the Maithon and Panchet dams of the D.V.C., an area of about 16.15 square miles in West Bengal was inundated in the first week of October, 1963.

(c) Government, after ascertaining the factual position from the DVC, have got the matter examined by the Central Water and Power Commission. Government are satisfied that the reservoir operation during the relevant period was done by the DVC wisely and judiciously. The Government of West Bengal have been informed accordingly and advised that urgent steps should be taken to improve the drainage conditions in the Lower Damodar Valley which have contributed significantly to inundations of this nature in the past also.

Motwane Private Ltd., Bombay

1953. Shri D. D. Mantri: Will the Minister of Finance be pleased to state:

(a) whether adjudication proceedings have been completed against Motwane Private Limited, Bombay; and

(b) if so, whether any prosecution has been lodged against the Directors?

The Minister of Finance (Shri T. T. Krishnamachari): (a) No, Sir. Up to the 16th December, 1963, the adjudication proceedings had not been completed.

(b) No prosecution has been launched so far.

Sharing of Water and Power between Rajasthan and Punjab

1954. Dr. L. M. Singhvi: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that there are acute differences between the States of Rajasthan and Punjab over the sharing of water and power according to mutual agreements and commitments; and

(b) if so, the nature and extent of such differences, and the steps taken

by the Government of India to secure harmonious relations between the two States?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) and (b), An Inter-State Agreement was concluded in January 1955 to allocate the surplus waters of the rivers Ravi and Beas over and above the actual pre-partition utilisations between the States of Punjab, Rajasthan, Jammu & Kashmir and the erstwhile PEPSU. The main differences that have arisen between Punjab and Rajasthan are regarding;

- (i) Sharing of the run-of the river supplies of Ravi and Beas;
- (ii) Sharing of pondage at Harike;
- (iii) Supply of water through the Sirhind Feeder in an interim and permanent arrangement;
- (iv) Sharing of costs of and benefits from Beas Project.

With regard to item (iv), a decision was taken by the Beas Control Board at its meeting held on 13-12-1963 to share the cost and benefits of Beas Project in the following *ad-hoc* proportions:

	Punjab	Rajasthan
Unit I	85%	15%
Unit II	32%	68%

The question relating to item (iii) above was discussed by the Union Minister of Irrigation with the State Ministers of Irrigation and Power and a draft of the agreement reached is under consideration of the two State Governments.

Items (i) and (ii) above are being resolved by mutual discussions between the two State Governments.

Search in Electric Companies of Bombay

1955. Shri Daji: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Enforcement Directorate of the Reserve Bank raided and searched the premises of certain electrical companies in Bombay in April, 1961;

(b) the alleged offence for which the raids were carried out; and

(c) the outcome thereof?

The Minister of Finance (Shri T. T. Krishnamachari): (a) to (c). The premises of certain companies in Bombay dealing in electrical goods were searched by the officers of the Enforcement Directorate of the Ministry of Finance, in April, 1961. Adjudication proceedings were initiated against the said companies by the Enforcement Directorate. The adjudication had not been completed upto the 16th December, 1963.

सेलेनियम मेटल पाउडर पर सीमा शुल्क

१९५६. { श्री राम सेवक यादव :
श्री सनी राम बागड़ी :
श्री यशपाल सिंह :
श्री किशन पटनायक :

क्या वित्तमंत्री यह बताने की कृपा करेंगे कि:

(क) वास्तविक उपभोक्ता लाइसेंस

प्रणाली लागू होने से पूर्व सेलेनियम मेटल पाउडर और कोबाल्ट आक्साइड के प्रतिष्ठित आयातकारों से प्रति वर्ष सरकार द्वारा कितना सीमा शुल्क वसूल किया जाता था ; और

(ख) वास्तविक उपभोक्ता लाइसेंस प्रणाली के लागू होने के बाद सेलेनियम मेटल पाउडर और कोबाल्ट आक्साइड पर केन्द्रीय सरकार द्वारा कितनी राशि के सीमा शुल्क लगाए जाते हैं और वसूल किए जाते हैं ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) :

(क) और (ख). जिन दो चीजों का जिक्र किया गया है उनके बारे में अलग अलग राजस्व सम्बन्धी आंकड़े उपलब्ध नहीं हैं। फिर भी, विदेशों से मंगायें गये माल की (चाहे वह प्रतिष्ठित आयातकों द्वारा मंगायी गया हो या दूसरों द्वारा) कीमत के आधार पर (क) अप्रैल, १९६३ से पहले के तीन वर्षों और (ख) अप्रैल, १९६३ से अगस्त, १९६३ तक के पांच महीनों में मंग्रह हुए शुल्क के लगभग आंकड़े नीचे दिए गये हैं :—

	(अप्रैल १९६०-६१)	(अप्रैल १९६१-६२)	(अप्रैल १९६२-६३)	(अप्रैल १९६३-६४ तक)
	१९६०-६१	१९६१-६२	१९६२-६३	१९६३-६४
				(अगस्त १९६३ तक)

१. सेलेनियम और उस के कम्पाउण्ड	१५६	१०६	१४०	५०
२. कोबाल्ट आक्साइड	११०	१०६	१५०	६३

Hindi Journal for Health Education

1957. Shri Vishwa Nath Pandey: Will the Minister of Health be pleased to state:

(a) whether it is a fact that the Ministry of Health publishes a Hindi Journal for health education;

(b) if so, the number of issues brought out so far; and

(c) the number of persons employed for this purpose and the money spent on this project annually?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). The question regarding the publication of a Hindi Journal for Health Education is still under consideration.

Chartered Accountant Apprentices

1958. { Shri Vasudevan Nair:
Shri Warior:

Will the Minister of Finance be pleased to state:

(a) whether Government have received any representation from the Chartered Accountant apprentices concerning the Regulation 22(3) brought in by the Chartered Accountants Council; and

(b) if so, the action taken thereon?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes Sir. A representation was received from Chartered Accountant apprentices, requesting a modification of Regulation 22(3) of the Chartered Accountants Regulations which lays down, *inter alia*, that, in the case of a candidate for the Final of the Chartered Accountants' Examinations, who has passed only in one of the two prescribed Groups of subjects, six chances will be allowed for passing in the other Group without his being required to appear for the Group in which he has already passed.

(b) After a careful consideration of the representation, Government felt that no amendment of the Regulation was called for and as such no further action on this representation was necessary.

Aid from Britain

1959. **Shri Surendranath Dwivedy:** Will the Minister of Finance be pleased to state:

(a) whether Mr. Robert Carr, Britain's Secretary for Technical Cooperation, who is on a visit to this country had held consultations with the Union Ministers and Government Officials for extending further aid for our development projects;

(b) if so, the projects for which this aid will be utilised; and

(c) whether the question of establishment of any new projects was also discussed?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Mr. Robert Carr, Britain's Secretary for Technical Cooperation, came to India on his first visit and, during his stay in New Delhi, he had general discussions with the Finance Minister and other Union Ministers and Government officials. He also visited some of the projects being implemented with British assistance. He did not, however, discuss any proposals, for extending further aid, generally or specifically, to any of our development projects.

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

Plot Allotted to Chinese Embassy

1960. **Shri H. C. Soy:** Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether it is a fact that a very big plot has been allotted to the Embassy of China in Chanakya Puri, New Delhi; and

(b) the criteria for allotting such plots of big dimensions to foreign Embassies in the Capital?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). A plot measuring 30.596 acres, in Chanakypuri, New Delhi, was allotted to the Chinese Embassy in January, 1955. At that time there was no ceiling on the size of plot to be allotted to a Mission, and allotments were made more or less on the basis of the requests received from Missions.

भारत-पाक बैंक करार समझौता

१९६१. श्री कछवाय : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत-पाकिस्तान बैंक करार के अन्तर्गत कितने लोगों को अब तक पाकिस्तानी बैंकों में छोड़े हुए रुपये पैसे का भुगतान मिला है ;

(ख) यह कुल कितना रुपया है ;
और

(ग) भारत के बैंकों में छोड़े गए रुपए के भुगतान कितने पाक-नागरिकों को किए जा चुके हैं ?

वित्त मंत्री (श्री ति० त० कृष्णमाचारी) :

(क) पश्चिम पंजाब और बहावलपुर से आए हुए व्यक्तिगत जमाकर्ताओं के १०२६ खाते ३० नवम्बर, १९६१ को पाकिस्तान से भारत भेजे गये थे और जिन बैंकों से इन खातों का सम्बन्ध है उनसे अदायगियां करने के लिए कह दिया गया है ।

(ख) ५.१७ लाख रुपया ।

(ग) भारत छोड़ कर गए हुए व्यक्तिगत जमाकर्ताओं के १८३३ खाते ३० नवम्बर, १९६१ को पंजाब (भारत) से (जिसमें वे इलाके भी आते हैं जो पहले पेप्सू में शामिल थे) पाकिस्तान भेजे गये थे । इन खातों में ११.६६ लाख रुपया था ।

एस० एम० अब्दुल्ला बिल्डिंग, दिल्ली

१९६२. श्री कछुवाय : क्या निर्माण आवास तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि

(क) क्या रोशनारा रोड, दिल्ली पर स्थित एस० एम० अब्दुल्ला बिल्डिंग कस्टोडियन द्वारा किन्हीं शरणार्थियों को बेच दी गई है ;

(ख) क्या उक्त इमारत का मूल्य क लाख रुपये से अधिक है ; और

(ग) यदि हां, तो इस इमारत को नीलाम द्वारा न बेचने के क्या कारण हैं ?

निर्माण, आवास तथा पुनर्वास मंत्री (श्री मेहर चन्द खन्ना) : (क) हां, बारह शरणार्थियों को ।

(ख) नहीं, सक्षम अधिकारी द्वारा नियत की गई कीमत ६०,००० रुपये है ।

(ग) यह जायदाद उस में रह रहे विस्थापित अलाटियों को सम्बन्धित पक्षों में हुए एक समझौते के अनुसार हस्तांतरित की गई थी ।

Homoeopathic Dispensaries

1963. Shri Rananjai Singh: Will the Minister of Health be pleased to state:

(a) the latest position regarding the proposal to set up Homoeopathic dispensaries for the benefit of Central Government employees stationed in Delhi|New Delhi under the Central Government Health Scheme;

(b) the steps being taken to appoint experienced Homoeopathic practitioners to the various posts that may be created under this scheme; and

(c) the details of qualifications which have been or are being laid down?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). There is no such proposal under consideration.

गैर-सरकारी संस्थाओं को बंगलें देना

१९६४. श्री कदुवाय : क्या निर्माण, आवास तथा पुनर्वास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकारी मकान गैर-सरकारी संस्थाओं व अन्य व्यक्तियों को नहीं दिये जाते ; और

(ख) यदि हां, तो जंतर मंतर रोड का बंगला नम्बर ६ विश्वायतन योगाश्रम को क्यों दे रखा है ?

निर्माण, आवास तथा पुनर्वास मंत्री

(श्री मेहर चन्द खन्ना) : (क) जी नहीं । सरकारी बंगले कभी कभी गैर-सरकारी संस्थाओं तथा अन्य व्यक्तियों को प्रत्येक मामले के औचित्य के आधार पर दिये जाते हैं ।

(ख) विश्वायतन योगाश्रम को जंतर मंतर रोड, नई दिल्ली का बंगला नं० १ दिया गया था, न कि जंतर मंतर रोड का बंगला नं० ६, जैसा कि माननीय सदस्य ने जिक्र किया है। योगाश्रम को यह बंगला इस आधार पर दिया गया था कि यह संस्था नई दिल्ली की जनता को एक सुविधा प्रदान कर रही है।

Film Shooting in Foreign Countries

1965. Shri Brij Raj Singh Kotah: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that recently some Indian film units visited Europe and other foreign countries for location shooting; and

(b) if so, the amount of foreign exchange sanctioned for them?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Yes, Sir. Three proposals from Indian film units for location shooting in Europe and other foreign countries have been approved by Government in the last two years.

(b) Foreign exchange released in their favour is as follows:

(1) Messrs R. K. Films Ltd.	Rs. 3.3 lakhs.
(2) Messrs All India Pictures Ltd.	Rs. 1.5 lakhs
(3) Messrs Filmalaya Ltd.	Nil (cost of location shooting abroad was met by the foreign collaborator).

Payments to Nagpur Corporation

1966. Shri Balkrishna Wasnik: Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) whether it is a fact that Government have to pay to the Corporation of Nagpur taxes such as water rate, conservancy charges and property tax;

(b) if so, the amount to be paid; and

(c) whether arrears have accumulated and if so, the reason therefor?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). (1) *Water tax and conservancy tax:*

Out of the total of Rs. 2,76,000 claimed by the Corporation of Nagpur for the period from 1st April, 1958 to 30th September, 1963, a sum of Rs. 2,25,000 has already been paid to the Corporation. The balance as detailed below is still payable to the Corporation:

(i) Water tax	Rs. 48,953.47
(ii) Conservancy charges	Rs. 3,001.00
	<hr/> Rs. 51,954.47

In respect of this amount of about Rs. 52,000, bills to the extent of about Rs. 42,000 already received are under verification and copies of the bills for the remaining amount are still awaited from the Corporation. The amount will be paid after the bills have been received and verified.

(2) *Property Tax:*

The Corporation has claimed a sum of Rs. 98,882 as property tax for the period 1st April, 1958 to 31st March, 1963. The relevant details in respect of the claim are still awaited from the Corporation and the State Government.

Checking of Passengers at Nagapattinam

1967. Shri M. G. Thengondar: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that there is an undue delay in checking the passengers from Singapore by the Customs authorities at the Nagapattinam Port (Thanjavur District, Madras State); and

(b) if so, whether any steps are being taken to augment the customs staff so as to expedite checking of the passengers?

The Minister of Finance (Shri T. T. Krishnamachari): (a) There is sometimes delay in the checking of passengers from Singapore by Customs at the Nagapattinam Port, chiefly because of the illiteracy of the majority of passengers and the variety of consumer goods which they usually bring with them in the guise of personal baggage.

(b) The local staff is augmented suitably on the days of passenger ships' arrival. Further steps are being taken to improve the situation which is dependent on the provision of a spacious and modern baggage shed.

व्यायामशालायें

१९६८. श्री श्रीकार लाल बोरवा : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि नई दिल्ली में जंतर मंतर के निकट रोगों को मिटाने के लिये व्यायामशाला खोली गई हैं ; और

(ख) यदि हां, तो कहां कहां पर ऐसी व्यायामशालायें खोली गई हैं और उनको सरकार द्वारा क्या सहायता दी जाती है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर)

(क) जी नहीं ।

(ख) यह प्रश्न नहीं उठता ।

सोने के तस्कर व्यापारियों की गिरफ्तारी

१९६९. { श्री श्रीकार लाल बोरवा :
श्रीमती ज्ञानाक मंजरी :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ललितपुर, झांसी में ३ सोने के तस्कर व्यापारी ३० नवम्बर, १९६३ को पकड़े गये थे ;

(ख) यदि हां, तो इस दल में कितने व्यक्ति थे ;

(ग) इनके पास से कितने रुपये का सोना पकड़ा गया ; और

(घ) यह सोना कहां से लाया गया था

वित्त मंत्री (श्री ति० त० कृष्णामाचारी) .

(क) २५ नवम्बर, १९६३ को ललितपुर में तीन आदमियों को चोरी-छिपे सोना लाने के अभियोग में गिरफ्तार किया गया ।

(ख) तीन ।

(ग) अन्तर्राष्ट्रीय दर से १३,१२५ रुपये का ।

(घ) जो सोना बरामद हुआ है उस पर विदेशी टप्पे के निशान हैं लेकिन यह बताना सम्भव नहीं है कि वह सोना कहां से लाया गया था ।

C.G.H.S. Cards

1970. { Shri Kapur Singh:
Shri Y. N. Singha:
Shri Himmatsinhji:
Shri P. H. Bheel:
Shri Solanki:
Dr. B. N. Singh:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that for issue of C.G.H.S. Cards to the new Government servants a certificate from the authorised medical officer is to be submitted in respect of all the family members; and

(b) if so, the reasons for adopting new procedure?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). It has been found that a large proportion of Government servants who were examined, had one or another disease or defect, without their being aware of it. It has, therefore, been decided that new entrants to the scheme along with entitled members of the family should be medically checked up, prior to

their admission to the C.G.H. Scheme. The findings of such examination will not stand in the way of their admission to the scheme. It is considered that this is in the interest of Government servants and their families. Further, to avoid any hardship, pending the result of the medical check-up, a temporary card is issued.

Investment Guarantee Agreement between India and West Germany

1971. Shri P. R. Chakraverti: Will the Minister of Finance be pleased to state:

(a) whether the prospects for the conclusion of the Investment Guarantee Agreement between India and West Germany have improved as a result of discussions with the West German Minister for Economic Co-operation, during his recent visit to Delhi;

(b) whether the Minister has put forward a compromise solution by making provision for referring cases of disagreement to an arbitration Committee;

(c) the manner in which this arbitration committee will be constituted and the scope and functions of the same; and

(d) the reaction of the Government of India to West German Minister's proposal:

The Minister of Finance (Shri T. T. Krishnamachari): (a) The question of an investment guarantee agreement between India and West Germany has been under discussion for some time now and was also discussed recently with the West German Minister for Economic Co-operation during his visit to Delhi. During the discussions while there has been progress on certain points, there are other important issues on which there is need for further discussion and negotiation between the two Governments.

(b) to (d). The particular point regarding arbitration is one of the issues which is a matter for further

discussion between the two Governments.

Beas Control Board

1972. Shri Hem Raj: Will the Minister of Irrigation and Power be pleased to state:

(b) whether the meeting of the Beas Control Board and Bhakra Control Board were held recently at Talwara in the first week of December, 1963; and

(b) if so, the main subjects discussed and conclusions arrived at by these boards separately?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes. The meeting of Bhakra Control Board was held on 2-12-1963 and that of Beas Control Board on 3-12-1963 at Talwara.

(b) The main subjects discussed and conclusions arrived by these Boards are given in the Statement laid on the Table of the House [*Placed in Library.. See No. LT-2192/63*].

Quarters on Shahjehan Road, New Delhi

1973. Shri P. C. Borooah: Will the Minister of Works, Housing and Rehabilitation be pleased to state:

(a) the progress made in the construction of Central Government employees quarters opposite U.P.S.C. building on Shahjehan Road, New Delhi;

(b) the total number of quarters of each type built or to be built there; and

(c) whether exclusively officers' type quarters have been built on that site?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) to (c). The following houses for Central Government em-

ployees are being constructed on Shahjehan Road:

Type V (Less than Rs. 1300/- but not less than Rs. 700/-)	44
Type VI (Less than Rs. 2250/- but not less than Rs. 1300/-)	32
Type VII (Rs. 2250/- and above)	26

The type VI houses have already been completed. The type V and 22 type VII houses are under construction and are expected to be completed between March and October 1964. Work on the construction of 4 more type VII houses will be taken up shortly.

Arrests for Smuggling Gold

1974. **Shri D. D. Mantri:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 700 on the 28th November, 1963 and state the action taken against the six persons arrested in Nipani by the officials of the Central Excise Department for smuggling gold ?

The Minister of Finance (Shri T. T. Krishnamachari): These persons are now in judicial custody. The case is under investigation.

Seizure of Contraband Goods at Calcutta

1975. **Shri D. D. Mantri:** Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 737 on the 28th November, 1963 and state:

(a) the name of the owner of the vessel from whom the Customs officials at Calcutta recovered certain contraband goods on the 8th October, 1963; and

(b) whether any action has been taken against the owner of the vessel?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). No action was taken by the Customs authorities against the owners of the vessel, as it was not established that the vessel was used as a means of transport in the smuggling of goods

with their knowledge or connivance. Hence it is not considered desirable to disclose the name of the owners.

Sargodha Electric Supply Co. Ltd.

1976. **Shri D. D. Mantri:** Will the Minister of Works, Housing and Rehabilitation be pleased to refer to the reply given to Unstarred Question No. 1535 on the 5th September, 1963 and state:

(a) whether Sargodha Electric Supply Co. Ltd., has applied to the Government of India for compensation; and

(b) if so, the amount paid to the Company?

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): (a) and (b). The claim of Sargodha Electric Supply Co., Ltd. for payment of compensation was forwarded to the Government of Pakistan in 1950 but has not so far been verified by them. As this Company has been treated as an evacuee concern, it is entitled, under the Agreement, to compensation only for its movable assets and not for the immovable property left by it in that country.

Donations to Temples

1977. **Shri M. P. Swamy:** Will the Minister of Finance be pleased to state:

(a) whether any exemption from income-tax is given to the cash donations offered by devotees to temples; and

(b) if so, whether any limit has been fixed for such tax-exemption?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Donations offered to temples, as such, do not earn any tax relief for the donor. However, the donations given for the renovation or repair of any temple, mosque, gurdwara, church or any other place which is notified by the Central Government to be of historic, archaeological or artistic importance

are entitled to tax relief under section 88(6) of the Income-tax Act, 1961.

(b) Subject to the lower limit of Rs. 250, such donations not exceeding 10 per cent of the assessee's total income or two hundred thousand rupees, whichever is less, are entitled to tax relief. In any case, the tax relief is not to exceed half the amount of donation.

New C. G. H. S. Dispensaries

1978. Shri Parashar: Will the Minister of Health be pleased to state:

(a) the criteria for opening new C.G.H.S. dispensaries;

(b) whether Government is aware that there is a large concentration of Government servants in Kailash Colony, New Delhi and there is no C.G.H.S. dispensary there; and

(c) if so, the steps Government propose to take to cater to the medical requirements of a large body of Government servants who are residing in Kailash and Greater Kailash colonies and their families?

The Minister of Health (Dr. Sushila Nayar): (a) It depends upon the number of Central Government servants residing in a locality and the figure of attendance at the existing dispensary serving the area. The number of families, one dispensary services, on an average is about 2800.

(b) and (c). The number of Central Government servants residing in these colonies does not exceed two hundred. These are attached to the C.G.H.S. Dispensary, Andrewsganj and the question of opening a new dispensary does not arise.

Tewra Dal

1979. Shri Hari Vishnu Kamath: Will the Minister of Health be pleased to state:

(a) whether the question of deleteriousness of "Tewra dal" to the human organism is being further examined;

(b) if so, by whom;

(c) the progress so far made; and

(d) when a final decision is likely to be reached?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) Investigations are being carried out by the following institutions on the various aspects of the problem:—

1. Nutrition Research Laboratories, Indian Council of Medical Research Hyderabad—Experimental Lathyrism characterisation of the active principle responsible for the lesions in experimental medicine.
2. Department of Bio-chemistry, Indian Institute of Science, Bangalore—Experimental neuro-lathyrism and chemical characterisation of the active principle.
3. Department of Biochemistry, University of Delhi, Chemical analysis of the active principle responsible for neuro-lathyrism.
4. Department of Botany, University of Madras—Possible role of manganese content of lathyrus sativus in the development of lathyrism in man in Rewa.
5. Neuro-pathology Unit, Indian Council of Medical Research, Indian Cancer Research Centre, Bombay—Monkeys fed lathyrism sativus failed to develop neuro-lathyrism.

(c) The several factors involved in the development of causation of this condition are now recognised. Teams of investigators of the Nutrition Research Laboratories and Indian Institute of Science, Bangalore, have demonstrated successfully for the first time neurological lesions in young one-day old chick.

(d) It is too early to indicate the probable time by which the final results of these studies will be available.

Multiple Officers Range Scheme

1980. Shri D. B. Raju: Will the Minister of Finance be pleased to state:

(a) when the Multiple Officers Range Scheme was implemented in the country under Central Excise Department; and

(b) whether the scheme has resulted in economy in administration in the Hyderabad Collectorate?

The Minister of Finance (Shri T. T. Krishnamachari): (a) The scheme was implemented after April 1958 on various dates in the different ranges.

(b) Yes, generally.

12 hrs.

PREVENTIVE DETENTION (CONTINUANCE) BILL—(Contd.)

Mr. Speaker: May I know how long will the hon. Minister take for his reply?

The Minister of Home Affairs (Shri Nanda): About 45 to 50 minutes.

Mr. Speaker: There is one thing that I want to point out to the House. There are two Short Notice Questions, one Calling Attention Notice, one notice by Shri Daji, and a statement to be made by Dr. Lohia. All this will take some time. If the House agrees, we might take them up at about 4.30 today, and we may straight-way start with the reply of the Home Minister, so that the Division that is likely to take place might be finished by the time Members want to go for lunch.

Some Hon. Members: Yes, Yes.

डा० राम मनोहर लोहिया (फर्रुखाबाद): मेरे वाला क्या खत्म नहीं कर सकते हैं ?

अध्यक्ष महोदय : यह नहीं हो सकता है ।

Shri Nanda: Mr. Speaker, Sir, the House considered the Bill before it at very great length. The discussion, as it appears to me, has not thrown up any new issue. The attack from various sides on the Opposition Benches converged on three or four points. It was asserted that the framers of the Constitution had erred grievously in providing a place for article 22 in the Constitution.

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, मेरी एक प्रार्थना है . . .

अध्यक्ष महोदय : तकरीर चल रही है, प्रार्थना सुनी नहीं जा सकती है ।

श्री रामेश्वरानन्द : प्रार्थना जरा सुन लें ।

अध्यक्ष महोदय : यह नहीं हो सकता है ।

श्री रामेश्वरानन्द : व्यवस्था का प्रश्न है

अध्यक्ष महोदय : कोई व्यवस्था का प्रश्न नहीं हो सकता है । स्पीच हो रही है । इसके बीच में नहीं हो सकता है . . .

श्री रामेश्वरानन्द : मैं प्रार्थना करना चाहता हूँ, उनको सुन लीजिये ।

अध्यक्ष महोदय : उम्रान में नहीं सुनी जा सकती है ।

श्री रामेश्वरानन्द : कब सुनेंगे ? सुनेंगे या नहीं ?

अध्यक्ष महोदय : या पहले खड़ होते या फिर इसके बाद ।

श्री रामेश्वरानन्द : मैं नम्र निवेदन करना चाहता हूँ

अध्यक्ष महोदय : आप बैठ जाइये ।

श्री रामेश्वरानन्द : मैं बैठ जाता हूँ, मेरी प्रार्थना आप सुन लें ।

अध्यक्ष महोदय : आप बैठ जाइये, तकरीर के दम्यान में नहीं हो सकता है ।

श्री रामेश्वरानन्द : कब सुनेंगे, बता दीजिये ।

अध्यक्ष महोदय : बता दूंगा ।

श्री बड़े सारधोन: उनको हिन्दी में बताया नहीं गया है और उनकी समझ में नहीं आया ।

अध्यक्ष महोदय : आपका फज्र था और था । समझ सकते थे ।

श्री बड़े : मैं ने भी नहीं सुना । हाऊस में गड़बड़ थी ।

Shri Nanda: One point of attack was the Constitution itself. Then, it was alleged that if this had been provided in the Constitution, actually, the uses to which the Preventive Detention Act has been put are very different from what were envisaged in the Constitution,.... (*Interruptions*).

Mr. Speaker: I cannot understand why talks are going on everywhere. I cannot follow the speech of the Minister.

Shri Nanda: and from whatever was visualised by Sardar Vallabhbhai Patel at the time he brought forward the first piece of legislation on the subject. It is complained that we have been exploiting this legislation for political ends. It is also being stated that the safeguards to which I have referred in my opening, introductory speech were illusory altogether. These are some of the most important points that have been urged. Unnecessarily it was also repeated again and again that while we have got the provisions under the Defence of India Rules, why we need this piece of legislation, and that we could have dispensed with this because of the fact that we have got those other powers in our hand. . shall deal with this question and I

hope to deal with these questions with the utmost frankness and objectivity.

I am also keeping in mind the counsel offered to me very generously by my hon. friend Dr. Lohia that the Home Minister should exercise humility and be humble. I am not quite sure whether my speech sometimes reflects humility or not, but I have nothing else in my heart because I have no reason to be anything else. I also remember what Shri Masani said about something which appeared in some paper—some remarks or some observations about myself as Home Minister, and he said I should not fall for that kind of flattery. I am always very conscious of my deficiencies. There is no such fear at all, but I am sure that Dr. Lohia's expectations would not be that I should not speak out my mind regarding things for which we stand and if there are any wrong utterances certainly I will have to counteract them.

I will first say something about the atmosphere of the debate. Whatever may have been the vigour of the speeches in terms of pitch of voice or the extravagance of language,—some people are very impressed by these things,—I may say very respectfully that most of what has been said had very slender basis in terms of reason and fact. A great deal of rhetoric, denunciation, was there, but these things do not take the place of facts and reality and logic. What I am saying is with a sense of responsibility, because I am straightway going to deal with this and show how it is that it was mostly denunciation. We were told that this was something like a blot and that blot became something black and that black became pitch-black. I do not know any other word which will express their sense of darkness about things. In this respect, the performance of an hon. Member, who is not sitting in the House now—Shri Frank Anthony—on this occasion was something astounding. As I listened to him, I was wondering what had

happened to him. His vocabulary appeared to be very full of invectives and abuse and he was very free with that. He poured scorn and ridicule on all and sundry and in this wide sweep of on slaught he took everything: our Constitution, this law, the Advisory Boards, the Government, the judiciary, the judges, the magistracy the officers, everybody. For him nothing is right in this country, and he alone seems to be the paragon of perfection and embodiment of virtue. That is what it looked like. I thought and I think that this hon. Member is a stranger to the quality of restraint, absolutely. He crossed the limit. I have heard him on other occasions also but I felt that this time there was an absolute lack of sense of proportion in everything that he said. He was very vainglorious about his own ingenuity as an advocate and his knowledge of constitutional law. I do not know much about constitutional law. Whatever he said about the Preventive Detention Act and its working did not encourage in my mind the belief that he knew everything about that. Whatever he said about the working of this Act did not at all correspond with facts.

Let us take the question of the Constitution first. This has been assailed. This article 22 in several forms was discussed at very great length, was examined very closely in the course of the discussions in the Constituent Assembly. Some of the hon. Members who were present there are sitting here now. Those who shared the responsibility for incorporating this provision in the Constitution were not, as some hon. Members mentioned, spoiled by the exercise of power for a number of years. They were fresh from the scene of struggle for freedom. Most of them, the leadership at least, were people who knew very well what the meaning of freedom and liberty is. I do not blame the hon. Member and some others who may not have joined in that struggle, but let them not cast aspersions on those whose patriotism, love for the country and love for free-

dom and liberty could not be questioned. Then there are some others. I need not make any great mention of that phase in our history—1942—let us leave it there.

Shri Hari Vishnu Kamath: (Hoshangabad): Why leave it there? Why fight shy about it?

Shri Nanda: I have mentioned it. Some hon. Members think that because of the provision of preventive detention, there is obliteration of freedom in this country. They forget all the freedoms are there—it is a long list of the freedoms that are enjoyed in this country like freedom of speech, freedom of association, freedom of the Press, freedom of worship and movement. All these things are there. At least I would be grateful to Mr. Masani that he tried to restore the perspective by mentioning this. And, there is this little thing. Even that little, we do not like at all. But what has been urged is that because about 280 persons are detained in a year, therefore, this country is a country of enslaved people. This is the kind of impression that is sought to be created.

Who are those people—majority of them—who are detained? They are people who have taken up violent activities, terrorising their neighbours and others, spies, goondas, people engaging in anti-national activities, those who harbour dacoits, etc; they do not deserve any sympathy. The milk of human kindness flows for these few and not for the thousands, lakhs and millions of people whose liberties are going to be protected from encroachment by these people. Such people do not deserve any sympathy. This is the thing which hon. Members must bear in mind.

I have urged in my speech earlier that this also should not be there, but if the necessity of it is there, we should not take a perverse view of it. I am sorry I must use a strong word. This is the question regarding the Constitution. We are told, we have a brute majority and therefore we carry

[Shri Nanda]

things our own way. When the Constitution was passed, there was practically unanimity regarding that clause.

Shri Hari Vishnu Kamath: No unanimity.

Shri Nanda: Practically, I said practical unanimity. The hon. Member must remember what he said then. I will just have opportunity to say something about what he said. Now he says something which is totally at variance with what he said then. I will quote him presently. The Congress Party might have obtained the majority on some pretext and then misused it. But if it goes back to the people and gets the majority again and again, what do they say? I do not think those who called this Preventive Detention Act as a serious blot had mentioned it in the places where this Act has been used, because in those places, the people know what it has been used for. Nobody will have any sympathy for them and they would not get a single vote on this issue. (Interruptions).

Shri Hari Vishnu Kamath: Remember Goa.

Shri Nanda: There is the question for what purposes this is being used. At least Mr. Masani is consistent in one thing though his past is not consistent with his present. He has been consistent in his hatred for communism. On all those occasions he said that there should be legislation—this legislation and any other legislation—somehow he wants to keep the communists in their place and their place according to him is behind the bars, every one of them. He said, have the Preventive Detention Act, but use it only for the communists exclusively. He has been saying this all along. He said “principled legislation”, which means legislation which has the principle of outlawing the communists. May be that many of the communists now are people for whom one will not have an iota of sympathy, for those who are engaged in anti-national activities and

the pro-Chinese faction. It is not a small faction; it is a very large number.

It had been stated by Sardar Patel in his earlier speeches on these occasions that “we are not against communism as such; we are not against any theory or doctrine, but its manifestations, things which hurt the nation.” At any rate, the hon. Member, Mr. Masani, has admitted the principle. For him, it is only to be applicable to them. But what do those Members say? They say there should be detention of anti-social elements, vested interests, people who profiteer, blackmarket and hoard and hold the community to ransom because they have got resources in their hands. That is another way of looking at it. So, they also believe in preventive detention. So, in all this on-slaught on the Bill, the principle of preventive detention remains intact. Only some people want it to be used against some others and *vice versa* but the principle remains intact. That is what has happened as a result of this discussion.

Shrimati Renu Chakravarty (Barrackpore): But you do not use it against blackmarketeers.

डा० राज मनोहर लोहिया : सरकार विरोधियों को चैन समर्थक कह दिया जाये तब ?

Shri Nanda: Hon. Members will have a little patience with me. I would like to go back to the discussions in the Constituent Assembly when the first Bill came up and quote what everybody who mattered had to say, and Mr. Kamath matters very much. About communism, what Sardar Patel said I have already indicated. He also said:

“Obedience to law should be the fundamental duty of a citizen. When the law is flouted and offences are committed, there is the criminal law which is put into force. But where the very basis of law is sought to be questioned and an

attempt is made to create a state of affairs in which, to borrow the words of the distinguished patriot, the father of our Prime Minister, men would not be men and law would not be law, we feel justified in evoking emergent and extraordinary laws."

About the question of the communists, he said:

"This is a democratic country now and any party that wants to take advantage of democratic institutions or democratic organisations or to come into the Government by democratic methods, is quite free, but it will be an evil day if this Government allows the democratic freedom to go to the polls to people who want to destroy democracy by violence and disruption. We will not do it.

"Take the Communist Party in England. What are they doing? They fought at the polls. They can do so here. Do the British Communists take violence of this nature? Do they remove rails? Do they dislocate communications? Do they set fire to public property? Do they attack the warders in jails and kill them? Do they attack the police?

Then he went on to list a number of other such criminal acts.

He wanted to show that it is against criminal violence used against innocent people. Therefore, he said, I am taking every precaution to guard the liberty of innocent people. This was the purpose.

Then, we have heard about the jurists; about 'experts' constitutional law. There were some most eminent jurists in the country who had a hand in the framing of this law.

Shri Alladi Krishnaswami Ayyar was there. He said:

"Personal liberty has not the same content and meaning as is imposed into it by some of our friends who naturally feel very sen-

sitive about people being detained without proper trial. I trust the House will take into account the various aspects of this question, the future progress of India, the well-being and security of the State, the necessity of maintaining the minimum liberty and the need for co-ordinating social control and personal liberty before coming to a decision."

He justified it in those terms and explained why this was being done. He mentioned it as a necessary evil. This is what the eminent jurist who was mainly responsible for this part of the Constitution had to say:

"The problem necessarily has to be faced because detention has become a necessary evil under the existing conditions of India."

One of the most enthusiastic advocates of liberty further said:

"There are people in this land who are determined to undermine the Constitution and the State, and if we are to flourish and personal property is to be secure, unless this particular evil is removed and the State is invested with sufficient power to guard against that evil there will be no guarantee even for that individual liberty which we all desire."

Shri Tyagi: Then we all agreed.

Shri Nanda: The hon. Member, Shri Tyagi was present. He says: "Then we all agreed." He means to say that they agreed when the case was made out on that basis.

Now I will turn to the hon. Member, Shri Kamath. Before that, I want to quote a few words of Dr. Ambedkar who can never be termed a reactionary, the appellation which has been applied to so many. He said:

"I think it has to be recognised that in the present circumstances of the country, it may be necessary

[Shri Nanda]

for the executive to detain a person who is tampering either with public order as mentioned in the Concurrent List or with the Defence Services of the country. In such a case I do not think that the exigency of the liberty of the individual should be placed above the interests of the State."

It is on that basis that this clause has been included.

The hon. Member, Shri Kamath's was a very balanced and a very cogent approach to the whole problem.

Shri Hari Vishnu Kamath: Is it not of 1950? Was it in the Constituent Assembly or in the Provisional Parliament?

Shri Nanda: Have the constitutional values changed so radically in that period?

Shri Hari Vishnu Kamath: Are you referring to the Constituent Assembly proceedings or the proceedings of the Provisional Parliament?

Shri Nanda: 25th February, 1950 (*Interruption*). This is what he said: the hon. Member will kindly listen to this replaying of his speech:—

"I agree, I entirely accept the hon. Home Minister's dictum that all subversive and dangerous elements in the country must be put in their place."

Shri Hari Vishnu Kamath: I said: "put in their place".

Shri Nanda: Then he continued to say:

"It is not enough that we say so and be done with it. The security of India is a very important consideration. The defence of India is equally important, and more important today. But we cannot ignore the supreme consideration that civil liberties should be preserved and

should not be done away with so long as the preservation of those liberties is not inconsistent with the security of the State, the stability of the State and the safety of the State."

Shri Hari Vishnu Kamath: What is wrong with it?

Shri Tyagi (Dehra Dun): How patriotic he is.

Shri Nanda: He said:

"So long as the security of the State is not jeopardised by the preservation of those civil liberties—that is a fundamental dictum to which I am sure the Government will agree—we should be careful.."

Shri Hari Vishnu Kamath: There is nothing wrong in it.

Shri Nanda: Let not the hon. Member get impatient, because I am saying something which has an immediate bearing. He said:

"...we should be careful to see that adequate safeguards are provided in such a manner that the liberties of the individual are not encroached upon by the executive or suppressed by it at its whim or fancy."

Shri Hari Vishnu Kamath: Sir, I rise to a point of order. I stand by every word and every syllable of what I said on that date. Is there anything in my speech justifying preventive detention? Have I used the word anywhere? He promised to quote from my speech. He is misquoting and misrepresenting me and also misleading the House.

Mr. Speaker: Order, order. On the one side the hon. Member says that he stands by every word that he said and, on the other, he says that the hon. Minister is mis-quoting him.

Shri Hari Vishnu Kamath: No, no; mis-representing and misleading the House.

Mr. Speaker: Order, order. He will kindly stick to every word and keep to his place also.

Shri Hari Vishnu Kamath: I am sorry.....

Mr. Speaker: Order, order. There is no point of order.

Shri Hari Vishnu Kamath: Is a Minister in order to mis-represent and mislead the House? He said I justified the law. I never justified the Preventive Detention Act?

Mr. Speaker: Order, order. If something is said which is a mis-representation, he can bring it to my notice afterwards by a statement. Now he should listen to what is being said.

Shri Nanda: I did not say anything from myself. I only quoted from the records of the Constituent Assembly. I do not know whether there is anything wrong with it. I only want to quote a few more words that he said. He said:

"I do not for a moment say that our Government will deliberately and consciously arrest and detain persons unjustly and unfairly."

Shri Hari Vishnu Kamath: I said it in 1950.

Shri Nanda: He said:

"But when we legislate in this fashion we must provide for certain safeguards, in the absence of which subordinate officers who are endowed with much wisdom may in the excess of their zeal exceed the powers that we seek to confer upon them."

Shri Hari Vishnu Kamath: I referred to the misuse of the power given to it.

Shri Nanda: Then he added:

"May I hope and pray that the powers that we seek to vest in the Central and the State Governments

through this measure will be exercised very fairly, wisely and justly, and sparing too, and that no individual will be in a position to complain that his liberty has been curtailed...."

All these are about the legislation, about the safeguards and about the things which I am saying now. Of course, there can be some kind of a discussion whether the safeguards have been properly exercised or not.

Shri Hari Vishnu Kamath: He must remember the question of Telangana also.

Shrimati Renu Chakravartty: He wants some PSP members....

Shri Hari Vishnu Kamath: You were not here then....

Mr. Speaker: Now both are here and both have to co-exist.

Shri Hari Vishnu Kamath: All of us with Shri Nanda also.

Shri Nanda: I shall now take up another aspect of the question. One after the other, hon. Members raised the question whether this legislation has been used to serve the purposes for which it was enacted. I also, in anticipation, had indicated some measure of agreement with them that this legislation has not been used sufficiently, as it appeared to me, having regard to the magnitude of the evil in this country regarding profiteering, regarding misuse of the resources which the people have in regard to commodities etc., regarding profiteering and hoarding of essential commodities and other matters. I agreed then. But I was referring to this Act then. Later on I have found that under other laws action has been taken. Apart from the Defence of India Rules which have been in force during the last one year, there is the Essential Commodities Act, 1955. Under this measure many cases have been started. According to the latest figures, 1997 cases have been started under the Defence of India Rules against black-marketeters and hoarders. Similarly,

[Shri Nanda]

under the other measure, nearly 1500 cases have been started. Therefore, this Government is able to come forward and say that this aspect has not been ignored. There are powers under other laws which have been used. But I still feel that more has to be done on that account so that the people may be saved from the exploitation on account of which they are suffering now.

I will now come to another very important aspect, whether having agreed that under some conditions it is open to the Government to be justified to have the use and exercise of these special powers, the conditions that exist now are still of the same nature that possibly furnished the justification on earlier occasions. Have they got the same abnormal character that the use of this legislation should be continued? That is a question about which I would like to say a few things now. I might immediately first say a word about the phrase 'intermediate stage'. Some fun was made of that. There is an Emergency, but short of this, there may be abnormal conditions and this may be an intermediate stage. Now, if the conditions are not normal, if there are disturbances, if there are those elements, which there are in the country still unfortunately, people whose emotions are roused, exploited, for various purposes, the communal hatred is inflamed and fanned and then there is the question of linguism, regionalism, provincialism, all these various passions and emotions, we have not yet been able to fully integrate the nation on the basis of complete, full, democratic values. These things remaining there, the question for us is: are the conditions now still such that the potentialities of mischief remain? Now, we have to judge in the light of the experience of the last three years. I might say: should we want, if things are not good enough, if people feel that there is not enough security, after having satisfied ourselves that with the normal powers which we

have got, our machinery is being employed and yet it is not able to cope with that,—these special powers? Should we leave things to develop and worsen to the point that we have to declare an Emergency, not because there is foreign aggression or a fear of aggression, but because of internal disturbances of that kind, or, should we, if things are not normal, make use of an intermediate stage where a small exercise of special powers enables us to avoid the deterioration of the situation to an extent that may be undermining the whole basis of democracy? What I am saying is not idle words. The hon. Member Mr. Masani said, "Look at the world and the Asia." There are countries—I do not want to name them—which have achieved Independence and freedom and yet democracy is not there, democracy in the sense in which we understand it. Democracy should not be taken for granted. We can lose it, if we are not careful about it.

Shri Frank Anthony (Nominated—Anglo-Indians): We have lost it. Why not adopt the Communist way? That will be quicker!

Shri Nanda: I will present him the record of what I said about him later on. Therefore, it is very essential that we do not shirk our duty. What the hon. Member said has been characterised as savage and virulent. The savagery of words is not really going to kill any good cause.

Apart from all those things which are mentioned, all those tensions which are created in this country, we have got the problem of poverty, of unemployment, of bringing about equality. This whole idea of classical liberalism is not going to satisfy us. Because we have a vote, equality before law, that is not all. We had an incomplete revolution. That revolution has to be completed. Radical changes have to be brought about in this country in order that the people have all the things that they need and for that purpose, the whole programme of development which must

cause strains is there. The population is increasing fast; scarcities are being caused; while more progress is occurring. Let us see the things in the whole perspective. Things are being produced more than ever before; all the commodities are much more and yet we find that there is all the strain and stress and the scarcity. This problem is there before us. It is not that anyone of them is a cause or a justification. It is the situation as a whole. It is not the case of a few spies or a few goondas or a few of this or that category. It is the scale and the magnitude of the activity. It is also the conditions of society in which these things are coming about. It is all that situation taken together which presents us with this dilemma and it has to be faced. So, if we bring in this legislation, it is having regard to the entire situation that we are facing. And what would be the alternative if we are not able to deal with these things, counteract these tensions and what next emerge out of it? We may become entirely incapable of solving those problems and, therefore, while the full measure or democratic values has to be cherished and enshrined in our legislation, let us not be stampeded into doing things which are going to be worse for the country in every possible way.

Now, I will say one thing more in this context. The question was: is it going to be a permanent legislation?

Shri Frank Anthony: Definitely; no question about it.

Shri Nanda: It is not. The hon. Member may smile about it. I have no intention at all that there should be....

Shri Frank Anthony: Cynical.

Shri Nanda: Yes, cynicism also is a quality which he claims. What we have to face upto is this—that we have this legislation for so many years—this is what is said. Well, we are also contrasted with other countries. Other countries have had long

centuries in which democratic traditions have evolved and they have passed through so many phases, ups and downs, and to compare them with us is not proper when democratic traditions are not settled down here. But I do not want to compare. Let us see things as they are. Let us see what we can do here. I will request the hon. Members one thing. I am making to them a proposition. I would like the Act to go as soon as possible. There is no intention of keeping it in permanently on the statute. It should go even before three years.

Shri Hari Vishnu Kamath: Nothing is permanent in this transitory world.

Shri Nanda: I would be the happiest person if it goes. Now, there are conditions. The hon. Members just see the problem that is before us. As I said, it is a combination of circumstances and situations. It is a total effect, the concentration of tensions, of difficulties of various kinds, communal, this and that and if it is said that the Communists can disrupt it, why can it not be said that those who inflame communal passions are also disturbing and subverting the democracy of the country and why it not be said that those who have got the power of money can also subvert the democracy? Let us take all these things together. My offer is this: I shall look after goondas; I shall look after....

Shri Hari Vishnu Kamath: Sadhus and goondas both.

Shri Nanda: His aversion to sadhus....

Shri Hari Vishnu Kamath: Not aversion; but it is a statement of fact. He is the President of the Sadhu Samaj.

Mr. Speaker: Order, order. There ought not to be any wonder the hon. Home Minister has to look after the sadhus as well as the goondas.

Shri Nanda: They will be very useful for various good purposes in the country. The proposition is this: We will do all that is possible to look after this problem. Will they undertake that parties, political parties, organised groups, will not countenance any agitation which leads upto violence, will not countenance any intimidation, anything which leads to coercion?

Shrimati Renu Chakravartty: You get an assurance from Mr. Masani first. We will also give an assurance.

Shri Nanda: All right, here is something. This Act will be repealed before the three years are out. Let us do something about it. I mean business. There is so much to be dealt with, so much to be faced that the problems of the administration become almost baffling. If we are free from that, if the large parties, responsible parties, organised groups, make it certain and try to work out a technique and a scheme that on their side—agitations may be there, there is nothing to stop that . . .

Shri Hari Vishnu Kamath: It is a constitutional right.

Shri Nanda: Demonstrations may be there, and we have to see that the people are able to express themselves, that their mind is allowed to assert itself, all that may be there. . . .

Shri Hari Vishnu Kamath: Even satyagraha.

Shri Nanda:but there should be no intimidation, no coercion and no violence. If we got that assurance, then I would say—I cannot say about the Government, but I am sure my colleagues will agree with me, and I shall advise my Government—that we should agree to take off this Bill from the statute-book. Therefore, let us work it out on that basis. Here is the onus on them now.

Shrimati Renu Chakravartty: Under which category will capitalist exploitation and intimidation fall?

Shri Nanda: I have answered that already. I have not put them in any different category from the others; they are in the same category. The implication is that the hon. Member Shri M. R. Masani is a protagonist of those people but I do not think he will accept it.

Shri M. R. Masani (Rajkot): So far as my party is concerned, I accept his offer. Our party has never broken any law and will not countenance the breaking of any law. He can have my assurance.

Shri Nanda: The laws about profiteering and all those things are there.

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, उन्होंने आश्वासन चाहा है। मैं आश्वासन दे दूँ—सूजे पता नहीं कि हमारा दल उन के लिए बहुत छोटा सा होगा या बड़ा होगा, परन्तु हमारा आश्वासन पिछले बीसियों बरसों से रहा है कि हम अहिंसात्मक बनवा करेंगे। हम हिंसा नहीं करेंगे, लेकिन बनवा करवा करेंगे। (*Interruptions*) हम ने हिंसा नहीं की है। हिंसा जा हुई है, उधर से हुई है।

Mr. Speaker: Order order. There ought not to be cross-questions and controversies.

Shri Surendranath Dwivedy (Kendrapara): I want to know from the hon. Home Minister whether Government are prepared to give this assurance that they will not indulge in such activities as will encourage violence in this country? We are against violence, and no political party here which is wedded to democracy ever advocates violence or does any action which will lead to violence.

Therefore, it would lead to this. If this Act remains, after all these parties here in this House have pledged that they will not encourage any activities which will lead to violence, will it be

used only against those parties which do not abjure violence? That is the assurance that we want.

Shri Bhagwat Jha Azad (Bhagalpur): There are some politicians who make promises to break them.

Shri Nanda: We shall have means of dealing with others who are acting against the public interest and the interests of the nation; we shall have the means. Let us get rid of this problem first.

Regarding violence, since we are now discussing . . .

Shri Hari Vishnu Kamath: The hon. Minister is shifting his ground now.

Shri Nanda: No, I am not shifting ground. Let me know what the ground is . . .

Shrimati Renu Chakravartty: Shri M. R. Masani may have given his assurance. But what about the goondas that are employed by the employers and that are let loose upon the trade unions?

Shri A. P. Sharma (Buxar): There are certain parties and people who are anti-national and this Act is meant for dealing with them.

Mr. Speaker: Order, order. There are differences of opinion. Therefore, the hon. Minister must be heard first. He had made that offer. The parties can consider it. But that will be a question for settlement afterwards not now. It cannot be decided just now.

Shri Nath Pai (Rajapur): I want to point out one thing. Normally, nobody will accuse Shri Nanda of dramatics. But just now he has made a tremendous dramatic gesture and thrown a challenge that if the leaders of the parties will here and now make a pledge that they will adjure violence in any form, then he will come forward with a proposal and advise his Government that this Act should be

removed from the statute-book. May I ask him this question now? What is logical now is this. He has got the assurance from everyone, beginning with the communists . . .

Shri A. P. Sharma: What about those people who are indulging in anti-national activities? . . .

Mr. Speaker: Order, order. When one hon. Member is on his legs, another hon. Member cannot stand up and speak.

Shri Nath Pai: In view of the fact that the assurance has been given by all the leaders of all the parties, may I ask where he finds the necessity of continuing with the passing of the Act? He wanted an assurance, and he has got it. Why does he not withdraw the Bill right now?

Shri Hari Vishnu Kamath: Withdraw it.

Shri Nath Pai: He should withdraw it right now.

Shri Tyagi: The goonda parties are not represented in the House. (*Interruptions*).

Shri A. P. Sharma rose—

Mr. Speaker: Order, order. The hon. Member might resume his seat.

Shri Nath Pai: The assurance has come already.

Mr. Speaker: So far as I could understand it, he did not give any guarantee or make an offer in this form that just now, if this guarantee or assurance is given, he will not proceed with the Bill before the House. Am I right?

Shri Nanda: You are right, Sir.

Mr. Speaker: This offer was also an argument to get his Bill passed first.

Shri Nath Pai: As usual, you have shielded him.

Shri Bada: If that is the attitude of the Prime Minister and the Home Minister, then we have no objection.

Shri Nanda: You have always been fair. But you may kindly allow me to qualify it. I shall have to qualify that, not what I said but what you have said. It is not an argument that I have advanced. I never build my case in this way. But I do not want that on the spur of the moment somebody should stand up and give this assurance. Let my hon. friends go to their parties first, and ask them. Let them go and have the sanction of the party and then give this assurance, and not immediately, this moment, in this manner.

Shri Surendranath Dwivedy: You can have the assurance here and now. There is no sanction needed for this. The party stands for it. What is the sanction needed for this assurance? We say that we stand by it. The party also adheres to it. We have followed it all these year. So, there is no sanction necessary. (*Interruptions*).

Shri Nanda: I shall proceed to deal with the point that I was dealing with.

Mr. Speaker: Order, order. There ought not to be any excitement on this.

Shri Nambiar (Tiruchirapalli): Yesterday, this was what I spoke, and this is on record. I am reading from the debates:

Shri Tyagi: Violence only.

Shri Nambiar: Never violent. The communist Party has made it very clear repeatedly that it does not stand for violence."

Shri A. P. Sharma: That is only in language and not in practice.

Shri Bhagwat Jha Azad: There are some politicians who make promises to break them.

Shri Nambiar: What else do my hon. friends want? Here is the assurance

given in this House in the course of my speech.

Shrimati Vimla Devi (Eluru): What more do hon. Members want?

Mr. Speaker: Order, order. The hon. Home Minister has said that what I had observed was not what he intended. But he must give me that much latitude that it was only in a lighter mood that I was saying that. He should not have taken it so seriously. I was only appealing to hon. Members that that question was not to be decided just now and immediately. It is not as if they should stand up now and say that they do not stand for violence, and, therefore, immediately, the hon. Minister would withdraw the Bill. That is not the position. So, there should not be any more controversy on this.

Shri Nath Pai: There is no controversy. But he asked us for an assurance and we gave it. He said that we must speak with the authority of the parties. It is quite obvious that the authority is there.

Mr. Speaker: The hon. Minister desires that let this Bill be passed first, and then the parties might behave in a proper manner, and he would watch for some time and then come forward to remove it from the statute-book.

Shri Surendranath Dwivedy: Now, he is exposed.

Shrimati Renu Chakravartty: We have abjured violence except that if Government attack us in a certain situation we have to use violence in self-defence. That is the only situation where that will have to be used in self-defence.

Shri H. P. Chatterjee (Nabadwip): I belong to no party. I represent a constituency. If I am not a second class citizen here than I must submit something; in my constituency lots of innocent men have been imprisoned because of this Act. Something absolutely wrong is going on there. That is what I say. What about that? What you have observed in a lighter

mood is correct namely that Government want to have the powers. But I may point out that their men are not innocent; their men are doing havoc in my constituency, and I would repeat that.

श्री रामसेवक यादव (बाराबंकी) :

अध्यक्ष महोदय, एक निवेदन है ।

अध्यक्ष महोदय : मैं इस को और नहीं चलने देना चाहता ।

Shri Nanda: I shall proceed to deal with the situation as it is now.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, जरा मेरी बात मुन लीजिये, क्योंकि और कई माननीय सदस्य बोले हैं, किन्तु कोई भाषा वाला नहीं बोला है । निवेदन यह है कि मंत्री महोदय के इस पीने घंटे के भाषण से यह स्पष्ट हो गया है कि जो जरायमपेशा लोग हैं, या और कोई ऐसे लोग हैं, उन के लिए बहुत से कानून हैं । कल से जो कानून सदन के सामने है, वह केवल राजनीतिक पार्टियों के लिए ही बनाया जा रहा है, ताकि कोई कुछ कर न सके । इस का और कोई प्रयोजन प्रतीत नहीं होता है । इस तरह के कानूनों से कुछ होने वाला नहीं है । अंग्रेज भी ऐसे कानून बनाया करते थे और अंग्रेजों को हम ने निकाल कर सात समुद्र पार कर दिया । यह सरकार तो कुछ दिनों की बच्ची है ।

अध्यक्ष महोदय : स्वामी जी को किसी ने यह सब कुछ तर्जुमा करके बताया है या वह खुद सारी बात को समझे है ? क्या सारी अंग्रेजी की पूरी पूरी बात स्वामी समझते हैं ?

Shri Nanda: I do not disbelieve them, but I have reasons for assuming this attitude: let us see how things unfold, because although there is the profession from this side and that side that they do not believe in violence at all, even now I have got reports which show that all things are happening. I have reports of yesterday and today. If this is going to be continued in this manner, if this is the kind of faith in non-violence that

is there, then it is something which is not really 100 per cent.

I have got today reports. The hon. lady Member said something about *gherao*.

An Hon. Member: What is it:

Shri Nanda: She knows what it is. If she thinks that it is compatible with this kind of resolve that they will abjure violence, then our concepts differ.

What happens in a *gherao*? There is a demand from the workers.

Shri Dinen Bhattacharya (Serampore): It is not violence.

Shri Nanda: I will explain what it is. Only a month ago a manager had been beaten to death after a *gherao*. (*Interruptions*).

Some Hon. Members: That is not correct.

डा० राम मनोहर लोहिया : प्र. रासाना नमक सत्याग्रह के बारे में बता दीजिये, जहाँ पर धेरा हुआ था ।

Mr. Speaker: I would appeal to Members to see that there is no violence here. I am rather feeling apprehensive about it (*Interruptions*). As I said earlier, this is the beauty of democracy, that we listen to speeches and observations and views that are opposite to one's own. Let us maintain that atmosphere.

डा० राम मनोहर लोहिया : प्र. रासाना नमक सत्याग्रह के बारे में भी बता दीजिये, जहाँ पर धेरा हुआ था ।

Shri Nanda: The workers may have a legitimate demand. They may have a good grievance. There are in this country—I am not now dealing with labour policy—all kinds of arrangements and agencies created. There is conciliation, there is adjudication. All these measures are available for redress of grievances. Yet if they use

this method, what is the inference? 2,000 persons surround a small office where there is an officer sitting and tell him not to come out till he has agreed to some demands. Some officers because of that intimidation have had to agree, to sign something. After that, if the officer goes back on that, he runs the risk of his life. This happens. If this can happen, naturally it is inconsistent with any profession of abjuration of violence.

Shrimati Renu Chakravartty: The normal law of the land is absolutely sufficient to deal with such things. Why should you have this Act for that?

Shri Umanath (Pudukkottai): Peasants have been murdered in interior villages. Have you applied the Act to the murderers?

Shri Nanda: Apart from the fact that Shri Masani's party may not be doing it, because he has no labour following, others have been doing it.

Therefore, I am only just saying this: let us come out and discuss it among ourselves instead of saying something in a moment of high excitement. Let us sit down and deal with the matter.

Shri Hari Vishnu Kamath: Is he going to call an all-parties conference?

Shri Nanda: Someone pointed out that this is meant for political purposes. As I said in the very beginning, let anybody show from the whole record of the last three years, that is after the passing of the Act on the previous occasion, any single case, a single case.

Shri H. P. Chatterjee: There are many cases.

Shri Nanda: I challenge that.

Shri H. P. Chatterjee: Persons have been imprisoned in my constituency. I supported this Act. But in my constituency, people have been imprisoned.

Mr. Speaker: He should resume his seat.

Shri Nanda: As regards political parties . . .

Shri H. P. Chatterjee: What about this? They belong to no party.

Shri Nanda: There are half a dozen members of political parties in the whole of this period who have been proceeded against under this Act. It was not because they were members of particular political parties, but because there were other qualifications also.

Shri Hari Vishnu Kamath: Qualifications?

Shri Nanda: This is a very important stage of my argument. If once we clear the deck of this political bogey, that we are not using it for political ends, not for entrenching ourselves . . .

Shri H. P. Chatterjee: You are using it.

Shri Nanda: Once we clear ourselves from that, it becomes a question whether the *goondas* should be dealt with in one way or another, whether the persons who harbour dacoits should be dealt with in this way or that. Then it becomes a question of give and take. Then we can see what has to be done, whether the safeguards are not enough for them, and whether whatever has been provided in our legislation is sufficient or not.

श्री सरजू पाण्डेय (रसड़ा) : मुझे एक सवाल पूछ लेने दीजिये . . .

अध्यक्ष महोदय : वह यील्ड नहीं कर रहे हैं । आप बैठ जाइये ।

श्री सरजू पाण्डेय : मैं गवर्नमेंट से यह जानना चाहता था ।

अध्यक्ष महोदय : आर्डर, आर्डर । जब एक मेम्बर खड़ा हुआ है और वह यील्ड नहीं कर रहा है तो दूसरे मेम्बर को जिद्द करके नहीं बोलना चाहिये ।

Shri Nanda: I have dealt with this part and come to the position of the working of the legislation in terms of the provisions of the law. I have heard from hon. Members several complaints about the working of this Act. I think much of that criticism possibly was not well-based. I have got some facts before me which will possibly be of interest to hon. Members, to Shri Anthony also. I have here a report of the judicial scrutiny of cases in respect of detention under this Act. Whatever is allowed, I am going to say. It says that action can be challenged in High Courts and the Supreme Court on any of the following grounds: failure to comply with the statutory provisions, procedural irregularities in the passing of orders or in the communication on grounds of *mala fides*. Actually what has been the number of cases challenged in High Courts? 70. Number of cases where High Courts gave decisions setting aside the detention orders—16. Number of cases brought before the Supreme Court—7. Number of cases where the orders were set aside—3. The reasons for setting aside were that the grounds of detention were vague, irrelevant, non-existent, thus handicapping the chance of effective representation by the detenu; delay between the dates of the different acts of the detenu and the date of the detention order is far too long to justify an inference of the need for preventive detention.

It was said: 'It does not matter. You have got some kind of notion; you fancy something, that something has been done by a person, and shove him into jail'. The thing has to be shown. It is not a single act; there has to be a series of acts which alone can constitute adequate ground for this purpose. There are the reasons given; there is nothing in the grounds to indicate that his activities are so dangerous as to require the remedy of preventive detention; the mere fact that a person is a habitual off-

ender and commits several crimes is not a valid ground of detention. Some of the reasons for which the Supreme Court has set aside the detentions are these: the detenu was served with a detention order and grounds of detention in a language he did not understand. This point was made here; by, I think, Shri Trivedi. I think this is a weakness in the procedure which I would like to rectify immediately. That is, the detenu should be given the grounds in the language he can understand so that he knows how to answer them. Then orders of detention served on persons when they were already in police custody for particular offences are illegal.

Shri Frank Anthony said that this one year means nothing at all, because you can keep a person in jail indefinitely for the whole of his life, even though he has done nothing more. I have great respect for him for nothing else but for his knowledge of law.

13 hrs.

Shri Frank Anthony: Will the Home Minister tell me two things? Cannot the order be made year by year, a year at a time? I will give you references to Supreme Court cases in five minutes in the Lobby. The second point is this. Excepting for highly technical points—I have struck them too—vague grounds, etc., have they specified that demonstrably false reasons can be looked into by any court? Can they go into the truth or falsity of the grounds?

Shri Nanda: The point the hon. Member makes does not apply to year to year; it applies to the whole basis of the orders. After having been detained for one year, can he be detained for the same thing at the end of it? A fresh order has to be passed.

Shri Frank Anthony: He has not answered my point. If the fresh order is made on specific grounds but demonstrably false grounds, how can the courts assess their falsity?

Shri Nanda: He is shifting the ground.... (Interruptions.)

Shri Frank Anthony: I have not shifted ground.

Shri Nanda: Let us first know that this is preventive detention. A person is removed from the scene in order that he may not be able to do mischief. If it is to be proved in a court of law, the preventive detention measure will not be necessary. We do not go to a court to prove it; we have made safeguards. I read out the grounds. Legal assistance is available to the detenu for the purpose of making his representation.

Shri Frank Anthony: Not before the advisory board.

Shri Nanda: Hon. Member spoke something derogatory about the advisory board. The Chairmen are retired judges of High Courts.

Shri Frank Anthony: So what?

Shri Nanda: So what? Then only he should be everywhere in order to do justice. The detenu makes his representation. Only in a half a dozen cases those grounds were not fully indicated and withheld from the detenu. But it is necessary to give these grounds to the advisory committee. The advisory committee calls for any other information. It has done so on many occasions. Maximum safeguards are provided so that there is no arbitrary exercise of the powers of the executive.

I am sorry that I am taking a little more time than I thought I would. Hon. Member asked me about the number of cases under the DOI rules. 1269 people were detained under those rules but today their number has come down to 382. 96 persons were ordered to be released by the advisory boards. Hon. Member used choice epithets about the advisory boards—they are impotent, this and that.

Shri Frank Anthony: I do not make them impotent; you have made them impotent.

Shri Nanda: I do not know where he got that idea. In 488 cases detention was upheld; 137 were released from detention by the Government *suo motu*; 16 were released by the High Courts. Three were released by the Supreme Court. So, these advisory boards do perform their duties; they do not leave things at the mercy of the executive.... (Interruptions.) The number of persons assisted by lawyers or friends for drafting reports—290. 371 appeared personally before the advisory board. The number is 36 of persons in whose cases information was called for by the advisory boards from any other person. These few figures graphically show how the mechanism is working.

I hope, Sir, that conditions will soon be created and all will co-operate and collaborate in creating those conditions so that this could be dispensed with as soon as possible.

Shri Harj Vishnu Kamath: On a point of clarification. When I put the question earlier, he said he would answer later. May I read out my question from the script, the question I put when he began his speech, earlier, during the First reading stage. I asked him whether with a view to facilitate fruitful discussion the Minister could give us information as to in how many countries where the system of parliamentary democracy prevails the law of preventive detention obtains today. He said he would give it later but he has not given it so far.

Mr. Speaker: He referred to it and said he could not give it.

Shri Nath Pai: When he sought the introduction of the Bill, I sought to raise a point and he assured me that he would perhaps try to reply that point. The question which I

raised at that time was; why inspite of ample and vast powers with which the Government is armed under the Defence of India Act, he thinks it necessary to bring this Bill? Is he contemplating to withdraw the emergency and so he is afraid that he will be deprived of those powers? If the emergency is to continue where is the need for this?

श्री रामेश्वरानन्द : अध्यक्ष महोदय, आज लगभग चार मास से गोपाल पेपर मिल्स, यमुनानगर का झगड़ा चल रहा है . . .

अध्यक्ष महोदय : गोपाल पेपर मिल के झगड़े का इस से मतलब नहीं है ।

श्री रामेश्वरानन्द : मेरी प्रार्थना मुन चीजिये ।

अध्यक्ष महोदय : मैं आप की प्रार्थना नहीं मुन सकता । जो तकरीर नन्दा जी ने की है अगर आप उस पर कोई सवाल करना चाहते हैं तो कर सकते हैं ।

श्री रामेश्वरानन्द : मेरी प्रार्थना यह है कि जैसा आपने मुझ से कहा था कि आप मुझे श्री नन्दा के वोलने के पश्चात् समय देंगे . . .

अध्यक्ष महोदय : आप बैठ जाइये । पहले इसे खत्म हो जाने दीजिये ।

श्री रामेश्वरानन्द : मैं कहना चाहता हूँ कि इस प्रकार के जो काले कानून पेश किये जाते हैं उन को आप पास तो कर लेंगे । हम अंग्रजों के समय में उस सरकार का कोई विधेयक

अध्यक्ष महोदय : अब तकरीर नहीं हो सकती ।

श्री यशपाल सिंह (कैराना) : मेरी अर्ज यह है कि भारत माता की पेशानी पर पराजय का कलंक दिया हुआ इस सरकार का है और उस कमजोरी के ऊपर पर्दा डालने के लिये वह इस कानून को लाई है । जब तक चीन से

३८ हजार मुरब्बा मील वापस न ले लिये जायें तब तक

अध्यक्ष महोदय : यह क्या सवाल है । मैं चाहता हूँ कि जो जिम्मेदार पाटियाँ हैं वह तो कुछ ख्याल करें । कुछ रूल्स, क्वायब नियम किसी चीज का तो ख्याल होना चाहिये । इस में माननीय सदस्य ने सवाल क्या किया है ।

श्री यशपाल सिंह : इस कमजोरी को कोई बतलायेगा तो उस को सरकार बन्द कर देगी ।

अध्यक्ष महोदय : अपनी बात को आप दूसरी चीज उठा कर कह रहे हैं ।

श्री यशपाल सिंह : जो उसे जाहिर करेगा उसे बन्द कर दिया जायेगा ।

श्री सरजू पाण्डेय : अभी माननीय मंत्री जी ने आश्वासन दिया है कि इस बिल का मिसयूज नहीं होगा । उन्होंने फरमाया कि ऐडवायजरी बोर्ड के सम्बन्ध में प्राविजन है कि डेटेन्यू वकील रख सकता है । लेकिन मैं समझता हूँ कि ला में ऐसा कोई प्राविजन नहीं है ।

श्री फ्रैंक एन्थनी : नहीं, नहीं रख सकता है ।

अध्यक्ष महोदय : आप ने गलत समझा । उन्होंने कहा है कि रिप्रेजेंटेशन ड्राफ्ट करने के लिये वकील की मदद ले सकता है ।

श्री सरजू पाण्डेय : मेरा पूछना यह है कि अगर कोई कांस्टेबिल किसी आदमी की स्पीच को गलत रिकार्ड कर लेता है और उसके आधार पर उस आदमी के खिलाफ कार्रवाई की जाती, और उस आदमी को अपनी सफाई देने का मौका नहीं मिलता । उसका प्रोटेक्शन कैसे किया जा सकता है ?

श्री रामसेवक यादव : माननीय मंत्री महोदय ने कहा कि अगर राजनीतिक दल यह आश्वासन दे दें कि वे हिंसा का प्रयोग नहीं करेंगे तो वह इस तरह के कानून को समाप्त कर सकते हैं। क्या यह बात उठाते हुए उन्होंने अपनी सरकार से आश्वासन ले लिया है कि वह इसे समाप्त कर देगी ?

अध्यक्ष महोदय : यह तो उन के दरम्यान की बात है।

श्री बड्डे : अभी मंत्री महोदय ने कहा कि यदि विरोधी पार्टीज यह आश्वासन दे दें कि वे वायलेंस नहीं करेंगी तो वह इस कानून को समाप्त कर सकते हैं। मैं पूछना चाहता हूँ कि कोई वायलेंस न होते हुए भी अजमेर में और कुछ अन्य प्रदेशों में पुलिस ने कांग्रेस शासन को खुश करने के लिए कुछ लोगों को गिरफ्तार कर लिया और ६ महीने तक कस्टडी में रखने के बाद भी उनको यह कह कर छोड़ दिया कि उन पर मुकदमा साबित नहीं होता, इसके बारे में उनको क्या कहना है। अगर हम जन संघ वाले आश्वासन दे दें कि वायलेंस नहीं किया जाएगा तो क्या सरकार आश्वासन दे सकती है कि हम लोगों के खिलाफ ऐसी कार्रवाई नहीं की जाएगी ?

श्री ज० ब० सिंह० (घोसी) : मैं यह जानना चाहता हूँ कि जिनको आप जिले से निकाल देते हैं उनके प्रोटेक्शन के लिए क्या प्रावोजन है। वह वहाँ अपील करे इसके लिए क्या प्रावोजन है ?

Shri Frank Anthony: May I just put one question? I had pointed out that under the Habeas Corpus Act of 1679, 300 years ago in Britain, a counsel could appear before the Advisory Council. Let us assume that the members of the Advisory Board are all honourable men. What is the object, at least....

Mr. Speaker: We have got just one or two clauses; the question is to extend the period of the Bill. We cannot go into all those details now.

Shri Frank Anthony: Of course, everything in the garden is fair. The question is, what is the objection to a lawyer to appear, as was done 300 years ago in Britain, before the Advisory Board?

डा० राम मनोहर लोहिया : संविधान की धारा २२ की उपधारा ४, ५, ६, ७ के आधारे पर यह नजरबन्दी कानून बनाया गया है, अगर उसको स्थायी बना दिया जाता है तो क्या उसकी धारा २२ की उपधारा १ और २ से सधर्ष नहीं हो जाता ?

श्री अ० प्र० शर्मा : कुछ पार्टियां और लोग बार बार आश्वासन देने के बावजूद राष्ट्र विरोधी काम करते हैं। क्या उन से भी मशविरा लिया जाएगा ?

Shri Nambiar: Even yesterday, it was pointed out whether the hon. Minister will give an assurance that this Act will not be used against workers who are on strike for legitimate reasons and are peaceful, without resorting to any sort of violence.

Shri Nanda: I shall deal with these points quickly. The first was about the legislative competence of Parliament. The hon. Member Dr. Lohia referred to it. This legislation has settled down over a period of years. References have been made to high courts and the Supreme Court. The law is very clear on that subject. I do not think he need worry about that.

डा० राम मनोहर लोहिया : शायद उन्होंने मेरा सवाल समझा नहीं है। आप उनको मेरा सवाल समझा दीजिए। मेरा सवाल यह है कि धारा २२ की जो उप धाराएं नजरबन्दी कानून को बनाने की इजाजत देती हैं उनके आधारे पर यह कानून बनाया गया है। लेकिन अगर इसको स्थायी कर दिया जाता है तो क्या २२वीं धारा की उप धारा १ और २ खत नहीं हो जायेंगी ?

प्रश्न महोदय : यह लीगल क्वेस्चन है, यह नहीं पूछा जा सकता ।

Shri Nanda: I cannot go into all those details. But I do not think the hon. Member's apprehension is well-founded.

Now, about the question raised by Shri Nath Pai, if he had been here in the House when I explained the Bill to begin with, he would have got the answer. The answer was very clear. Before the emergency was declared, there was a situation which, according to us, called for the exercise of the provisions of this Act. We want to end the emergency very soon, and since the question of normal situation is not there, according to us, there is this provision. Secondly, as I pointed out, there are safeguards in the Preventive Detention Act. All these things—the grounds, the Advisory Boards—are not there in the Defence of India Rules. There

are a number of people whom one has to catch hold of, which will then justify the use of the Preventive Detention Act, with the safeguards and not the more severe legislation.

Then there was the question as to what happened in Ajmer. I cannot answer it immediately. Externment is a matter for the States. It is not part of the Preventive Detention Act. I do not know whether any other question was raised.

Shri Nambiar: The question of trade unions.

Mr. Speaker: That is all. I do not allow any other question.

The question is:

"That the Bill to continue the Preventive Detention Act, 1950, for a further period, be taken into consideration."

The Lok Sabha divided:

Mr. Speaker: Any corrections to be made? One to be added to 'Ayes' and one to be added to 'Noes'.

Division No. 13]

[13.18 hrs.

AYES

Achal Singh, Shri	Chaturvedi, Shri S. N.	Gupta, Shri Shiv Charan
Achuthan, Shri	Chaudhuri, Shri Sachindra	Hajarnavis, Shri
Alva, Shri A. S.	Chaudhuri, Shrimati Kamala	Hanumanthaiya, Shri
Aney, Dr. M. S.	Chavda, Shrimati	Harvani, Shri Anwar
Anjanappa, Shri	Chettiar, Shri Ramanathan	Hazarika, Shri J. N.
Azad, Shri Bhagwat Jha	Chuni Lal, Shri	Heda, Shri
Babunath Singh, Shri	Dafle, Shri	Hem Raj, Shri
Bajaj, Shri Kamalnayan	Daljit Singh, Shri	Himatsingka, Shri
Bakliwal, Shri	Das, Dr. M. M.	Iqbal Singh, Shri
Bal Krishna Singh, Shri	Das, Shri B. K.	Jadhav, Shri Tulshidas
Barkataki, Shrimati Renuka	Das, Shri Sudhansu	Jamir, Shri S. G.
Barupal, Shri P. L.	Dass, Shri G.	Jamunadevi, Shrimati
Basappa, Shri	Deshmukh, Dr. P. S.	Jedhe, Shri
Basumatari, Shri	Deshmukh, Shri B. D.	Jena, Shri
Baswant, Shri	Deshmukh, Shri Shivaji Rao S. ¶	Joshi, Shri A. C.
Besra, Shri	Dhuleshwar Meena, Shri	Joshi, Shrimati Subhadra
Bhagat, Shri B. R.	Dighe, Shri	Jyotishi, Shri J. P.
Bhakt Darshan, Shri	Dwivedi, Shri M. L.	Kabir, Shri Humayun
Bhatkar, Shri	Elayaderumal, Shri	Kappen, Shri
Bhattacharyya, Shri C. K.	Ering, Shri D.	Karuthiraman, Shri
Bist, Shri J.B.S.	Gaekwad, Shri Fateh Sinhray	Kayal, Shri P. N.
Borooh, Shri P. C.	Gahmari, Shri	Kedaria, Shri C. M.
Brajeshwar Prasad, Shri	Gajraj Singh Rao, Shri	Khadilkar, Shri
Brij Raj Singh-Kotah, Shri	Gandhi, Shri V. B.	Khan, Dr. P. N.
Chanda, Shrimati Jyotana	Ganga Devi, Shrimati	Khanna, Shri Mehr Chand
Chandak, Shri	Goni, Shri Abdul Ghani	Kindar Lal, Shri
Chandrasekhar, Shrimati	Govind Das, Dr.	Kisan Veer, Shri
Chattar Singh, Shri		Kotoki, Shri Liladhar
		Kovaiji, Shri H. V.

Kripa Shankar Shri
 Krishna, Shri M. R.
 Kureel, Shri B. N.
 Lakshminanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lonikar, Shri
 Mahadeva Prasad, Dr.
 Mahtab, Shri
 Mahishi, Dr. Sarojini
 Malaichami, Shri
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mandal, Dr. P.
 Mandal, Shri Yamuna Prasad
 Mantri, Shri
 Marandi, Shri
 Maruthiah, Shri
 Masuriya Din, Shri
 Matcharaju, Shri
 Mathur, Shri Harish Chandra
 Mehrotra, Shri Braj Bibari
 Mishra, Shri Bibhuti
 Mishra, Shri M. P.
 Misra, Shri Shyam Dhar
 Mohanty, Shri G.
 Mohiuddin, Shri
 Morarka, Shri
 More, Shri K. L.
 Mukerjee, Shrimati Sharda
 Munzri, Shri David
 Murti, Shri M. S.
 Muthiah, Shri
 Naidu, Shri V. G.
 Nallakoya, Shri
 Nanda, Shri
 Naskar, Shri P. S.
 Nayar, Dr. Sushila
 Nehru, Shri Jawaharlal
 Nigam, Shrimati Savitri
 Niranjana Lal, Shri
 Oza, Shri
 Paliwal, Shri
 Pandey, Shri R. S.
 Panna Lal, Shri
 Pant, Shri K. C.
 Patel, Shri Chhotubhai
 Patel, Shri Man Singh P.
 Patel, Shri P. R.

Patel, Shri Rajeshwar
 Patil, Shri D. S.
 Patil, Shri S. B.
 Patnaik, Shri B. C.
 Pillai, Shri Nataraja
 Prabhakar, Shri Naval
 Pratap Singh, Shri
 Puri, Shri D. D.
 Raghunath Singh, Shri
 Raghuramaiah, Shri
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Raja, Shri C. R.
 Rajdeo Singh, Shri
 Raju, Dr. D. S.
 Raju, Shri D. B.
 Ram Sewak, Shri
 Ram Subhag Singh, Dr.
 Ram Swarup, Shri
 Ramaswamy, Shri S. V.
 Ramdhani Das, Shri
 Ranajai Singh, Shri
 Rane, Shri
 Rao, Dr. K. L.
 Rao, Shri Jaganatha
 Rao, Shri Krishnamoorthy
 Rao, Shri Muthyal
 Rao, Shri Rajagopala
 Rao, Shri Ramapathi
 Rattan Lal, Shri
 Raut, Shri Bhola
 Rawandale, Shri
 Reddi, Dr. B. Gopala
 Reddiar, Shri
 Reddy, Shri K. C.
 Reddy, Shri Ramakrishna
 Roy, Shri Bishwanath
 Sadhu Ram, Shri
 Saha, Dr. S. K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Saraf, Shri Sham Lal
 Satyabhama Devi, Shrimati
 Sen, Shri A. K.
 Sen, Shri P. G.
 Shah, Shri Manabendra
 Shakuntala Devi, Shrimati
 Sham Nath, Shri
 Shankaraiya, Shri
 Sharma, Shri A. P.
 Sharma, Shri D. C.
 Sharma, Shri K. C.

Shastri, Shri Ramanand
 Sheo Narain, Shri
 Shinde, Shri
 Shree Narayan Das, Shri
 Shrimali, Dr. K. L.
 Siddananjappa, Shri
 Siddiqah, Shri
 Sidheshwar Prasad, Shri
 Singh, Shri D. N.
 Singh, Shri R. P.
 Singha, Shri G. K.
 Sinha, Shri B. P.
 Sinha, Shri Satya Narayan
 Sinha, Shrimati Ramdulari
 Sinha, Shrimati Tarakeshwari
 Sinhasan Singh, Shri
 Sivapragassam, Shri K.
 Sonavane, Shri
 Soundaram Ramachandran, Shri-
 mati
 Srinivasan, Dr. P.
 Subramaniam, Shri C.
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Surendra Pal Singh, Shri
 Swamy, Shri M. P.
 Swaran Singh, Shri
 Thengondar, Shri
 Thevar, Shri V.
 Thimmaiah, Shri
 Thomas, Shri A. M.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Tiwary, Shri R. S.
 Tombi, Shri
 Tripathi, Shri Krishna Deo
 Tyagi, Shri
 Upadhyaya, Shri Shiva Dutt
 Vaishya, Shri M. B.
 Valvi, Shri
 Varma, Shri M. L.
 Varma, Shri Ravindra
 Veerappa, Shri
 Venkatasubbaiah, Shri P.
 Verma, Shri Balgovind
 Verma, Shri K. K.
 Vidyalankar, Shri A. N.
 Virbhadra Singh, Shri
 Vyas, Shri Radhialal
 Wadiwa, Shri
 Wasnik, Shri Balkrishna
 Yadav, Shri N. P.
 Yadav, Shri Ram Harkh
 Yadava, Shri B. P.

NOES

Anthony, Shri Frank
 Bade, Shri
 Barrow, Shri
 Basant Kunwari, Shrimati
 Berwa, Shri Onkar Lal
 Bhattacharya, Shri Dinen
 Bhawani, Shri Lakshmu

Bheel, Shri P. H.
 Brij Raj Singh, Shri
 Buta Singh, Shri
 Chakravarty, Shrimati Renu
 Chatterjee, Shri H. P.
 Chaudhary, Shri Y. S.
 Daji, Shri

Dwivedy, Shri Surendranath
 Elias, Shri Mohammad
 Gopalan, Shri A. K.
 Gulshan, Shri
 Gupta, Shri Kashi Ram
 Himmatsinghi, Shri
 Imbichibava, Shri

Jha, Shri Yogendra	Masani, Shri M. R.	Roy, Dr. Saradish
Kachhavaia, Shri	Mate, Shri	Sen, Dr. Ranen
Kakkar, Shri Gauri Shanker	Mehta, Shri Jashvant	Shashank Manjari, Shrimati
Kamath, Shri Hari Vishnu	Murmu, Shri Sarkar	Shastri, Shri Prakash Vir
Kandappan, Shri S.	Muzaffar Husain, Shri	Singh, Shri J. B.
Kapur Singh, Shri	Nair, Shri Vasudevan	Singh, Shri Y. D.
Kar, Shri Prabhat	Nambiar, Shri	Singha, Shri Y. N.
Kesar Lal, Shri	Nath Pai, Shri	Sivasankaran, Shri
Krishnapal Singh, Shri	Pandey, Shri Sarjoo	Swamy, Shri M. N.
Kumeran, Shri M. K.	Paradhi, Shri	Umanath, Shri
Kunhan, Shri P.	Pattnayak, Shri Kishen	Utiya, Shri
Laxmi Das, Shri	Pottakkatt, Shri	Venkaiash, Shri Kolla
Lohia, Dr. Ram Manohar	Raghavan, Shri A. V.	Vimla Devi, Shrimati
Mahato, Shri Bhajahari	Rajaram, Shri	Vishram Prasad, Shri
Mandal, Shri B. N.	Ramabadrn, Shri	Warior, Shri
Manoharan, Shri	Rameshwaranand, Shri	Yadav, Shri Ram Sewak
	Reddy, Shri Eswara	Yajnik, Shri
	Reddy, Shri Narasimha	Yashpal Singh, Shri

Mr. Speaker: The result of the division is Ayes have 239, Noes 73.

Ayes 239; Noes 73.

The motion was adopted.

Some Hon. Members: Shame!

Mr. Speaker: Clause-by-clause consideration. There is an amendment to clause 2 by Shri Ram Sewak Yadav seeking to extend the Act by one day. That is ruled out as frivolous. There is another amendment by Shri Dinen Bhattacharya seeking to extend it by 3 days. That is also ruled out as frivolous. There is amendment No. 6 by Shri Kamath. He wants to repeal the Act. That is a negative amendment.

Shri Hari Vishnu Kamath. Kindly see rule 80, Sir, which sets out the grounds on which an amendment can be deemed to be inadmissible. That is the only rule which sets out the grounds. May I read it?

Mr. Speaker: I have got it before me.

Shri Hari Vishnu Kamath: Some Members would like to hear it. It says:

"The following conditions shall govern the admissibility of amend-

ments to clauses or schedules of a Bill:

- (i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (ii) An amendment shall not be inconsistent with any previous decision of the House on the same question...."

There is no decision of the House on the same question.

Mr. Speaker: The first condition applies. It says, the amendment shall be within the scope of the Bill. The Bill seeks to extend the Act and the hon. Member wants to repeal it. It is not within the scope.

Shri Hari Vishnu Kamath He himself said in his reply that he would withdraw the Bill. It is only to help him in the task.

Mr. Speaker: I am here to help him.

Shri Hari Vishnu Kamath: You have helped him, but I want to give a little more help than you have done.

Mr. Speaker: That amendment also is ruled out. There are no amendments to clause 2.

The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Speaker: Clause 1. When clause 2 is passed, amendment No. 5 of Shri Kamath who want to repeal it becomes redundant and out of place. That is ruled out. Similarly the amendment to the long title also is ruled out.

The question is:

"That clause 1, the Enacting Formula and the Tittle stand part of the Bill".

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Nanda: I beg to move:

"That the Bill be passed".

Mr. Speaker: The question is..

Some Hon. Members: Shame, shame!

Mr. Speaker: Is it for me?

Some Hon. Members: No, Sir; it is for the Government.

Mr. Speaker: The question is:

"That the Bill be passed".

The Lok Sabha divided.

Mr. Speaker: Any errors to be corrected? स्वामी जी क्या कहना चाहते थे ?

श्री रामेश्वरानन्द : गोपाल पेपर मिल यमुनानगर के बारे में मुझे आप से अभी कुछ कहना है। दूसरे मेरा "नहीं" का वोट जो कि मशीन में आया नहीं था। लेकिन अब तो वह ठीक हो गया है।

Division No. 14]

[13.23 hrs.

AYES

Dehal, Singh
Achuthan, Shri
Alva, Shri A.S.
Aney, Dr. M. S.
Anjanappa, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bajaj, Shri Kamalnayan
Bakliwal, Shri
Bal Krishna Singh, Shri
Berkatki, Shrimati Renuka
Berupal, Shri P. L.
Basappa, Shri
Basumatari, Shri
Baswant, Shri
Batra, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bhatkar, Shri
Bhattacharyya, Shri C. K.
Bhat, Shri J. B. S.
Borooah, Shri P. C.
Brajeshwar Prasad, Shri

Brij Raj Singh Kotah, Shri
Chanda, Shrimati Jyotana
Chandak, Shri
Chandrasekhar, Shrimati
Chattar Singh, Shri
Chaturvedi, Shri S. N.
Chaudhuri, Shri Sachindra
Chaudhuri, Shrimati Kamla
Chavda, Shrimati
Chettiar, Shri Ramanathan
Chuni Lal, Shri
Dafle, Shri
Daljit Singh, Shri
Das, Dr. M. M.
Das, Shri B. K.
Das, Shri Sudbanou
Dass, Shri C.
Deshmukh, Dr. P. S.
Deshmukh, Shri B. D.
Deshmukh, Shri Shivaaji Rao S.
Dhuleshwar Meena, Shri
Digbe, Shri

Dwivedi, Shri M. L.
Elayaperumal, Shri
Gackwad, Shri Fatchalnbrao
Gahmari, Shri
Gajraj Singh Rao, Shri
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Goni, Shri Abdul Ghani
Govind Das, Dr.
Gupte, Shri Shiv Charan
Hajarnavis, Shri
Hanumanthaiya, Shri
Harvani, Shri Anwar
Hazarika, Shri J. N.
Heda, Shri
Hem Raj, Shri
Himatsingka, Shri
Iqbal Singh, Shri
Jadhav, Shri Tulshidas
Jamir, Shri S. G.
Jamunadevi, Shrimati

Jedhe, Shri	Nayar, Dr. Sushila	Shankaraiya, Shri
Jena, Shri	Nehru, Shri Jawaharlal	Sharma, Shri A. P.
Joshi, Shri A. C.	Nigam, Shrimati Savitri	Sharma, Shri D. C.
Joshi, Shrimati Subhadra	Niranjan Lal, Shri	Sharma, Shri K. C.
Jyotishi, Shri J. P.	Oza, Shri	Shastri, Shri Ramanand
Kabir, Shri Humayun	Paliwal, Shri	Sheo Narain, Shri
Kanungo, Shri	Pandey, Shri R. S.	Shinde, Shri
Karuthiruman, Shri	Panna Lal, Shri	Shree Narayan Das, Shri
Kayal, Shri P. N.	Pant, Shri K. C.	Shrimali, Dr. K. L.
Kedaria, Shri C. M.	Patel, Shri Chhotubhai	Siddananjappa, Shri
Khadilkar, Shri,	Patel, Shri Man Singh P.	Siddiah, Shri
Khan, Dr. P. N.	Patel, Shri P. R.	Sidheshwar Prasad, Shri
Khanna, Shri Mehr Chand	Patel, Shri Rajeshwar	Singh, Shri D. N.
Kindar Lal, Shri	Patil, Shri D. S.	Singh, Shri R. P.
Kisan Veer, Shri	Patil, Shri S. B.	Singha, Shri G. K.
Kotoki, Shri Liladhar	Patnaik, Shri B. C.	Sinha, Shri B. P.
Kovjalgi Shri, H. V.	Pillai, Shri Natraja	Sinha, Shri Satya Narayan
Kripa Shankar, Shri	Prabhakar, Shri Naval	Sinha, Shrimati Ramdulari
Krishna, Shri M. R.	Pratap Singh, Shri	Sinha, Shrimati Tarkeshwari
Kureel, Shri B. N.	Puri, Shri D. D.	Sinhasan Singh, Shri
Lakshmikanthamma, Shrimati	Raghunath Singh, Shri	SivaPragasam, Shri K.
Lalit Sen, Shri	Raghuramaiah, Shri	Sonavane, Shri
Laskar, Shri N. R.	Rai, Shrimati Sahodrabai	Soundaram Ramachandran, Shrimati
Laxmi Bai, Shrimati	Raj Bahadur, Shri	Srinivasan, Dr. P.
Lonikar, Shri	Raja, Shri C. R.	Subramaniam, Shri C.
Mahadeva Prasad, Dr.	Rajdeo Singh, Shri	Subramanyam, Shri T.
Mahtab, Shri	Raju, Dr. D. S.	Sumat Prasad, Shri
Mahishi, Dr. Sarojini	Raju, Shri D. B.	Surendra Pal Singh, Shri
Malaichami, Shri	Ram Sewak, Shri	Swamy, Shri M. P.
Malaviya, Shri K. D.	Ram Subhag Singh, Dr.	Swaran Singh, Shri
Malhotra, Shri Inder J.	Ram Swarup, Shri	Thengondar, Shri
Mandal, Dr. P.	Ramaswamy, Shri S. V.	Thevar, Shri V.
Mandal, Shri Yamuna Prasad	Ramdhani Das, Shri	Thunnaiah, Shri
Mantri, Shri	Rananjai Singh, Shri	Thomas, Shri A. M.
Maruthiah, Shri	Rane, Shri	Tiwari, Shri D. N.
Masuriya Din, Shri	Rao, Dr. K. L.	Tiwari, Shri K. N.
Matcharaju, Shri	Rao, Shri Jaganatha	Tiwari, Shri R. S.
Mathur, Shri Harish Chandra	Rao, Shri Krishnamoorthy	Tombi, Shri
Mehrotra, Shri Braj Bibari	Rao, Shri Muthyal	Tripathi, Shri Krishna Deo
Mishra, Shri Bibhuti	Rao, Shri Rajagopala	Tyagi, Shri
Mishra, Shri M. P.	Rao, Shri Ramapathi	Upadhyaya, Shri Shiva: Dut
Misra, Shri Shyam Dhar	Rattan Lal, Shri	Vaishya, Shri M. B.
Mohanty, Shri G.	Raut, Shri Bhola	Valvi, Shri
Mohiuddin, Shri	Reddi, Dr. B. Gopala	Varma, Shri M. L.
Morarka, Shri	Reddiar, Shri	Varma, Shri Ravindra
More, Shri K. L.	Reddy, Shri K. C.	Veerappa, Shri
Mukerjee, Shrimati Sharda	Reddy, Shri Ramakrishna	Venkatasubbajah, Shri P.
Munzni, Shri David	Roy, Shri Bishwanath	Verma, Shri Balgovind
Murti, Shri M. S.	Sadhu Ram, Shri	Verma, Shri K. K.
Muthiah, Shri	Saha, Dr. S. K.	Vidyalankar, Shri A. N.
Naidu, Shri V. G.	Sahu, Shri Rameshwar	Virbhadra Singh, Shri
Nallakoya, Shri	Saigal, Shri A. S.	Vyas, Shri Radhelal
Nanda, Shri	Saraf, Shri Sham Lal	Wadiwa, Shri
Naskar, Shri P. S.	Satyabhama Devi, Shrimati	Wasnik, Shri Balkrishna
	Sen, Shri A. K.	Yadav, Shri N. P.
	Sen, Shri P. G.	Yadav, Shri Ram Harkh
	Shah, Shri Manabendra	Yadava, Shri B.P.
	Shakuntala Devi, Shrimati	
	Sham Nath, Shri	

NOES

Bade, Shri	Kapur Singh, Shri	Rajaram, Shri
Basant Kunwari, Shrimati	Kar, Shri Prabhat	Ramabadran, Shri
Berwa, Shri Onkar Lal	Kesar Lal, Shri	Rameshwaranand, Shri
Bhattacharya, Shri Dinen	Krishnapal Singh, Shri	Reddy, Shri Eswara
Bhawani, Shri Lakhmu	Kumaran, Shri M. K.	Reddy, Shri Narasimha
Bheel, Shri P. H.	Kunhan, Shri P.	Roy, Dr. Saradish
Brij Raj Singh, Shri	Laxmi Dass, Shri	Sen, Dr. Ranen
Buta Singh, Shri	Lohia, Dr. Ram Manohar	Shashank Manjari, Shrimati
Chakravarty, Shrimati Rena	Mahato, Shri Bhajahari	Shastri, Shri Prakash Vir
Chatterjee, Shri H. P.	Mandal, Shri B. N.	Singh, Shri J. B.
Chaudhary, Shri Y. S.	Masani, Shri M. R.	Singh, Shri Y. D.
Daji, Shri	Mate, Shri	Singha, Shri Y. N.
Dwivedy, Shri Surendranath	Mehta, Shri Jashvant	Swamy, Shri M. N.
Elias, Shri Mohammad	Murmu, Shri Sarkar	Umanath, Shri
Gopalan, Shri A. K.	Muzaffar Husain, Shri	Utiya, Shri
Gulshan, Shri	Nair, Shri Vasudevan	Venkaiah, Shri Kolla
Gupta, Shri Kashi Ram	Nambiar, Shri	Vimla Devi, Shrimati
Himmatsinhji, Shri	Nath Pai, Shri	Vishram Prasad, Shri
Imbichbava, Shri	Pandey, Shri Sarjoo	Warior, Shri
ha, Shri Yogendra	Paradhi, Shri	Yadav, Shri Ram Sewak
Ka-hhavaiya, Shri	Pattnayak, Shri Kishen	Yajnik, Shri
Kakkar, Shri Gauri Shanker	Pottakkatt, Shri	Yashpal Singh, Shri
Kemath, Shri Hari Vishnu	Raghavan, Shri A. V.	

Mr. Speaker: The result of the division is Ayes have 236 and Noes 68. Ayes have it.

Ayes 236; Noes 68.

The motion was adopted.

Shri A. K. Gopalan (Kasergod): In protest against the passing of this obnoxious measure, we walk out.

Shri A. K. Gopalan and some other hon. Members then left the House.

Shri Surendranath Dwivedy: This is a black Bill on the statute-book and it is anti-democratic. We cannot be a party to this. We, therefore, walk out.

Shri Surendranath Dwivedy and some other hon. Members then left the House.

श्री बड़े : इस कानून को पास करने से प्रजातंत्र की हत्या हो रही है इस वास्ते जनसंघ ग्रुप की ओर से विरोधस्वरूप मैं सदन से वाकआउट करता हूँ ।

Shri Bade and some other hon. Members then left the House.

Shri Yajnik (Ahmedabad): We also walk out in protest.

Shri Yajnik and some other hon. Members then left the House.

श्री रामसेवक यादव : यह कानून जनतंत्र विरोधी और जनमत विरोधी है । विरोधियों को दबाने का यह एक साधन है । इस तरह का बेशर्मी का कानून पास कर के यह बहुमत का दुरुपयोग करते हैं और मैं इस के विरोधस्वरूप सदन का त्याग करता हूँ ।

Shri Ram Sewak Yadav and some other hon. Members then left the House.

अध्यक्ष महोदय : कोई मੈम्बर बाधा नहीं डालेगा । हमें बाकी कायवाही करने दी जाय ।

13:28 hrs.

BANKING LAWS (MISCELLANEOUS PROVISIONS) BILL**The Minister of Planning (Shri B. R. Bhagat):** Sir, I beg to move:

"That the Bill further to amend the Reserve Bank of India Act, 1934, the Banking Companies Act, 1949 and the State Bank of India (Subsidiary Banks) Act, 1959, be taken into consideration."

In September, 1963, the House considered a non-official motion suggesting that banks in the private sector should be nationalised. Although this suggestion was not accepted and the motion was in fact defeated by 119 votes to 27, it was indicated on behalf of Government that the various points which were made in the course of the debate would be taken into consideration and that a Bill further to amend the enactments relating to banks would be brought before the House. We are glad that it has been possible for us to fulfill this commitment.

13:30 hrs.

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

I would like to say at the outset that the object of this measure is to help the Reserve Bank, the commercial banks and other financial institutions to discharge their responsibilities more effectively during the current phase of economic development, and in this sense, the Bill is a positive and not a negative measure.

The objectives of the Bill can be divided into three broad categories. Firstly, the deposits which are now received and handled outside the banking system, should be controlled, not only in the interests of the depositors themselves, but also in the general and wider public interest. We also intend that the activities of loan, investment and hire-purchase companies or firms, or other finan-

cial institutions, which grant loans and advances for a variety of purposes, or purchase securities or shares, and thereby influence or affect the money and capital markets, should be controlled by the central bank of the country, so far as these activities are concerned. As regards the commercial banks themselves, we propose that in view of their present and prospective position and importance, the existing system of control should be extended, so that these banks may be encouraged, and, if necessary, even compelled, to use the resources which are available to them for financing essential projects and enterprises and promoting development.

Sir, it has been generally accepted for some time that there is in our economy a considerable amount of money which is not properly accounted for. The Finance Minister also referred to this problem in his statement on the economic situation earlier this week. In advanced or rapidly developing countries the increase in bank deposits from year to year is both sustained and considerable. The volume of such deposits is very much greater than the value of notes or coins in circulation. In our country also there has been an increase in the number of bank accounts (it has, I believe, been of the order of 12 per cent per annum in the last five years). Except in the period of a few months following the failure of the Palai Central Bank in 1960, there has also been an increase in bank deposits from year to year. But in relation to the rate of growth of our economy, or the demands for various purposes on the commercial banking system, this increase is by no means adequate.

It is difficult to be certain, Sir, that the money, which remains outside the organised banking sector, is used only for essential purposes and not for speculation or other anti-social ends. Even when this money is ob-

[Shri B. R. Bhagat]

tained for more or less legitimate purposes, the consequences may not always be desirable. It is not appropriate, for example, that we should allow institutions, which are not themselves banks and which are not, therefore, bound by the inter-bank agreements regarding deposit and lending rates, to compete with one another and also with the banks for deposits, by pushing up interest rates, or in some odd cases by resorting even to unfair practices, which may be harmful to the interests of the depositors concerned.

In the United Kingdom, special legislation has been enacted recently for dealing with this situation. The Protection of Depositors Act, 1963 was brought into force in that country about two months ago, and is a far-reaching measure, which provides for stringent control of the business of acceptance of deposits by institutions other than banks and discount houses. The issue of advertisements soliciting deposits is prohibited under this Act, unless the subject-matter of the advertisement conforms to the regulations made by the Board of Trade; and elaborate requirements regarding the submission of returns to Government departments, the supply of audited balance sheets and accounts to the depositors and inspection, search or seizure are also provided for in the Act. The deposits become automatically repayable, if any business which is not referred to in the advertisement is undertaken without the depositors' knowledge or implied consent; and in extreme cases, the Board of Trade will even be able to wind up an institution in the depositors' interest.

Our own conditions are somewhat different. In bringing forward this measure we cannot overlook the fact that certain industrial establish-

ments, firms and shroffs have traditionally been accepting deposits directly from members of the general public for financing their business. It is not the intention that these transactions should be prohibited. But obviously, it is necessary for us to be certain that the conditions in which these resources are obtained and used will be reasonable and consistent with our monetary and credit policy.

Among non-banking institutions, financial corporations and loan and investment companies or firms are obviously in a special category. The terms on which advances are granted by them, their investment policies and their transactions in the securities market generally are of direct interest and concern to the Reserve Bank. But unfortunately, and very largely as a result of historical accidents, the Reserve Bank is not able to exercise any control over these transactions or operations.

This again is a problem which is peculiar to an under-developed economy. If the money and capital markets are well-knit, if commercial banks control more funds, and if they play an important role generally in financing various enterprises, the Central Bank will be in a position to control the monetary and credit system more or less effectively, through the commercial banks, the operations of which can themselves be regulated in various ways. Banking habits in India are, however, not yet widespread. There are several specialised credit institutions, which act more or less independently of commercial banks. The money markets are also not well-knit or adequately organised; and from the point of view of the effective implementation of monetary policy, the Reserve Bank's control of the commercial banking system, by itself, is not, therefore, very adequate. The Reserve Bank will have to be given specific power and authority to co-ordinate the activities of the various credit agencies.

We are providing in this Bill that, to the extent to which it may be necessary for discharging its responsibilities in the field of monetary and credit policy, the Reserve Bank will be able to obtain information from all corporations, companies or firms, statutory or otherwise, including institutions which are in the public sector and that suitable directions can also be given to these institutions for the purposes which I have indicated.

We are aware of the apprehension in certain quarters that these powers may not be properly used. I do not think that this criticism is fair to the Reserve Bank, or that there is any justification for thinking that in implementing the new provisions, the Reserve Bank will take into consideration only the point of view or the interests of the commercial banks, neglecting all other institutions. The Reserve Bank has proved, by its record, that it is not capable of taking such a narrow or partisan view. It is on the other hand the only institution in our country, which is equipped and qualified to discharge these responsibilities. I have no hesitation in assuring the House that no institution or enterprise, which meets an essential demand, will find itself unduly handicapped, merely because of any action which may be taken by the Reserve Bank.

I turn now to the commercial banks. It is obviously necessary that the commercial banks should be enabled to increase their resources and extend the scope of their functions and activities. But unless they are in a position to take an enlightened and objective view of their responsibilities, they will not be able to play any major or effective role in mobilising savings or assisting the growth of our economy.

The banks, Sir, should not only be free from the influence of the dominant business houses and groups, which now control them, but should also be known to be free. The sys-

tem of control which has been gradually built up during the last fifteen years or so is intended, by and large, for this purpose. The amendments which have been included in the present Bill have also been proposed with this object in view.

As the provisions are explained in great detail in the notes on clauses, I will refer only to the more important amendments. We are naturally anxious that the ownership of shares in private commercial banks should be sufficiently broad-based. While it is not practicable or necessary to think in terms of any limit in respect of the number of shares which may be held, or to prescribe any conditions, which may affect or restrict the transferability of these shares, there is no reason why the voting rights of individual shareholders, which are limited now to five per cent of the total voting rights of all the share holders of a bank, should not be reduced further. We propose to limit the individual shareholder's right in future to 1 per cent. We hope that this amendment will lead, in due course of time, to a redistribution of the existing shares. As a larger number of persons will be able to participate in the ownership and management of commercial banks in the private sector, the concentration of economic power in the hands of a few will automatically be reduced.

We propose to tighten up the existing provisions regarding the grant of unsecured advances to companies or firms in which the directors may be interested, and also to prohibit the remission, without the approval of the Reserve Bank, of loans in a manner, which may directly or indirectly benefit the directors. An enabling provision is also being included in the Bill permitting the Reserve Bank to restrict the advances to any company, firm or association to a reasonable figure, and enabling that bank to exercise a salutary check, if this becomes necessary, on the locking up of money in the form of advances to certain concerns, including those be-

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longing to particular business groups. We are also providing, as the House is aware, for the removal or replacement of directors, officers and other employees, by the Reserve Bank, and for the appointment of additional directors for temporary periods for strengthening the management of any banking company.

Banks are credit institutions handling funds, which do not belong to the shareholders; and they cannot, therefore, be dealt with in the same way as ordinary industrial or commercial concerns. In the light of what I have already said about the need for reducing or eliminating altogether the control which is now exercised over banks by certain business groups, the amendments which have been proposed cannot be considered to be unreasonable.

Shri M. R. Masani (Rajkot): Question.

Shri B. R. Bhagat: We have received some representations, since the Bill was introduced, suggesting that the provision regarding the removal of directors and other persons is arbitrary. This is not correct. Apart from the fact that the Reserve Bank itself is unlikely to take any precipitate or ill-considered action, the circumstances in which the directors, officers or employees can be removed are clearly specified in the proposed Section 36AA. As it is not our intention that there should be any arbitrary removal, we have however given notice of an amendment, which will clarify the position, and will enable any person, who may be aggrieved, to prefer an appeal to the Central Government within a reasonable period.

We are incidentally proposing a change in the proposed Section 36AB to make it clear that the number of additional directors will not exceed one-third of the total number of directors of a banking company,

where this limit happens to be lower than five. With these additional safeguards, there need not be any room for apprehension that the powers which we are now assuming will not be properly exercised.

I said at the beginning of this speech that this is a positive and not a negative measure. We are not providing for the grant of additional powers to the Reserve Bank or for the extension of the area of control, for any doctrinaire or ideological reasons. We have brought forward this Bill to enable the Reserve Bank to control monetary and credit policy more effectively, and to coordinate, for this purpose, the activities of various credit institutions. We are also hoping that the commercial banks system will be enabled, by this measure, to command the confidence of the public to an even greater extent in future, and that these banks will be enabled to make a much greater and much more significant contribution to the development of the country than has been possible so far.

With these words, I move this Bill for consideration.

Mr. Deputy-Speaker: The motion moved:

"That the Bill further to amend the Reserve Bank of India Act, 1934, the Banking Companies Act, 1949 and the State Bank of India (Subsidiary Banks) Act, 1959 be taken into consideration."

There are some amendments, Mr. P. R. Patel. He is not here. Mr. Masani. Does he want to move his amendment?

Shri M. R. Masani: Sir, I beg to move.

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 29th. February, 1964."

(41)

Mr. Deputy-Speaker: Then there is an amendment of Shri Himatsingka.

Shri Himatsingka (Godda): Sir, I beg to move:

"That the Bill be referred to a Select Committee consisting of 15 members, namely, Shri Ramchandra Vithal Bade, Shri Kamalnayan Bajaj, Shri C. R. Basappa, Shri P. C. Borooah, Shri S. N. Chaturvedi, Shri Sachindra Chaudhuri, Shri Kashi Ram Gupta, Shri Hem Barua, H. H. Maharaja Shri Karni Singhji of Bikaner, Shri T. T. Krishnamachari, Shri Harish Chandra Mathur, Shri R. R. Morarka, Shri Sham Lal Saraf, Shri Prakash Vir Shastri and Shri Prabh Dayal Himatsingka, with instructions to report by the first day of the next session." (24).

Mr. Deputy-Speaker: The amendment of Mr. P. R. Patel is barred because this is the same as that of Mr. Himatsingka. He is not here also. So, his amendment is not moved. The Bill and the amendments are now before the House.

Shri Sham Lal Saraf (Jammu and Kashmir): What is the time allotted for this Bill?

Mr. Deputy-Speaker: Five hours is the time allotted for this Bill. So, we will have 3 hours for a general discussion and 2 hours for clause-by-clause consideration.

An Hon. Member: It should be 4 hours and 1 hour.

Mr. Deputy-Speaker: There are many amendments. That is why I am suggesting 3 hours for a general discussion and 2 hours for clause-by-clause consideration.

Shri Hari Vishnu Kamath (Hoshangabad): We may extend the time by half an hour.

Mr. Deputy-Speaker: The programme is very tight. There may not be any extension of time. But the general discussion may be extended by 15 or 20 minutes. So, it is 3 hours for a general discussion and 2 hours for clause-by-clause consideration. Shri Prabhat Kar.

Shri Prabhat Kar (Hooghly): Mr. Deputy-Speaker, Sir, I welcome this Bill which has been moved by the hon. Finance Minister, the Banking Laws (Miscellaneous Provisions) Bill to the extent it goes. It has been rather an alarming condition that was presented that roughly about Rs. 10,000 crores are still unaccounted for and the statement which was made by the hon. Finance Minister that he was anxious to find it out and in considering that aspect, this is a welcome measure that the provisions relating to the non-banking institutions also will be under the control of the Reserve Bank of India.

So far as we are concerned, we have been pointing out that the more and more the power is given to the Reserve Bank of India for the controlling of the financial system of this country, it is better and it will help in mobilising resources and utilisation of the resources in the banks. Today, in the commercial banks, there are deposits to the tune of Rs. 2300 crores. These huge amounts are being utilised by a hand-full of directors who control the bigger banks and out of roughly about 300 and odd banks, 12 banks control 89 per cent of the deposits and naturally these persons create a situation in the country by which all the plans for the development of the country always remain in jeopardy. From this angle we have been demanding that the banks should be nationalised. I can quite see that today in view of certain pressure from other side, the Government is not considering the nationalisation of banking at this moment. But, no doubt, it is a step towards the right direction to this extent. Unless further control or restrictions are imposed, things will not move.

Then, I come to the concentration of wealth about which the other day Mr. Masani gave a statement. I want only to point out today that we can see that it is not question of the basis of per centages only. What was the value of the Tata House ten years ago and

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what is its value now? What was the value of the Birla House ten years ago and what is the value now? They are the figures which will show how the concentration of wealth has taken. It is no good to put a statement, but the fact remains. The point is, how this has been done? It is tragedy that we have not been able to know what has been the outcome of the Mahalanobis Committee's report. We have been told that it has been submitted and from the various publications we find that it is written on the concentration of wealth and one of the main factors, apart from others, is that the use of money by the banks on easy terms is one of the factors for the concentration of wealth. It is a fact that those who control these banks control about Rs. 2300 crores. They lent money to the interested persons at a lesser and favourable rate through which they run their other industries and earn more profits and thereby the concentration of wealth takes place. It is essential, therefore, that there must be some restrictions imposed on them and that can be done by the effective control of the Reserve Bank. There have been complaints from the bankers' side immediately when this Bill was introduced. We have seen how the *Commerce*, the *Capital* or the *Eastern Economist* have reacted. Those papers representing vested interests have reacted and the reaction is very very strong. The other day I heard Mr. Masani on the Companies Amendment Bill. I was really surprised to hear him—I admire his argument, but I may not agree with his philosophy. But the way he argued on that day showed that he argued in despair as if the ground on which he was expecting to stand was losing. The words that he used against the Government and the Prime Minister were out of all proportion, because he found that after all the magic spell that was created by the capitalists for doing good to the country has now been dispelled by the awakening of the people and that is why today they are afraid that more and more restrictions are going to be

imposed and the concentration of wealth will not be allowed. That is why the exponents of the forum of free enterprise, whose past has been as black as possible, whose present is also not at all satisfactory and the future, of course, with the awakening of the people will be very bleak, speak with agony and with anger. The question is why there should be control by the Government or by the Reserve Bank. I submit that control is necessary in the interests of the people and in the interests of the depositors. There are nearly 60 lakhs of depositors. They do not know exactly how the shares are moving and so on. They just deposit their money in good faith and hope that the money will be utilised for the benefit of the community. But, instead, what do we find? We find that the money is being utilised for the benefit of a few individuals who earn more and who go on prospering at the cost of the money of the poor depositors. That is why today, as a guardian of the 60 lakhs of depositors, Government have to come forward with more restrictions and exercise them through the Reserve Bank.

My submission is that in spite of these controls, the Reserve Bank has not been able to move in the matter effectively and control and eradicate all the malpractices. In spite of the fact that the Banking Companies Act has been in force since 1949, and in spite of the fact that powers have been given to the Reserve Bank, we find to day that there are various malpractices and these have come out in the Reserve Bank Publication *Trend and Progress*. From that publication you will find that so far as the advances to the directors are concerned, they are on the increase. The consolidation of loans to one particular group has also been on the increase. So, my grouse is that the Reserve Bank has not been able to control these things in spite of the powers that it has got.

From the Taxation Enquiry Commission's report we find that so far as

the big capitalists are concerned, they have got ingenious methods and they employ very intelligent persons not to see that the country prospers but to see how they can exploit the situation and evade or circumvent the various provisions of the law. Therefore, I would submit that not only should powers be given to the Reserve Bank but the Finance Minister should see that the Reserve Bank utilises the powers properly.

In this connection, I would like to point out that every case of violation of customs laws or foreign exchange regulations involves one or other of the banks. We had a wonderful document in the Vivian Bose Commission's Report regarding the Dalmia-Jain concerns. But I am sorry that it has not been clearly pointed out there that in every transaction a particular bank was involved. So, if Dalmia has flourished, it has been with the connivance of a particular bank. Then, there is the case of Bird & Co. about whom we had some questions here the other day in regard to under-invoicing and over-invoicing. In this instance also, a particular bank is involved. So, it is not a question of taking steps only against one particular company. Unless you root out the main cause, you cannot stop all these illegal transactions. I would request the Finance Minister to consider this aspect that in every case of violation of customs laws or foreign exchange regulations, one or the other of the banks is involved, and unless there is proper control, the malpractices cannot be checked. But we find that as usual Government are moving very slowly.

If we look into the amendment tabled by Shri M. R. Masani, we shall see that instead of asking Government to withdraw this Bill he has only sought to omit those provisions by which Government want to give more controlling power to the Reserve Bank of India.

Coming to the clauses of the Bill, I would first like to deal with clause 12,

which deals with restrictions on power to remit debts. I do not know first of all why there should at all be any power to remit debts, because it is the money of the depositors. The loan is advanced only out of the depositors' money. So, why should any powers be given at all to the board of directors who are interested in remitting debts, because they do not bother about the institution at all but are bothered much more about their interest and their profit? Therefore, I would suggest that the power should not be given in the hands of the directors and if at all any such question arises, that should be done in consultation with the Reserve Bank of India. Otherwise, this power should not be given at all.

Coming to the control over management, I can quite see that a large number of persons will be affected. My difficulty is that I cannot mention the name of the bank or the persons who are directors thereof, because even a mention of that here will create difficulties for the institution which we do not want. But I may tell you exactly how these banks function. I can tell you that one particular bank has got a working capital of less than one crore of rupees, whose chief man to-day gets Rs. 900 P.M. as salary. Earlier, he used to get Rs. 500 or Rs. 600 or Rs. 700, but nowadays, he is getting Rs. 900 P.M. And that person has erected two palatial buildings in the city of Calcutta, and he feels pride in the fact that he has got two Alsatian dogs which would only take two seers of milk a day and he can afford to provide for them.

Shri Sham Lal Saraf: What is the paid-up capital of that bank?

Shri Prabhat Kar: Rs. 10 lakhs or so. This is a small bank. From this picture you can easily understand what banking business means. With the tremendous power of Rs. 2300 crores they are in a position to dictate terms and they can even sabotage any time any planning by Parliament. If today Government come forward with any Bill to control them, I think no one who

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has got the interests of the nation at heart and the interests of the development of the country at heart can oppose it.

As I was saying, I would suggest that the sooner the banks are nationalised, the better it would be for the country. I was reminded of the hon. Finance Minister's words 'The man-eaters? To whom did he make this reference? The man-eaters were having Rs. 10,000 crores unaccounted for.

Shri B. R. Bhagat: Rs. 10,000 crores?

Shri Prabhat Kar: Yes, Rs. 10,000 crores. That was what I saw in the press.

Shri Bhagwat Jha Azad (Bhagalpur): That was Rs. 1,000 crores.

Shri Prabhat Kar: I may be wrong; it may be Rs. 1,000 crores. This is the figure which the Finance Minister has stated a few days ago, as I read it in the press.

Shri Sham Lal Saraf: The hon. Member is mistaken. He has said that the tiger is at large. But we are riding over the tiger now.

Mr. Deputy-Speaker: The hon. Minister will correct him later if he is wrong.

Shri Prabhat Kar: With such a huge amount of black money going round there are persons who are today attacking the source of strength of this country. It is high time that they are found out; in fact, not only should they be found out but they should be caged, and if they cannot be tamed, then it is necessary to shoot them down.

I would only say that we are wedded to socialism. In this connection, I would like to quote what Professor Tawney has said. He says that you can take an onion leaf by leaf, but you cannot strip a living tiger paw by paw. If you want to do away with all these

evil deeds of the capitalist system and usher in socialism, then you shall have to be bold and you shall have to take strong steps, and I assure you that you will get the full support of the people of this country for that purpose.

With these words, I support this Bill.

14 hrs.

Mr. Deputy-Speaker: Shri Himatsingka. Ten minutes to each Congress Member.

Shri Morarka (Jhunjhunu): This is a very important Bill and the hon. Minister himself said that it has got certain provisions of far-reaching importance. This Bill is not going to a Select Committee. In ten minutes, such a technical subject cannot even be explained.

Mr. Deputy-Speaker: I cannot help it. 5 hours is the time allotted in all. 3 hours will be for general discussion and out of that on the basis of 60:40 the Congress party has got 1 hour and 48 minutes. I have to provide for other parties also.

Shri Morarka: I would respectfully agree. You may in proper cases extend the time.

Shri Hari Vishnu Kamath: You move for extension of time. We will support you.

Shri P. C. Borooah (Sibsagar): This is a very important Bill. The time should be extended to at least 8 hours.

Shri Himatsingka: Sir, I have already moved my motion for reference of the Bill to a Select Committee.

As has been mentioned by the Mover, this Bill has far-reaching consequences. The idea in the minds of most Members is that it tries to control the activities of the private sector banks, but you will find in one clause that it not only seeks to amend certain provisions of the Banking

Companies Act but intends to rope in everybody in the country, barring individuals. You will find from clauses 5 and 11 that certain provisions are added to the Reserve Bank Act whereby not only the banks will be controlled but non-banking institutions are brought in, which means companies, corporations or firms. All kinds of control are contemplated in sections 45J, K, L, M, N etc. You will find that non-banking institutions also have been divided into two kinds. One is financial institutions which means non-banking institutions doing particular kinds of business, which carry on financing as part of their business, whether by way of making loans or advances or otherwise of trade, commerce, industry or agriculture. Similarly in the next clause, persons dealing in debentures, stocks and shares etc. are covered. Then comes hire-purchase. That means, those persons who have something to do with financial transactions are covered.

Those who do not deal in such kinds of business are intended to be covered by the non-banking institutions provisions of the Bill. The powers proposed to be given to the Reserve Bank are very drastic, so drastic that I do not know whether the administrative difficulties and other things apprehended and due to which the compulsory deposit scheme was dropped may not crop up here too. The provisions will apply to every firm in the country. A firm may take a deposit of Rs. 100 and lend Rs. 10 out of it. Even that firm will be covered. It is not restricted to firms or corporations handling a certain amount of money, say, over Rs. 5 lakhs or Rs. 10 lakhs. I do not know if the implications of the Bill have been realised by most of the Members. The provisions are so wide that one shudders to think what will happen if it is not properly applied. Considering the amount of work that will be required to be done by persons, companies or firms or corporations coming within the scope of the provisions, it will be almost impossible to comply with them, at least by those

who live in outside places, in the subdivisions and in smaller towns. They will not even know that this Bill has been passed into law and they are required to send in all kinds of returns.

The powers that have been proposed are so vital and so drastic that I do not know whether anybody can be saved. You will find that apart from these firms and corporations which are intended to be roped in, the powers now being given to control commercial banks also are very wide. At present, the powers exercised by the Reserve Bank are themselves very wide. As a matter of fact, they are entitled even now to give all kinds of directions. They can exercise those powers in so many various ways that they can compel any banking institution to fall in line with the wishes of the Reserve Bank. There are cases where even managers have been removed, simply because the manager of a particular bank criticised the then Governor of Reserve Bank which the latter did not like.

You will find from the provisions in sections 45J, K, L etc. that all kinds of directions can be given to these institutions. Similarly, so far as the commercial banks are concerned, apart from the restrictions that have been proposed on unsecured loans, under the provisions proposed in clause 11, certain advances cannot be made to certain class of persons. No exception can perhaps be taken to that. There are other provisions, that at any time the Reserve Bank can give directions as regards the purpose for which the advances can be made, the margins to be maintained, the maximum amount which can be advanced. Also the maximum amount of guarantee can be given by a banking company on behalf of a company, firm or association is specified. The powers are so wide that the Reserve Bank takes the position of the board of directors or manager of the bank concerned and give directions that money is not to be given in advance for a

[Shri Himatsingka]

particular purpose or given more than a particular amount. After all, the banks are managed by persons who are responsible and in whom the shareholders have trust. They are elected by the shareholders. They know their business. As a matter of fact, not many cases can be cited of any misuse of the powers of the directors requiring this kind of restriction.

Similarly, the other provisions proposed are also very very drastic. A director can be removed, a manager can be removed, an employee can be removed and no reasons need be assigned, except when there is sufficient time for the Reserve Bank to do so. There is no appeal. You cannot dismiss your *darwan* or even ordinary peon unless you give him reasons, and he has the right to go to the courts. But here the person in charge, a managing director or manager or employee can be removed without any reason. Even that vacant place is to be filled up by the Reserve Bank. The board of directors cannot do it even in consultation with the Reserve Bank. That power is attempted to be given to the Reserve Bank, not to the employer. The provisions are so wide that this Bill should be sent for scrutiny to the Reserve Bank. . . . (An Hon. Member: Reserve Bank?)

I am sorry, to the Select Committee. There is another point about the provision regarding the voting rights. Suppose ten persons hold shares to the extent of five per cent each, it comes to 50 per cent of the share capital; if 20 persons hold one per cent each, it comes to 20 per cent. These 20 persons will outvote the persons who hold 50 per cent share capital. I cannot understand why you are making the minority to come in the position of the majority and control over minority shareholders. There is the provision to put five additional directors, although I find there is a Government amendment to reduce that number. All these cannot be considered in a House like this and therefore, I suggest that it be sent to a Select Committee.

Shri M. R. Masani: Mr. Deputy-Speaker, it seems very difficult for some of us to understand the mind of the hon. Finance Minister and his department. Only three days ago he made a statement on economic policy which was both enlightened and sophisticated and we had hoped that perhaps from then on the policies that would be followed would also be enlightened and sophisticated. Only two days later, today, he has come up once again with this reactionary and restrictive provision. . . . (An Hon. Member: Reactionary?) Anything that holds back the progress of the country is reactionary. This Bill repeats the pattern of the unfortunate Companies Bill which the House was dragooned into accepting a few days ago by a dictat from above.

What are the functions of a bank?—four, I believe: to provide safe custody for the funds of those who save, to mobilise thereby the savings of the community, to invest these resources in industry and commerce valid productive purposes, and finally to provide credit to entrepreneurs so that their productive operations may be financed. In more advanced countries, even the operations of farmers are financed by banks in that manner.

Today, one third of the banking system of India is already under the control of the State through the State Bank and its subsidiaries. Two-thirds is owned by thousands of small shareholders. Some of them are big banks called scheduled banks. The Reserve Bank regulates and guides the entire system with the wide powers that it enjoys today.

This is a situation that is appropriate in a mixed economy. Under British rule, our banking system was impeded by the domination of the British banks. Since Independence, Indian banking has a pretty wonderful record of service and by and large they have made good progress. By and large, banks have been efficiently run: I very much regret that the

Minister, while discussing this subject, failed to bring this point home. There may be a few malfactors, as there are in every walk of life, but by and large the banking industry is competently and honestly run.

You are now opening the door to the kind of demagoguery which we have just heard from the communist benches. They talk of concentration of power. There is no basis whatsoever for this bogey that the communists and Congress benches are raising for demagogic reasons. The Reserve Bank's pamphlet on Trends and Progress of Banking in India during 1961 shows that, in the case of 40 banks inspected, the concentration of advances in the hands of a few operators was Rs. 31 crores, roughly 2.3 per cent of the total advances of those banks amounting to Rs. 1346 crores. That percentage of 2.3 was a drop from what it was eight years ago in 1953, when it was 3.8 per cent. In other words, whatever little concentration of advances there was was dissipated and has come down from the insignificant figure of 3.8 to the even more insignificant figure of 2.6 per cent. Advances to directors, relations of directors and all those in the control of banking operations, in the case of those 33 companies inspected, was Rs. 9 crores representing 0.7 per cent of all advances as against 1.1 per cent in 1953. The Minister would have been fair to himself and to the country if he had the fairness and decency to state these facts before the House instead of trying to mislead it in the way Government are trying to do. If any concentration of power exists in the banking industry, it is in the hands of the Reserve Bank of India the nominees of the Minister himself. He is the big monopolist, big State Capitalist and the banking monopolist who is now trying to squeeze out the weaker section by using police powers for the purpose.

Anything that injures the delicate structure of the banking mechanism is a blow to the economy of this country: it is monkeying with the economy of

this country. That is what the Bill does.

My communist friend who spoke before me claimed that the Government of India are the guardians of the sixty lakhs of depositors. Let them go and get a vote of confidence from these sixty lakhs. These sixty lakhs of people have confidence in the bankers who run the industry today, and that is why they put their money in the banks. They have no such confidence in this Government. The expansion of the country's money market and the credit facilities of this country will be retarded by the monopolistic and bureaucratic tendencies. Some of those who deposit their money in banks will today hoard it in future, buy gold or put it underground, because they will not trust this confiscatory and expropriatory Government whose words cannot be trusted, as we saw in the debate on the Companies Bill. Lakhs of depositors have faith in the banking companies and have no such faith in the Government. Let the Government hold a plebescite among the sixty lakhs of depositors and then see whether they have confidence in the Finance Ministry.

It may be that there are malefactors; there are abuses. We know there are. Is that the reason for hamstringing the entire industry? There are corrupt Ministers; we have seen that there are; there are corrupt officials; we have seen that there are. Is that the reason for abolishing Government? (An Hon. Member: Turn them out.) and having anarchy?... (Interruptions.) Would it be logical if you abolish altogether the Government because some Governments are corrupt? That is a fallacious argument. Deal with the malefactors; you have the support of the whole country. But do not lay your axe at the root of the tree that gives the country this credit mechanism. I have said that their record is generally good. There are exceptions and they should be dealt with, but not by this crude and rusty weapon which is sought to be wielded.

[Shri M. R. Masani]

Apart from the danger to the country, look at the position of the Reserve Bank itself. It has its hands full. Its record, by and large, is reasonably good. In the last ten years, it has learnt gradually to rise to its responsibilities. It is just at this time when you dump on it an amount of ministerial forms and work which is altogether repugnant to any intelligent set of people. This will lead to further bureaucracy; this will lead to the expansion of staff, and this will lead to Parkinson's Law setting in motion again. You are creating a huge bureaucracy to run something that requires a delicate mechanism. I feel sorry for the Reserve Bank of India and those officials who will now have to do a lot of clerical and ministerial work which should not be entrusted to them. Any amount of paper work will be dumped on them, of which figures have been given in this House. Thus, the quality of supervision and leadership that the Reserve Bank should give will be weakened and even the Reserve Bank will not be able to perform its functions in the way it should.

It may be argued that this Bill does not seek to destroy the banking industry. My hon. friend over there is entitled to say that. I think that it does not destroy the banking industry, of course, but it only cripples it. Crippling is the first step to destruction. That is why from these Communist Benches, your Bill has been welcomed. The Communist Party in every country believes in increasing misery. It believes in disrupting the social fabric so that the pillars can be brought down. Their welcome should make you think twice. The democrats who adorn the Congress Benches should think twice when they get support from these Benches. It is very dubious support. The enemies of the country's progress want something; that is a very good warning to all men of good faith to think again.

So, this Bill will cripple the banking industry. I entirely agree with and

endorse what has fallen from the lips of the preceding speaker from the Congress Benches. "He said he shudders to think" what would happen after these powers are given. How long will the hon. Members of the Congress Party go on sitting there and shuddering to think? Why do they not think instead? Why not cross the floor? In any other country, when a man shudders to think of the results of Government's actions, he crosses the floor. There are many members of the Congress Party who are today shuddering to think. I appeal to them to consider their own obligations to this country: whether they would remain there or whether they will, in being honest to the country, cross the floor.

I will not spend time on the clauses, since you have been good enough to keep two hours for the discussion of the clauses. I, along with my hon. friends on the Congress Benches, have not tabled several amendments, and we shall discuss those clauses when they are moved. But there is no doubt at all in my mind that the powers given by clauses 18, 11, 13 and 9 will be disastrous. This Bill gives the Government, through the Reserve Bank, the power to remove a director or an officer or any employee, even a clerk of a bank without giving any reason, without alleging any crime. Even if they do not contravene the provisions of any rule or regulation, the Reserve Bank can say, "Mr so-and-so will hereby be dismissed from the bank." He stands dismissed. It is true that normally he may be heard, but the Reserve Bank may dispense even with the right to hear the gentleman concerned and dismiss him without his being heard and leave him to make an appeal to the courts later. Is this consistent with the spirit of the rule of law? Is this the kind of thing that we want to bring into existence under our Constitution about which we all expressed pride in the last two days? This is a classical example of giving to the Reserve Bank power without responsibility.

Today, the Reserve Bank cannot sack even its own officers. Under the Industrial Disputes Act and the orders of tribunals, the management of the Reserve Bank cannot sack its own clerks and its own officials. But it can arbitrarily sack anyone else's clerk and anyone else's officials. So, the labour laws of the country will not protect them. It is an anti-labour legislation, quite apart from anything else.

That is the way it truncates the discretion of the bank managers and directors to run the bank as their shareholders and their depositors want their to run it, and that is why we are opposed to this Bill altogether.

There is a clause that seeks to truncate the right of non-banking companies to carry on the work of banking. This is something that has come down in our country as in other countries from tradition. From the Middle Ages in India in the countries of Europe, there have been banking houses which have been of a mixed character. They are not banks, they do other business; they also safeguard depositors by putting their deposits to fruitful uses. There is nothing wrong with it. Even today, in the more advanced countries of the West, there are institutions that are not primarily banks that carry on the business of banking. Again, we are trying to hurt these institutions at a time when the banking industry in this country has not developed to its full stature, when people in the villages do not know what a bank is and do not know where they can deposit their money. We are trying to destroy the only channel in which these small depositors place their money in safe hands. All these are various aspects of this needless regulation and interference.

The aim of the Bill, as given in the Statement of Objects and Reasons, is as usual, deceptive. Anyone who reads the Statement will think that this is a very modest Bill. The name of the Bill is even more deceptive. It is called the "Banking Laws (Miscellaneous pro-

visions) Bill". It has been well said in the press recently that it is a Bill which seeks not only to enhance and extend the powers of control and supervision over the commercial banks but to an extent enabling the Reserve Bank of India to appoint additional directors on the Board of the banks, summarily dismiss them without going through the due process of law and to issue directives regulating the maximum financial accommodation that will be needed; and so on and so forth. There is a long column, and it ends by saying sarcastically that "it yet has been designated as a Bill containing miscellaneous provisions". There is nothing miscellaneous about this Bill.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri M. R. Masani: I would like to take a few minutes more. I am the only spokesman of my Party.

Mr. Deputy-Speaker: You have already taken 15 minutes.

Shri M. R. Masani: Not quite; something less. So, Sir, I was saying that this Bill should have been described as a Bill to cripple the Banking Industry and not as Miscellaneous Provisions Bill. It is a Bill with malice; it is a Bill with a knife in it. There is nothing constructive about it.

I would have gladly supported my hon. friend's motion that the Bill be referred to a Select Committee. I think such a Bill should go to the Select Committee but, after the experience we had in this House a few days ago and the contempt with which this Government treats reports of Select Committees, I do not think very much purpose will be served. Therefore, I am moving that this Bill be circulated for the purpose of eliciting opinion thereon by the 29th February, 1964. I know that my hon. friend opposite will not accept this amendment. They want to hustle the country and the house into passing a

[Shri M. R. Masani]

Bill about the very nature of which we do not understand enough. I am not familiar with banking. This morning, when the amendments of the hon. Minister were flung at us, when we were asked to discuss them this afternoon, I certainly could not understand the purport of more than half of them. I think I understood about half; the other half, I said I shall have to consider what they contain. Is this the way that the House is going to be asked to enact legislation which would affect the very economic life of this country?

I would like to make another suggestion to my hon. friend. Postpone the Bill. Appoint a Commission of Inquiry at a high level. Let the Commission of Inquiry go into the entire structure and management of the banking industry. Let the report of the Commission of Inquiry be placed before the House and let legislation be introduced on those lines. I challenge the Government to do that. Then they will have a case. Otherwise, today, they are asking us to take action against the industry without any basis at all.

Now, in his book entitled *A Week with Gandhi* my friend Mr. Louis Fisher quotes Ghandhiji as saying that, if Ghandhiji had had his way, he would have wound up the Reserve Bank of India and the State Bank and distributed the funds in their vaults throughout the villages of India, because this should have been the decentralisation of economic power. That was Ghandhiji's symbolic way of showing his antagonism to monopolistic State institutions like the Reserve Bank and the State Bank.

What does this Bill do? This Bill does exactly the reverse. This Bill tries to take away the deposits of the small people throughout the villages and towns of this country and bring them into their hands, the hands of the big monopolies in Bombay and Delhi. That is why this Bill is contrary to everything fundamentally democratic

and liberal in Ghandhiji's teachings. It is not an accident that one of Ghandhiji's best living disciples, Shri Jai Prakash Narayan, wrote in the *Hindu* of 8th November: "The more centralised the economic order, the greater is the exploitation; power has also to be decentralised. The basic thing in a democracy is, who takes the decision? A few at the top or the many at the base."

Once again, in this Bill as well as in the Companies (Amendment) Bill last week, we have a clash between those who believe in a free society and those who believe in a command economy of the Soviet type. The support this Bill has got from the representatives of the Soviet Government and system in this country shows that this is not a democratic Bill.

Shri Prabhat Kar: What have these representatives to do with the Soviet Government?

Shri Daji (Indore): Sir, on a point of order. He said "representatives of the Soviet Government." It cannot be allowed. He must withdraw it.

Mr. Deputy-Speaker: Please withdraw it.

Shri M. R. Masani: I withdraw the word "Government." I meant the Soviet system.

Shri Morarka: Sir, I think that there is ample justification for sending this Bill to a Select Committee. This Bill has a misleading appearance of simplicity. It is a harsh provision and, if I may say so, an unreasonable law to be put on the statute-book without examining and scrutinising the various provisions. This Bill introduces for the first time a principle of arbitrariness in our system of jurisprudence. The reasons why I say that this Bill should be sent to a Select Committee

are these. It is for the first time that a Bill expands the scope of the functions of the Reserve Bank. Apart from controlling the commercial banks, this Bill is going to control now each and every financial institution, of every type. Further, it is also going to control each and every non-banking institution which accepts deposits from the public. And then as regards what these deposits are, whether it is a loan or deposit, again the judgment of the Reserve Bank would be final.

The second reason is that this Bill in a way curtails the fundamental right, right to property, in a very substantial manner. It reduce the voting rights from five to one per cent. I will have something more to say on it when I come to the details.

Then it gives powers to the Reserve Bank to appoint upto five directors on the board of any banking company. I will not go into the merits of the proposition just now; we will discuss it when we come to it. But the fact remains that on the board of any bank, if there are five government directors sitting, nationalisation is a far better alternative and a more equitable proposition than to have the banks functioning as they are with five government directors. In nationalisation you pay compensation. Besides compensation you take the responsibility for the proper functioning of the undertaking, that you nationalise.

An Hon. Member: Kindly move that motion.

Shri Morarka: Under this regulation and control, you have government control of the banks without any nationalisation, without any compensation, without any responsibility. Then, my most important point is about the right which you are giving to the Reserve Bank to remove the Chairman, the managing director, director, manager, executive or any other officer of the bank.

Shrimati Savitri Nigam (Banda): If they do not act properly.

Shri Morarka: I agree. If they do not act properly, they must be given a punishment. If the thief commits theft he is given punishment. If a murderer commits murder he is given punishment. But before anybody is given punishment he is given a fair trial. (*Interruption*). This is not a thing of satire.

Shri Bhagwat Jha Azad: There are so many murders already done by the banking companies. I know which interests you represent.

Mr. Deputy-Speaker: Order, order.

Shrimati Savitri Nigam: Reserve Bank is the competent authority.

Shri Morarka: My friend is aware of the murders committed by banks. I bow to his knowledge. I am not aware. Therefore, my arguments are based on that ignorance.

Shri Bhagwat Jha Azad: You know everything, but you connive. That is the point.

Shri Morarka: I think my friend who is as young as I am should at least have some regard for the etiquette of Parliament.

Shri Bhagwat Jha Azad: I know more etiquette. He should not talk of etiquette. This etiquette is not the monopoly of my friend.

Mr. Deputy-Speaker: Order, order.

Shri Morarka: I was only saying that before a man is condemned he is given a fair trial. And if you don't give him the due process of law, the chance to prove his innocence to that extent you are introducing new principles.

Shri M. R. Masani: Communist principles.

Shri Morarka: It is only the other day that we amended the Companies Act. In the Companies Act which was approved by this honourable House, what principles did you adumbrate? You say there will be a tribunal, an independent tribunal; there would be a recommendation of the tribunal; and only on that recommendation of the tribunal the Government can remove a person from the management. And even then there would be an appeal, at least on the question of law, on the decision of the tribunal and the Government. Here there would be nothing. The Reserve Bank along would be the sole custodian of the interests of these people. The Reserve Bank would be the prosecutor, the Reserve Bank would be the judge, the Reserve Bank would be the jury, and the Reserve Bank would be the executioner. This would be the function of the Reserve Bank. Howsoever impartial this institution of the Reserve Bank may be, there may be good officers, there may be bad officers, and I think there must be valuable safeguards, some brakes and safety valves provided in the interests of the citizens of this country.

Then, apart from all these things, the parties who would be affected by this legislation, the various non-banking companies, the various hire-purchase companies, the various financial institutions, commercial banks and shareholders, none of them have been consulted by either the Reserve Bank or the Government.

And above all, the most important thing is that even the hon. the Minister of State who moved the motion this morning did not give a single reason why he wants to rush through this Bill. Unless and until there is some reason, some semblance of a reason why the Bill should be rushed

through, I think it would be a good and healthy practice to send the Bill to a Select Committee of this House and to have the Bill scrutinised there. Why this nervousness of sending a Bill to Select Committee? I do not agree with my friend Mr. Masani when he says that a Select Committee does no good to the Bill.

Shri M. R. Masani: I did not say that. I said that Government showed contempt for its recommendations.

Shri Morarka: It is not correct to say that the Government showed any contempt for the recommendations of the Select Committee. It is also true that the House is not bound to accept each and every recommendation of the Select Committee. But even in the Companies Bill, most of the recommendations of the Select Committee, with the exception of one, were accepted by this honourable House.

Now, this Bill, as I said, seeks to regulate, control and govern the activities of non-banking financial institutions and other non-banking companies receiving deposits. This is a comprehensive Bill which introduces far-reaching structural and operational changes in the banking credit and monetary mechanism of the country. In short, this Bill authorises the Reserve Bank to appoint additional directors on the board of the bank, to summarily dismiss any person in management without going through the due processes of law, to issue directives regulating maximum financial accommodation which can be given to any individual, firm or company. It curtails the voting rights of shareholders; it regulates further the term of office of the chief executive; and, finally, it restricts the loans that may be advanced to the directors or to the associates of the company.

There are many provisions in the Bill which are very good and healthy but yet there are some provisions which require careful looking into. Take, for example, this provision which appears so attractive to everybody, namely to reduce the voting rights from 5 per cent to 1 per cent. The biggest shareholder today in the country is the Life Insurance Corporation. The Life Insurance Corporation has got 27 per cent shares of one bank. The moment this Bill is passed, this 27 per cent voting rights would become 1 per cent. So far as the individuals are concerned, even if they have got 20 per cent shares held by one individual today, they can easily transfer their shares, they can easily divide their shares among twenty persons and still maintain the same quantum of voting right. Whom are you going to help by a provision of this type? You hear the public criticism that you have violated the rights to property by reducing the voting right. But in effect whose voting right are you going to reduce? The private individual can divide the share and still retain the same voting rights. But the Life Insurance Corporation or the Unit Trust which you are going to form are not going to, they cannot, they have got no other nominees, and therefore it is their voting right which will suffer. Would that strengthen the Government's hands, or would that weaken the Government's hands. I would like to know. Why do this thing in a hurry without understanding the implications properly? I could have understood if you had brought simultaneously with this provision the restrictions on share transfer. If you have that provision also, then a person who holds 20 per cent shares today cannot divide the holdings and transfer the shares. But without that provision, your scheme of Government interference and control is basically incomplete. It is only the Government institutions and public institutions like LIC which are going to suffer.

You are going to bring within the ambit of this Bill all other financial

institutions and non-banking companies. Even before this Bill was introduced, as early as May 1962 the Reserve Bank has been writing to the various companies questioning the right of accepting deposits. The Reserve Bank had been telling them that because there is a provision in the memorandum of the Association to accept deposits and invest that amount you take as deposits, it automatically becomes a banking company. Sir, out of 32,000 companies which are functioning in the country today, there is hardly any company the memorandum of which does not contain a provision like this. Does this mean that all the 32,000 companies would now become financial institutions or would become non-banking companies over which the Reserve Bank would have its jurisdiction and authority?

I have already talked about the removal of the director. It is a very strange anomaly that the Reserve Bank cannot remove its own directors and officers; I cannot remove my officer from the bank, but the Reserve Bank can remove me and any other officer, without assigning any reasons, summarily and I have no remedy. To say the least, this is against the principles of natural justice. If I have done something and found guilty by any process of law, by all means give me the punishment you think proper. We discussed the Preventive Detention Act. My friends on the other side were very eloquent in the name of liberty, fraternity and what not. Now when the same thing is being perpetuated here for offences which are of a commercial nature, they lend their weighty support to the provisions of this Bill.

Government now gives the right to the Reserve Bank to appoint up to 5 directors on the board of any company. Now Government have come forward with an amendment saying either 5 directors or one-third, whichever is less. In other words, it is not Government's intention to have a

[Shri Morarka]

majority in the Board. If that is so, what is the sanctity of having 5 directors or one-third? Either Government keeps one person as a watchdog or inspector on the Board or Government has a majority in the Board and controls the affairs of the bank. But to have a group of people looking-over the shoulders on the work that the other directors would be doing is not in the interest either of the bank or the Reserve Bank or the monetary system of the country at large.

Under the guise of protecting the public interest and improving the business morality, there is a tendency on the part of the bureaucracy to arrogate to itself all the discretionary and discriminatory powers that can possibly be conceived of in spite of limitations against this in the Constitution. This tendency to aggrandize the coercive powers and the ultimate unauthorised growth of authority is bound to tamper with justice and fairness. Under these powers, there is a tendency on the part of the government agents to presume a man guilty unless he proves his innocence; to ignore the statute of limitations, to charge a man with offence so old that he cannot marshal evidence in defence, to prosecute a man for doing something that was not declared wrong until after he did it, to assume inquisitional powers and to ignore facts and infer guilt.

I think that there is ample justification for reference of this Bill to a Select Committee. I am sure the Select Committee will do something good and return the Bill in a more acceptable form to the House. The people whose interests are affected must at least have the satisfaction that they have presented their viewpoints and their case before a Select Committee of this Parliament.

श्रीमती सुभद्रा जोशी (बलरामपुर) :

उपाध्यक्ष महोदय, आज जो बिल इस सदन के सामने आया है उस से कुछ निराशा सी

हुई। जिस समय इस हाउस के मामले बैंक के राष्ट्रीयकरण का बिल आया था, उस का जितना अच्छा रिस्पांस और जितना स्वागत इस हाउस के अन्दर और देश के अन्दर हुआ था उस से ऐसा मालूम होता था कि सरकार बहुत जल्दी कोई ऐसा कानून लायेगी जिस से कि बैंकों का राष्ट्रीयकरण हो जायेगा। इस के साथ ही साथ अभी कई सदस्यों ने कहा, और यह कोई नई बात नहीं थी, कि काफी समय नहीं दिया गया। इन सब चीजों पर काफी विचार होना चाहिये।

हमारे यहां सन् १९४७ में कांग्रेस ने एक एकान्तिक प्रोग्राम कमेटी बनाई थी जिस के अध्यक्ष हमारे प्रधान मंत्री थे। उन्होंने सन् १९४७ में यह सिफारिश की थी कि बैंकों का राष्ट्रीयकरण हो जाना चाहिये। मेरा खयाल है कि सन् १९४७ से लेकर आज सन् १९६३ तक काफी समय हो गया और सरकार तथा कांग्रेस और जो सदस्य इस हाउस के अन्दर और बाहर हैं वे इन सब चीजों पर विचार करते रहे हैं। इस के बावजूद भी, जो निराशा इस से हुई है उस के बावजूद भी, जो बिल इस हाउस के अन्दर आया है मैं उस का स्वागत करती हूँ क्योंकि इस बात को सरकार ने महसूस किया कि रिजर्व बैंक के पास जो पावर्म है दूसरे बैंक को रेगुलेट करने के लिए वे काफी नहीं हैं। जो हमारे बैंक हैं उन के साथ दूसरी कंपनियों की तरह सलूक नहीं होना चाहिये। जैसा मैंने पहले कहा, यह हमारे यहां की एक की इन्डस्ट्री है और सारे देश का इंटरैस्ट उन के हाथ में रहता है। डिपॉजिटर्स के इंटरैस्ट के अलावा पब्लिक इंटरैस्ट में आज एक ऐसा बिल अगर लाया गया है जिस से रिजर्व बैंक का कंट्रोल उन पर बढ़े तो हम सब लोग उस का पूरा स्वागत करेंगे।

जिन माननीय सदस्यों ने इस बिल का विरोध किया है उन के भाषण मुनने के बाद तो मेरा विश्वास और भी पक्का हो गया है कि सचमुच यह बिल बहुत मुनासिब है और जरूर इस से कुछ न कुछ फायदा होने वाला है। इसी लिये वे लोग इस का विरोध कर रहे हैं। उन्होंने ने अपनी स्पीचों में बहुत सी गलत बातें भी कही और कुछ यह भी सिद्ध करना चाहा हम लोगों के सामने कि किस तरह से यह बिल डिपॉजिटमें और देश को फायदा पहुंचाने वाला है। यह भी जिन्हें हुआ कि हमारे यहां किस तरह से यह जो बैंक है वह मालप्रैटिसिस में चले जाते हैं, किस तरह से वे दंडनजामी करने हैं और किस तरह से वे अपने लोगों के पर्यो का दुरुपयोग करते हैं। यह कोई नई कहानी नहीं है इसलिये मैं उस को इस सदन के सामने डेराना नहीं चाहती। लेकिन मुझे इस बात का बड़ा आश्चर्य है कि इस बात को मानते हुए भी कि बैंकों का मिसमैनेजमेंट हो सकता है और उनके रुपये का अच्छी तरह उपयोग नहीं हो पाता है लोग कहते हैं कि बैंकों को कंट्रोल करने की जरूरत नहीं है। इस बात को मानते हुए भी कि सरकार ने कोई अच्छा कदम नहीं उठाया, अगर यह कदम उठाने के बाद भी, डाइरेक्शन देने के बाद भी, इन्टरक्वॉस देने के बाद भी, वहां मिसमैनेजमेंट होता है, वहां का प्रबन्ध ठीक नहीं होता है तो क्यों न सरकार उस बैंक को ले ले, यह बात मेरी समझ में नहीं आती है। हालांकि आज हम समझते हैं कि सब बैंकों का राष्ट्रीयकरण हो सकता है लेकिन कुछ लोगों का विचार है कि सब बैंकों का राष्ट्रीयकरण नहीं हो सकता तो जिस बैंक के सम्बन्ध में रिजर्व बैंक मेट्रिफाइड हो सरकार को सेंट्रिफिकेशन हो कि उसका मनेजमेंट ठीक नहीं है, बावजूद इन्टरक्वॉस, के, बावजूद सुपरविजन के, बावजूद डाइरेक्शन, के गड़बड़ी चल रही है, तो मैं समझती हूँ कि रिजर्व बैंक को यह अख्यार होना चाहिए कि वह उस पर कंट्रोल करवा

सके और अगर मुनासिब समझे तो उसको ले।

कहा गया कि अगर इस किस्म की कोई तहकीकात शुरू हो जाय तो बैंक पर रश हो जायगा। उपाध्यक्ष महोदय, मैं कहना चाहती हूँ कि कुछ बैंकों के बारे में, जिनका मैं नाम लेना मुनासिब नहीं समझती, लोग कहानियाँ लिए घूमते हैं, उनके मिसमैनेजमेंट के कागज लिए घूमते हैं, टेप रिकार्ड किए बयान लिए घूमते हैं, चिट्ठियाँ लिए घूमते हैं, अगर उनकी शिकायतों को मुनने का और उनका इनवेस्टिगेशन करने का सरकार ने इन्तिजाम न किया तो बाहर जो अफवाहें फैलेंगी वे बैंकों को और भी ज्यादा नुकसान पहुंचायेंगी। अगर रिजर्व बैंक यह कह दे कि हम जांच करेंगे और मिसमैनेजमेंट मालूम होने पर उस बैंक को टेक ओवर कर लेंगे, तो कम से कम लोगों में बैंकों की तरफ से अधिक विश्वास हो जाएगा। बैंक समझेंगी कि शिकायत होने पर हमारी जांच होगी और बैंक को टेक ओवर भी किया जा सकता है, तो वे अच्छा काम करेंगी। इसलिए इसमें यह प्राविजन होना चाहिए कि अगर जांच करने पर पता चले कि इस बैंक में मिसमैनेजमेंट है तो उसको सरकार को ले लेना चाहिए।

अभी इस बिल में यह प्रावाइड किया गया कि सरकार एक से ज्यादा डाइरेक्टर मुकर्रर कर सकती है। मुझे खुशी है कि फाइनेंस मिनिस्टर जो नया अमेडमेंट लाए हैं उसमें उन्होंने यह जाड़ दिया है कि परमानेंटली हटाने के अलावा अगर रिजर्व बैंक मुनासिब समझेंगी तो वह उनको एक किस्म से सस्पेंड भी कर सकती है और काम पर से हटा सकती है। इस बारे में मुरारका साहब ने कहा कि चोर को भी सजा दी जाती है

[श्रीमती सुभद्रा जोशी]

तो उसको सफाई का मौका दिया जाता है कातिल को भी सजा दी जाती है तो उसको सफाई का मौका दिया जाता है। पर इतना तो वे जरूर मानेंगे कि अगर किसी पर शुबहा है और विश्वास हो गया है कि वह चोर है तो उसको उस काम से हटा देना ठीक है ताकि वह और भी चोरी न कर सके। आप जानते हैं कि बैंकों में छोटे छोटे लोगों का रुपया होता है। जिस आदमी पर चार्ज साबित हो जाए या जिस पर पक्का शुबहा हो जाए, अगर उसको हटाया न जाएगा तो मरारका साहब और मसानी साहब जानते हैं कि वह किस तरह से खुद बुरा कर सकता है। मैं यह नहीं कहती कि वह ऐसा करते हैं, लेकिन वे बिजनेस करते हैं इसलिए जानते हैं कि अगर उस आदमी को वहां से हटाया न जाए तो वह ऐसा नक्शा बना देगा कि आपको पता नहीं लगेगा कि उसने क्या किया है और क्या नहीं किया है। तो यह बहुत अच्छा प्राविजन है और मैं इसका स्वागत करती हूँ।

लेकिन जैसा कि मरारका साहब ने कहा कि इसमें जो एक डाइरेक्टर या पांच में कम डाइरेक्टरों को मुकर्रर करने की बात है वह मेरी समझ में नहीं आयी। हो सकता है कि वह टेकनिकल मामला हो और हमारी समझ में न आता हो। एक या पांच डाइरेक्टर वहां जाकर क्या करेंगे, शायद खबर लाकर देंगे। वे क्या कंट्रोल कर सकेंगे। एक तिहाई में कम डाइरेक्टर होने से रिजर्व बैंक किस तरह से उनका खयाल रख सकेगी। मैं चीज को मैं चाहती हूँ कि फानेडम मिनिस्टर साहब समझायें। मैं तो यह कहना चाहती हूँ कि इसके लिये इसमें एक ऐसा प्राविजन होना चाहिए कि अनसीक्योर्ड लोन बैंक को अपने डाइरेक्टरों को नहीं देना चाहिए। बल्कि मेरा तो यह भी विचार है कि अनसीक्योर्ड लोन न सिर्फ उसी बैंक के डाइरेक्टरों को न दिया जाए, साथ ही दूसरे बैंकों के डाइ-

रेक्टरों को भी न दिया जाए। क्योंकि अगर यह तरीका जारी रहेगा कि दूसरे बैंक के डाइरेक्टरों को अनसीक्योर्ड लोन दिया जाए, तो एक ग्रुप बन जाएगा, और एक बैंक दूसरे बैंकों के डाइरेक्टरों को इस तरह का लोन देने लगेंगे और यह लेनदेन चलेगा और इसको रोकना मुश्किल हो जाएगा। मेरा तो ऐसा कहना है कि एक लिमिट के मुकर्रर हो जाए कि उस लिमिट के ऊपर कोई भी अनसीक्योर्ड लोन रिजर्व बैंक की इजाजत के बिना नहीं देना चाहिए क्योंकि अनसीक्योर्ड लोन का बहुत नाजायज इस्तेमाल हो जाता है।

इसी तरह से मुझे फाइनैन्स मिनिस्टर साहब से यह भी कहना है कि यह रेमिट करने की पावर दी गयी है रिजर्व बैंक से पूछ कर और अपने डाइरेक्टरों को रेमिट न कर सकें यह भी मेरी समझ में नहीं आया। यह बैंक ट्रस्ट की तरह है। जिस तरह से ट्रस्ट से लिया हुआ पैसा रेमिट नहीं किया जा सकता, उसी तरह से बैंक का दिया हुआ कर्जा भी रेमिट करने की किसी को भी इजाजत नहीं होनी चाहिए। इसलिए मैं चाहती हूँ कि ऐसा बैंक अपने डाइरेक्टरों के लिए भी न कर सकें।

और इसमें यह भी प्रावाइड किया गया है कि अगर कोई रिजर्व बैंक की इजाजत के बिना रेमिट करने की कारवाई करेगा तो उस कारवाई को वाइड माना जायेगा। मेरा ऐसा खयाल है कि यह काफी नहीं है। अगर कोई इतना बड़ा कुसूर करे कि लोगों का डिपाजिट बिना इजाजत के रेमिट कर दे तो मेरा खयाल है उसे एमजिबैलमेंट की तरह ट्रीट करना चाहिए, उस कारवाई को नल एंड वाइड करना काफी नहीं है। जो इस तरह पब्लिक के पैसे को खुद बुरा कर दे उसको सख्त सजा होनी चाहिये, और मेरा खयाल है कि उसको इंडियन पीनल कोड की दफा ४०९ में

सजा दी जानी चाहिए। इस बारे में मैं इतना ही कहना चाहती हूँ।

अभी मसानी साहब ने बैंकों के फंक्शन बतलाये। लेकिन मैं पूछती हूँ कि कितने ऐसे बैंक हैं जो अपने फंक्शन को ठीक तरह अंजाम देते हैं। हम ने देखा है कि २५ पर सेंट तो वे स्टॉक एक्सचेंज में लगा देते हैं।

मसानी साहब ने अभी चैलेंज किया है कि इस बिल को लेकर प्लेबिसाइट करा ली जाये। मैं माननीय मंत्री महोदय से कहूंगी कि वे इस बात को मान लें, और सिर्फ इसी सवाल को ले कर नहीं बल्कि बैंकों के राष्ट्रीयकरण के सवाल को ले कर प्लेबिसाइट करा लें। अगर वह ऐसा करेंगे तो मुझे पूरा विश्वास है कि पूरा देश इस बात से सहमत होगा कि बैंकों का राष्ट्रीयकरण फौरन किया जाये और सिर्फ इतना ही अमेंडमेंट करके न छोड़ा जाये।

आज हमारे देश के पूँजीपतियों का रवैया सरकार के साथ यह है कि तुम डाल डाल तो हम पात पात, यानी अगर सरकार कोई कानून बनाती है तो वे ऐसे तरीके निकालते हैं कि उसमें से किस तरह निकल जायें। तो मेरा कहना है कि सरकार को ऐसा इन्तिजाम कर देना चाहिए कि पब्लिक मनी के साथ वे लोग और खेल न खेल सकें।

Shri Bade (Khargone): Sir, I support this Bill because we are opposed to nationalisation of banks which means State capitalisation. We are opposed to individual capital concentration. When we are opposed to the nationalisation of banks, it is our duty to see that the banks working in India are regularised. In the Statement of Objects and Reasons it is said that they have brought this Bill to regulate the conditions on which deposits may be accepted and also to

enhance the powers of the Reserve Bank in relation to commercial banks in certain directions so as to provide stricter supervision of the operations and working of such banks. But I would like to support the amendment moved by my hon. friend there saying that the Bill should be sent to a Select Committee, because I feel that there are certain provisions which are detrimental to the agriculturists and the people in the mofussil areas. On page 2 there is a provision which says:

“(c) ‘financial institution’ means any non-banking institution which carries on as its business or part of its business the financing, whether by way of making loans or advances or otherwise, of trade, industry, commerce or agriculture; or”.

That means, if any petty sahuakar gives loans to an agriculturist then he also comes under this provision. There are petty sahuakars in every village. If the Reserve Bank is given a hold over these petty sahuakars then they will have to send their annual balance-sheet to the Reserve Bank officials. Then these petty sahuakars will stop lending money. The co-operatives give only three per cent and the rest is given by these sahuakars. If they stop giving money loan the poor agriculturists will be affected. So, the implication of this provision is that this law will be made applicable to petty sahuakars. This is very detrimental to sahuakars. They are most illiterate, I know there is much profiteering and exploitation by these sahuakars and, therefore, all States have passed money lending Acts, Sahuakar Vidhan Kanon, Debt Relief Act, Debt Concession Act and all that and they have made provisions restricting the money-lending and taking more interest from the agriculturists. But here there should be some exception made that this provision may not be made applicable to these sahuakars or those creditors

[Shri Bade]

who give only Rs. 10,000 or Rs. 20,000 per year. There should be some such provision.

there should be no objection against clause 12 in this enactment.

15 hrs.

Then there is another provision regarding removal of managerial and other persons from office. I refer to page 11 of the Bill. The provision is like this:

“Notwithstanding anything contained in any law or in any contract, memorandum or articles of association, on the removal of a person from office under this section, that person shall not be entitled to claim any compensation for the loss or termination of office.”

That is most undemocratic. If the officer is removed from office, he is not entitled to any compensation; nothing is given. If there are malpractices or other defaults, they are not given any compensation. But only because he is removed from office, he will not get compensation. That, I think, is against the common law and the recognised principles of jurisprudence.

Then, there is one more point about which I have got some doubts and that is about the remittance of debts. The remittance of debts, of course, will be done with the previous approval of the Reserve Bank. The provision is quite good. The contention of Mr. Morarka was that remittances should not be with the approval of the Reserve Bank and that only with the approval of directors. I think, my hon. lady Member must not be knowing the law and how the proceedings are going on in courts. Sometimes, the banks are to remit the debts if they are bad debts. If some compromise comes about, they should be authorised to remit debts. Therefore, the provision is proper and, I think,

There is one more provision about these depositors that nobody can deposit the amount or give the loan in any part of India except if they are named as banks. That is also wrong because there are so many thousands and thousands and, I think, more than lakhs of sahu-kars doing the business of kirna merchant and doing the business of money lending. Why should they name their dukan or shop as shop as bank. That is also not proper. Therefore, I think, if the Bill goes to the Select Committee, all these defects would be removed.

Then there is another thing also. They have said that there are 60 lakh depositors. The money of the depositors is very badly used. I have seen banks cornering the whole market. What do they do? A sahu-kar purchases some cotton and then he deposits cotton in the bank and takes the money and again he goes to the market and raises the rate and he deposits that cotton with the bank and again takes the money from the bank by depositing cotton or groundnut and in this way the whole market is cornered and the prices go up. Therefore, all those creditors make too much profit or gain out the money which is deposited in the bank and the depositors do not get any interest of an equal amount. I think this provision here in the Bill is proper. I think the Government is doing the proper thing in regularising these banks. I support this Bill. At the same time I support the motion brought forward by my hon. friend on the other side to the effect that this Bill should be sent to the Select Committee so that all the provisions which are defective and which have implications over the mofussils—our hon. Minister does not know how the things go on in the villages—are cured.

Shri V. B. Gandhi (Bombay Central-South): Mr. Deputy-Speaker, Sir, this Bill is in a mixed bag. There is something good in it and something not so good. The Finance Minister said that this Bill is criticised on the ground that the Reserve Bank is seeking to take arbitrary powers. Well, it is not the taking of arbitrary powers on which this Bill is being criticised, but it is rather the case of excessive powers. There are enough provisions and enough powers available to the Reserve Bank under the Reserve Bank Act and also under the Banking Companies Act for the Government to be able to regulate the banking system.

Now, in a few minutes that I have at my disposal, I will first say a few words about the question of voting rights. It has been provided that the voting rights will be reduced from the maximum of 5 per cent of the share-holding to one per cent of the total voting rights. I do not think it is a step in the right direction. If we weaken those who would be responsible as stake holders in the bank, such a reduction would also lead to consequences which we cannot possibly imagine right now. But it is quite possible that unscrupulous and mischievous share-holders can play havoc and obstruct the smooth and normal functioning of the bank. Usually, this House is supplied with information to enable it to judge the merits of the Bill before the House. In this particular case, one should note that we have not been given enough information on very important points. For instance, we were entitled to be informed about other countries where the voting rights of share-holders of banks have been so drastically restricted and now we are restricting them further from 5 per cent to 1 per cent. I do not know if a reference to this point was made in the speech of the hon. Minister of Finance. But if he did so, I probably did not hear him.

Then the second important point which we have to consider is clause 18 of the Bill. Clause 18 seeks to give powers to the Reserve Bank to remove managerial and other personnel from office. Now, here I would say in support of the proposal that this power really is sufficiently qualified. Before the Reserve Bank can take any action, it has to ensure certain things, for instance, it has to prove that the step taken is going to be in the public interest. It has to prove that the step taken is likely to prevent the affairs of the bank being conducted in a manner detrimental to the interests of the depositors. It has to prove that it will help securing proper management. Finally, there is this important provision that the reasons for the action taken by the Reserve Bank are to be recorded in writing. I think that this is quite an important safeguard.

And yet, it is not that we cannot criticise the Bill on clause 18. For instance, it is a very novel idea that it should be provided in a Bill of this kind that the removal of a director or a managerial person could be made even though nothing has been held against him and nothing has been said that he has contravened any of the provisions of any of the laws on the subject. That is rather a sweeping power to be taken under a Bill of this kind.

We know that banks are institutions which are based on the confidence of the public, and they are credit institutions, and the confidence of the public is their life-breath, and as such, these sweeping powers are rather a constant threat to management.

This Bill, as a result of the amendments proposed by the Finance Minister, has been substantially improved. For instance, the original proviso which said that the removal of the managerial personnel could be carried

[Shri V. B. Gandhi]

out if it is felt that delay in removal will be detrimental to the institution or to the banking system has been deleted, and I think that that is a step in the right direction. We know that a reasonable opportunity of making representation against the proposed order is also provided for in section 36AA(2).

There is another respect in which this Bill has been improved as a result of the amendments proposed by Government, and it is that pending consideration of the representation as aforesaid, the director shall not act as such director, that is to say, there will be some kind of a suspension and the director, of course, will be asked not to take part in the management of the banking company during the interval. I think that that is a good improvement.

Shri Bhagwat Jha Azad: I join with Shri M. R. Masani and Shri Morarka in expressing my shuddering views regarding this Bill. They shudder why Government are taking powers from a few individuals for the nation's interest. I shudder how long Government would play with the nation's interest and allow these few individuals to have the power with themselves. I also would like to express my sense of disappointment along with my hon. friend Shri Himatsingka. The only difference is this. His disappointment is that Government are taking so much of powers. My disappointment is that Government are taking too few powers.

It has been now established beyond doubt that the time has come when the banks have to be nationalised. I accept the challenge of Shri M. R. Masani and friends like him. Let Government have a plebiscite or referendum even among the 60 lakhs of depositors. I am not quoting anything new when I say this, but I

would remind the hon. Minister that the organisation to which we belong had at the Jaipur meeting in 1948 accepted the principle that life insurance and banking should be nationalised. Those are the very words. I am quoting from the Jaipur resolution of the Congress adopted in 1948. Since then, fifteen years have passed, and no arguments have been advanced by friends who support otherwise a measure like this, like Shri Morarka and Shri Himatsingka to point out why there should not be nationalisation of banking in this country. Is not the very fact of Shri V. B. Gandhi's reference to the sweeping powers being taken by Government to remove a man without even giving him a charge-sheet or a show-cause-notice enough proof to show that Government also have come to the same conclusion that this institution is now a parasite on the people's money in this country?

We have advanced in this very House arguments to prove how only a small number of persons play with the money of the depositors and are advancing the interests of only a small group of persons. When he gets a licence, he goes to the bank for the loan. The man in the bank sees the licence and says 'Oh, a very good licence'. Then, he finds who the collaborator is. Then he finds that this man by spending only Rs. 5 lakhs will make about five or six times that money. Then, he says 'No, no; I cannot give you the money; there is some reference to be made'. In the meantime, he calls for that collaborator, and tells him 'Are you going to collaborate with this foolish man? Come on, I shall give you a good collaborator, I shall give you collabo-

ration of some other Indian'. After two or three years, when the small man goes round and does not find anybody, the man in the bank calls him 'Well, come on, have Rs. 5 lakhs and sell it'. These few persons controlling the banking institutions are playing havoc with the national economy. It is not I who am saying it. It is the premier organisation of this country which is controlling the Government of this country after Independence, which has accepted this position in its resolution passed at Jaipur. I am not the only man who is saying this, but almost all the Members, barring, of course, a very few who are in an unenviable minority in the party, say that banks should be nationalised.

After all, we are not people who are doctrinaire. It is Shri M. R. Masani who is doctrinaire. He has quoted the instance of so many countries. I have brought this book here with me so that I could also give him food for thought, but he has fled away and he is not present here in the House now. Here is the book by even an economist like Mr. Rostow of that take-off fame, who says that it is a minor tragedy of American economy that the people of America, as well as the people in Europe and other countries are now thinking more and more in terms of having more control by Government in the economic affairs of the country in their own interest. Is it not known to us that even in America 20 per cent of the national income only is being distributed by different spheres of Government, whereas in this country it is hardly 10 per cent? How can those gentlemen who are charging us 'You are a State monopoly, you are a capitalist' and so on oppose this idea of nationalisation? They should realise that monopoly and capitalism are bad things even in the banking industry. Therefore, let him join me in removing this capitalism. Why?

Not for the teeming millions' welfare only. Leave them aside. We have seen the totalitarian system of government. We have also seen the capitalist system of government. We are in independent India under the leadership of our Prime Minister. We have adopted the socialist pattern of society which necessarily means the bringing about of the welfare of the people. If you believe in that principle, it is but necessary that the first step Government should take now is to nationalise the banks.

The provisions of the Bill are just tinkering with the problem. When you are reducing their voting powers from 5 to 1 per cent, when you are asking them about the limitations on directorships, when you are asking them about removing some of them for mismanagement, they are manipulators *par excellence* in inventing new loopholes. They know only one lesson and that is how to manipulate figures. They know how the law can be circumvented, they know how to get out of the clutches of every amending law. Therefore, it is high time that Government straightway come forward with a measure nationalising the banks. That will be in consonance with the principle of socialism, in conformity with public opinion and in accordance with the views of the Congress as expressed in the Jaipur resolution.

The hon. Minister said that by bringing in this measure, concentration of economic power will be dispersed. How? Mere utterance of this statement will not do it. How can it be said that these three or four provisions will do it. It is said that the non-banking institutions are for the first time brought within the purview of the Bill. How will it help further? Are there not sufficient enactments empowering Government to control them already? Have Government been able to do so? The very

[Shri Bhagwat Zha Azad]

fact that there are rules and powers with Government to curb these gentlemen but they have not been able to do so is sufficient proof that this is not going to help, and the only solution is nationalisation.

Friends have said that it should go to a Select Committee. What for? What major principles are involved which have to be discussed and agreed upon? Three or four points have been advanced by Shri Masani about the bankers' functions. The first is the safe custody of the deposits, second is the mobilisation of resources and the third is helping the entrepreneur. But he conveniently forgot the most important purpose—the national interest. How is the money safe in the custody of these people? It is subjected to manipulation by a small number of persons who use it to advance their purpose of concentration of wealth in their hands. We have given figures, profuse figures, in this very House—Shrimati Joshi, Shri Prabhat Kar and myself. We have shown how they are manipulating. I wish I could repeat all that for the knowledge of friends who are talking about etiquette. I had no mill in Sholapur which had to be taken over by Government because of mismanagement. I have exploited none. Therefore, I have not learnt the capitalist etiquette, nor do I want to learn it. The only etiquette I know of is the people's etiquette. That etiquette, that wisdom and that opinion demands that immediately Government should come forward with a provision to nationalise banks. If they do not do that, I think they are not acting in consonance with Party opinion.

Shri Gauri Shankar Kakkar (Fatehpur): I rise to support this piece of legislation. But my grouse is that the Government are still hesitating and feeling shy to take specific steps towards nationalisation of banks in order to safeguard the interests of the poorest man in the country.

There are various types of banking in vogue. In rural areas, indigenous banking is still going on. Then there is co-operative banking. There are district banks, co-operative banks and apex banks which advance loans to agriculturists in rural areas. Then there are commercial banks in most of the urban areas where the people residing in those areas are coming forth to deposit whatever they save. I find there has been no attempt towards the betterment of the overwhelming majority actually living in rural areas, where 85 per cent of the population are engaged in agriculture. I would have welcomed measures to actually strengthen the credit banks in the co-operative sector. I am glad that recently there has been share participation by the State. There is participation by the Reserve Bank directly coming forward to advance money to apex banks and ultimately it reaches the co-operative societies at the village level. The only difficulty is that the operations are very very limited and they cover, according to the rural credit survey report, hardly 6-7 per cent of the population in rural areas.

If there had been nationalisation of banks, the actual cultivator and the actual agriculturist would have benefited in that they would have avoided all agencies of exploitation of them. They have to pay a high rate of interest under native banking which is still prevalent. There have been cases where if a particular agriculturist has had to take a petty loan of, say, Rs. 10 or Rs. 25, he has not been able to repay it throughout his whole life and his sons are still debtors to that mahajan or *sowcar* of the rural area.

Coming to the provisions of the Bill, I have heard the speeches of Shri Morarka and others. I cannot understand why Shri Morarka has come forward to take shelter under fundamental rights against this enactment. May I ask him where was that concern for fundamental rights when zamindari was abolished, when

ceilings on land were fixed? I am very sorry to say that none of those persons who are now agitated against deprivation of fundamental rights which they see in this Bill were there to voice their protest at that time. Why was not concern shown for the deprivation of fundamental rights of crores of our population when such legislation was resorted to? The present system of banking undoubtedly gives a sort of encouragement to a handful of persons who are able to go on accumulating wealth everyday. It so happens that there are a handful of capitalists who are able to accumulate wealth and enhance it through banking channels. My hon. friend Mr. Azad says that his Party, the Congress party, has passed as early as 1948 a resolution to nationalise banking and LIC. I am sorry to say that the same organisation to which he belongs attempts sometimes half-hearted measures to eradicate capitalism: even if they enact half-hearted measures, they have never been implemented. I find that this same organisation which stands for socialist pattern of economy gives all sorts of encouragement to a handful of capitalists to accumulate their wealth.

I was happy that there was a breeze in the House between Members sitting on my left. I welcome such breezes on such occasions when attempts to implement socialist pattern of economy are undertaken. Why should there be attempts to safeguard the interests of a handful of people at the cost of an overwhelming majority who are poor and get poorer every day? These are the words of the Prime Minister. He is convinced that after Independence the handful of rich persons are getting richer every day and have accumulated so much of wealth that they were never able to accumulate during the British regime. Who is responsible for that?—The Congress Government and the Prime Minister who gave them a chance to do so.

As I said, these are half-hearted measures. If a *bona fide* case is made out against a bank for mismanagement or *mala fides*, why should not the entire management be taken over by the Reserve Bank? I welcome the measures which enable the removal of directors or manager or the employee of a particular banking institution. I do not agree with Mr. Morarka that the Reserve Bank is the prosecutor and is also the judge. I have confidence in it. Hardly any complaint would come if the matter is left at its hands. Cases of partisanship etc. may arise if things are left at the hands of political parties. I congratulate those who handle the affairs of the Reserve Bank and I can say there need be no apprehension of the sort expressed here. I fail to understand how strengthening of the hands of the Reserve Bank is going towards totalitarianism; it would be in the interest of the agriculturist and the poorest living in this country. If this law has been brought for the purpose of creating the grounds for the nationalisation of banking system in the country, I welcome it and let me say that I hope that the Finance Minister will come forward very soon with a specific method for nationalisation of the entire banking system in this country which would benefit the poor agriculturist and the poorest living in this country. That will mean a true step towards socialist pattern of economy to which Congress stands pledged.

Shri Kappen (Muvattupuzha): Sir, even God's powers over men are limited by the free will with which he has endowed men but the power of the Reserve Bank over the economic activities of men is becoming unlimited. The heat that has been created shows that we are not taking a balanced view of this. Without suitable amendments, this Bill will make the Reserve Bank omnipotent and even God in heaven may become jealous of the Reserve Bank. (*Interruptions.*) I am not opposed to nationalisation of banks. If

[Shri Kappa]

you think the time is ripe for it, do it boldly. This is nationalisation by proxy. The Government has been resisting nationalisation of banks for the last so many years.

The Reserve Bank had ample powers even before this Bill, by the enactment of the Companies Act, by the amendment to section 42 (b) of the Reserve Bank Act, to control, supervise and direct the entire banking system. In spite of all this what did it do at the time of the Palai Bank crash or the Lakshmi Bank crash? Did they save the thousands of depositors? They lost their money. It is not because the Reserve Bank had no powers. Why did they not use it? There are three important provisions in this Bill: limiting the voting rights of individuals is one such provision. Voting rights were five per cent of the total votes formerly. They want to reduce it to one per cent. Will it achieve the purpose for which it is enacted? The result will be dispersal of shares among friends and relations and if they want they will continue to control. Then, what is the use of this legislation, which is not capable of achieving the object for which it is enacted? That is one thing that I have to say about that provision.

Regarding the second provision about the removal of directors the Reserve Bank is given the power to remove any director, executive or manager of any bank. But under what conditions? We must have a very balanced view of the matter. What are the conditions under which a director or executive can be removed? It is not mentioned in the Bill. If, therefore, anybody says that this is arbitrary, it is no exaggeration. (Interruption). Therefore, they must provide in this section the conditions under which a director can be removed by the Reserve Bank.

Again, the Reserve Bank is given the power to appoint a director, to appoint a manager, to appoint an executive, etc., but who will pay them? The bank has to pay them. Therefore, the Reserve Bank is not prepared to

take the responsibility while it wants the powers. My submission is this there has to be some natural justice. Let us be just to all. Even if you want to hang a man, give him an opportunity to say whatever he has got to say. Give him the right to defend, and then hang him. I have no objection. But that is not provided. Suppose, all financial institutions in the country are controlled as it is provided in the Bill; the credit required by the farmer, the agriculturist, is calculated to be about Rs. 2,200 crores. What percentage of it is now being supplied by the Government and the co-operative sector? Not more than 15 per cent is now supplied to the agriculturists through the co-operative societies and by the Government direct. I ask a question: if all the financial agencies are refused the right to gather the money to help the depositors, where will the agriculturist get credit from? Can he go on with his operation with 15 per cent of the credit needed by him, and what is happening? We complain of agricultural production lagging behind. What is the reason for it? I wish to say that though not the entire amount, a part of the money that we are advancing through the co-operatives does not go in for agricultural production. On the other hand, it goes for other purposes of the agriculturists. If that is restricted, where will the credit for the agriculturists come from? Will there be agricultural production? We must not gloss over facts.

Take the case of Kerala. There are 60,000 small producers of rubber, and this country is wanting in rubber. It is importing rubber. If those producers do not get credit, how are they going to plant? It is necessary that replanting should be done in a most modern way, so that greater and greater production may result. It all needs money. It all needs credit. Who is providing that credit for them? If you just rope all these financing institutions in the country and do not give them the chance to gather the deposits and lend money to the agriculturists, I ask:

where will the agriculturists go to get credit for his cultivation. That will mean agricultural production will be impeded in this country. Therefore, all these matters should be taken into consideration. Take a balanced view of the matter. Let us not advance our pet theories. On the other hand, look at the situation as it is in the country, as we see it today. Take stock of those matters and then speak about the legislation.

I agree with the hon. Member who said that this Bill may be sent to the Select Committee, so that it may have a scrutiny of the Select Committee and necessary amendments may be made. I would like to tell hon. Members that unless adequate provision is made, unless some other agency is found out for giving credit to the poor agriculturists, there is no use. If you entirely stop it, that will be a very dangerous step you will be taking. Therefore, I humbly request the House to consider that matter very seriously and send the Bill to the Select Committee for its consideration. After all, we do not lose anything at all by it. If necessary, make the necessary arrangements.

Shri Balakrishnan (Koilpatti) Sir, I support the amending Bill. In doing so, I want to say a few words. Of course the Government is doing all that is possible to safeguard the Banking industry. Shri Kappen said, when the Palai Bank failed, what did the Reserve Bank do. I want to ask him, did not the Reserve Bank come forward to protect the depositors from a further fall in respect of the Palai Bank by introducing or getting together the uneconomic small banks with the big banks? Did not the Government introduce the insurance scheme to protect the small, poor people, against such difficulties?

Shri Kappen: The Reserve Bank came in readily to liquidate the bank.

Shri Balakrishnan: Whenever the necessity arises, whenever circumstan-

ces arise, the Government comes forward with legislation to protect the depositors. When the Palai Bank failed there was an uproar, and also fear. Almost, people have lost their confidence in the bank so Government took immediate step to amalgamate small banks. Some people say that the commercial banks should be nationalised. If the Government thinks it fit, if the circumstances are such that it is necessary, the Government will not hesitate to bring in all the banks and nationalise them.

The important object of this Bill is to check the commercial banks from indulging in mismanagement. I do not know whether there is a clause here which empowers the Reserve Bank to supervise the co-operative banks. If the co-operative banks do not come under the purview of this Bill, I suggest to the Government to bring a similar law to control the co-operative banks also. I do not say that co-operative banks are bad; they are good, because co-operative banks are managed by the public. Sometimes the local co-operative banks or the taluk banks are involved in too much of politics. Sometimes, unwanted elements are becoming directors. There is faction even among the directors. So, the working of the co-operative banks is not so smooth. Therefore, if this law cannot be applied to the co-operative banks, I request the Government to bring a suitable legislation to control the co-operative banks.

I should like to refer to chit funds. Mention has been made about scheduled banks, non-scheduled banks and other financing institutions which receive deposit from the public, but nothing has been mentioned about the chit funds. Chit fund is a thing which everybody knows. There are some chit funds which are really dishonest. The major portion of the chit funds is just fraud. Wherever the chit funds are promoted, the people who promote them sometimes abscond. So, there should be control over this. In Madras State, it seems that 50 per cent of the total investment is deposited to

[Shri Balakrishnan]

the Government if a man wants to start a chit fund. I do not know if in Delhi such arrangements are there. But the Centre must take steps to control the chit funds also.

15:50 hrs.

[MR. SPEAKER in the Chair]

Then, there are so many different varieties and classifications of banks. This confuses the people. There are scheduled banks, non-scheduled banks, licensed banks, non-licensed banks and so on. Then there are some other institutions receiving deposits from the public. I suggest there should be only one class, so that the people may not be confused. This is like the classification in the railways—first class, second class and third class. The third class is the poor man's class. So, the people may think that the non-licensed banks are poor man's banks. So, the differences should be abolished and there should be only one class.

Something has been said about amalgamation. It is very necessary that all the uneconomic banks are compelled to amalgamate with the big banks, because uneconomic banks are not able to command the confidence of the public. Even though there is compulsory amalgamation, the process is going on very slowly. There may be some administrative trouble. The choice is given to the bank itself. The choice should not be given to the bank. The Government must insist that all the uneconomic banks should be amalgamated with big banks.

Regarding deposit insurance, it is very good for the poor people. But the limit is very low at present, i.e. Rs. 1500. I would request the Government to raise the amount from Rs. 1500 to Rs. 5000, so that even the middle-class people may enjoy the benefit.

Some Hon. Members rose—

Mr. Speaker: For the subsequent two or three discussions on corruption, sugarcane price and on the Delhi Development Bill, there is not enough time. If the Minister is ready to reply....

Shri B. R. Bhagat: I can reply, Sir, but I was told that the general discussion will go on till 4:30 and the reply will be tomorrow.

Mr. Speaker: I would appeal to hon. Members to be as brief as possible. Shri K. C. Sharma.

Shri K. C. Sharma (Sardhana): Sir, the purpose of the Bill is very modest, namely, supervision and management of the monetary and credit systems. For that, the Bill envisages control on non-banking institutions that accept deposits and give loans. There is another provision for having control over credit policies. Thirdly, the Reserve Bank has to have control over the commercial banks. These are the objectives of the Bill.

I do not think Mr. Morarka and Mr. Himatsingka who have to deal with big business will take exception to it. The point has been raised regarding due process of law. As a lawyer you know that due process of law is the translation of *lingam per terra*, the law of the land. Due process of law is in the American Constitution. There ever since 1936, strict controls have been in existence and exercised by the State, when the emergency arises, over the banking system for the development of the country and for creating employment. America was never poor, but there was unemployment, which endangered the security of the State.

Ours is a very difficult position. As I said the other day, having a big name does not help people. Even great principles are no help. It is speedy action that can help. Today the position is that we would not go on for long if the situation remains as it is today. Since last year, the situation has developed that the world outside has taken it for granted that India is likely to be a big prey either to communist domination or to dictatorship, being guided by powers across the sea. There is no use shutting our

eyes to the serious menace that we are facing today. Even on the last occasion we found even from the Congress Party people organising themselves not in a disorderly fashion, but in a well-planned fashion, with a view to bringing a certain situation that might help their objectives. It is not politics alone today. It is the country's future that is at stake. What can save it? Only big push investment can save it. Big push investment means investment in agriculture, in industry, in creating things that the peasant and the worker may buy, so that the exchange of goods may help the people to have a better life.

It is not a question of piecemeal legislation. It is not a question of taking power here and there to control the credit system, to control investment and to bring about some improvement in the industries here and there. But it is a big question mark. Do you or do you not want India to be great and independent? Do you or do you not want to make it powerful enough to defend its freedom? If you stand for it, there is no way out except the big push investment in industry, agriculture, education, medicine and in every sphere of life. For that, you want great savings from the people. You will need full control over the money of the people. You will need full control over the activities and energy of the people. That is the only course open to India today. For that, I would have expected my young friend on the treasury benches to move for the nationalisation of banks. It is imperative. There is no doubt about it; it is a question of life and death. If you want India to be independent, great, powerful and be able to defend itself, to wash the shame of defeat, there is no way out for the people but the big push investment policy and for that nationalisation of banks is necessary to have the fullest control over the savings of the people.

16 hrs.

Mr. Speaker: I assure the hon. Member that I want India to be as much and more than what he said.

Shri Kapur Singh (Ludhiana): He has gone a little too far in his suggestions.

Mr. Speaker: Shri P. R. Patel.

An Hon. Member: He is not in his seat.

Mr. Speaker: Shri D. C. Sharma.

An. Hon. Member: He is also not here.

Mr. Speaker: Then, Shri Hem Raj.

श्री हेमराज (कांगड़ा) : अध्यक्ष महोदय, यह जो बिल आज सदन के सामने पेश है, मैं इसका स्वागत करता हूँ। जहाँ तक मैं ने देखा है, हमारी सरकार खास तौर से उस समय कदम उठानी है, जिस समय पानी सिर से ऊपर निकल जाये। पलाई बैंक के फेल्योर में पहले बहुत से छोटे छोटे बैंकों का फेल्योर हुआ। उन छोटे छोटे बैंकों के सम्बन्ध में हमारी जो आवाज थी, उसकी किसी ने मुनवाई नहीं की। किसी ने इस तरह ध्यान नहीं दिया कि छोटे छोटे डिपॉजिटर्स का क्या बनने वाला है।

मुझे खास तौर से याद है कि हमारे डिस्ट्रिक्ट में एक बैंक के डायरेक्टर ने काफ़ी रुपया हड़प कर लिया—कुछ अपनी मार्फ़त और कुछ अपने रिश्तेदारों की मार्फ़त, जिस से वह बैंक फ़ेल हो गया। जब हमने उस के बारे में आवाज उठाई, तो हमें कहा गया कि इस बारे में रिज़र्व बैंक भी कुछ नहीं कर सकता और सेंट्रल गवर्नमेंट भी कोई दखल नहीं दे सकती। इसलिए, जैसा कि माननीय सदस्या, श्रीमती सुभद्रा जोशी, ने कहा है, जो स्माल डिपॉजिटर्स हैं, उन का खास तौर पर खयाल रखा जाये। मैं समझता हूँ कि

[श्री हेमराज]

रिज़र्व बैंक को अपने ऊपर यह जिम्मेदारी ओढ़ लेनी चाहिए कि जिस वक्त इस्पैकेशन के द्वारा उस को पता लगे कि किसी बैंक का मैनेजमेंट खराब है और वह फ़ेल होने वाला है, तो वह अपने अस्त्यारात के जरिये उस बैंक को अपने कब्ज़े में ले ले।

इस बिल में इस्पैकेशन का प्राविजन किया गया है। मैं यह तजवीज़ रखना चाहता हूँ कि जब इस्पैकेशन से यह पता लगे कि किसी बैंक की हालत खराब है, तो सरकार को उसे अपने कब्ज़े में ले लेना चाहिए। रूल एरियाज़ में जो कान्फिडेंस बहुत ज्यादा घट गया है, ऐसा करने से वह फिर कायम हो जायेगा। रूल एरियाज़ में अभी तक बैंकिंग नहीं पहुंचा है। अगर कहीं कहीं मामूली कस्बों में पहुंचा भी है, तो वहां पर छोटे छोटे बैंकों के फेल्योर से बहुत ज्यादा हानि पहुंचती है। आज सब से ज्यादा ज़रूरत इस बात की है कि रूल एरियाज़ में भी काफ़ी रूपया पहुंचे। यह ठीक है कि को-ऑपरेटिव सोसायटीज़ काम कर रही हैं, लेकिन हम देखते हैं कि रिज़र्व बैंक से जो रूपया ढाई परसेंट के ब्याज पर चलता है, वह वहां पहुंचते पहुंचते मान परसेंट ब्याज पर दिया जाता है। जहां तक मुझे खयाल है, स्टेट बैंक आफ इंडिया की एक हजार से ज्यादा ब्रांचिज़ नहीं खुली हैं। स्टेट बैंक आफ इंडिया वहां पहुंच नहीं पाता है और को-ऑपरेटिव बैंक में रिज़र्व बैंक कम दखल देता है। इसलिए मैं चाहता हूँ कि को-ऑपरेटिव बैंक में सरकार का दखल हो और लोगों के पास रूपया इन्टरेस्ट की कम से कम शरह पर पहुंचे। इस लिहाज़ से मैं बैंकों के राष्ट्रीयकरण की हिमायत करता हूँ, जिस के बारे में बहुत से माननीय सदस्यों ने कहा है, क्योंकि उन का राष्ट्रीयकरण होने से देहात में भी बैंकिंग का सन्देश पहुंच जायेगा और लोगों को रूपया लेने की सहायता मिल सकेगी।

माननीय सदस्य, श्री बड़े, ने यह आबजे-केशन किया है कि "फ़िनांशल इस्टीमेट्स" की जो डेफ़िनीशन की गई है, उस से रूल एरियाज़ के साहूकार सिस्टम पर आघात ज़गेगा। मैं समझता हूँ कि इस डेफ़िनीशन से इंडिविडुअल कवर नहीं होता है। इस लिए उन का यह आबजेकेशन किसी मूरत में दुस्त नहीं है।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

श्रीमती सावित्री निगम : अध्यक्ष महोदय, श्रीमन्, मैं बैंकिंग लाज़ (मिस्लेनियम प्राविज़न्स) बिल का हार्दिक समर्थन करती हूँ, . . .

एक माननीय सदस्य : माननीय सदस्य अंग्रेज़ी में बोलें।

अध्यक्ष महोदय : आप उन को बोलने दीजिए।

श्रीमती सावित्री निगम : . . . क्योंकि मेरा यह विश्वास है कि बैंकों के पूर्ण राष्ट्रीयकरण की दिशा में यह पहला प्रभावशाली कदम आज इस एमेंडमेंट बिल के रूप में उठाया जा रहा है।

अनेक माननीय सदस्य इस विषय पर बोल चुके हैं और इस बिल का समर्थन कर चुके हैं। अभी नहीं, अनेक वर्षों से, बराबर इस सदन में, और बाहर देश में भी, देश के सबसे बड़े बड़े अर्थ-शास्त्रियों ने एक स्वर से इस बात की सिफ़ारिश की थी—और वे अब भी करते आ रहे हैं—कि अब वह समय आ गया है जब कि देश के सारे बैंकों का नेशनलाइज़ेशन जल्दी से जल्दी हो जाना चाहिए। किन्तु यह खेद का विषय है कि अब तक उसकी उपेक्षा की गई है। उसी के कारण स्वतंत्रता के बाद आज तक देश के आर्थिक और सामाजिक विकास के लिए जितनी भी योजनाएँ बनाई गई हैं, जिन का उद्देश्य देश में मोशललिस्टिक पैटर्न आफ

सोसायटी का निर्माण करना था, उन में हमें सफलता नहीं मिली है। जैसा कि मैं ने अभी कहा है, उस का एकमात्र कारण यह है कि हम ने इस महत्वपूर्ण विषय की अभी तक उपेक्षा की है। इस उपेक्षा का परिणाम यह हुआ है कि जितनी अनहोली और अनहेल्दी इकानोमिक कन्सेन्ट्रेशन इस देश में इन पिछले १७ सालों में हुई है, उतनी शायद कभी और किसी देश में नहीं हुई होगी।

कौन यकीन मानेगा कि इस क्रान्तिकारी युग में भी देश की सारी बैल्य का तीन-चौथाई हिस्सा केवल सात परिवारों के हाथों में सीमित है? कौन यकीन मानेगा कि आज भी ये जो सात कुवेर-पुत्र हैं, जितना भी एक्सपोर्ट इम्पोर्ट का सेंक्टर है, जितना भी इंडस्ट्रीज, उद्योग-धंधों का सेंक्टर है, हर स्थान पर उन्होंने ऐसी मानोपली कर रखी है, जिस में कोई भी न्युकमर प्रवेश ही नहीं पा सकता। एक बेचारा डालमिया पकड़ा गया है कुछ राजनीतिक कारणों से। लेकिन अनेक डालमिया हैं, जो उस से भी ज्यादा गलतियाँ कर रहे हैं, जो उस से भी ज्यादा इकानोमिक एक्सप्लायटेशन कर रहे हैं और जो बैठे हुए मौज काट रहे हैं और उन पर अभी तक कोई ध्यान नहीं दिया गया है।

आज आप देख लीजिए कि जब कीमतेँ इस बुरी तरह बढ़ रही हैं और हर एक आदमी और हर एक संसद-सदस्य इस बारे में चिन्तित है, उस वक्त भी फूडग्रेन में, राष्ट्रीय महत्व के पदार्थों में, जो फ़ॉवर्ड कंट्रैक्ट्स होते हैं, जो होर्डिंग होता है, यह किस का किया हुआ है, यह कौन नहीं जानता? बावजूद बहुत कोशिशों के भी इन कुवेर-पुत्रों को, इन लक्ष्मी-पुत्रों को, अपरिमित स्वतंत्रता मिली हुई है, वे अनकंट्रोल्ड फ्रीडम एन्जाय कर रहे हैं।

इस विषय पर आज इस सदन में जो वाद-विवाद हुआ है, उस से मुझे विश्वास हो गया है कि आज युग की पुकार है, जमाने की

मांग है कि बैंकों का जल्दी से जल्दी राष्ट्रीयकरण किया जाये। इस सदन में इस विधेयक के विरुद्ध भी कुछ फ़ीवल आवाजें मुनाई पड़ी हैं, जिनमें सिफ़ारिश की गई है कि इस विधेयक को सिलेक्ट कमेटी में भेजा जाये। मैं कहती हूँ कि इन कमजोर आवाजों को पूरी तरह से संतोष दिलाने के लिए इस विधेयक को जरूर सिलेक्ट कमेटी में भेजा जाये। मुझे पूरा यकीन है कि सिलेक्ट कमेटी की सिफ़ारिश भी यही होगी कि इस बिल को और अधिक प्रभावशाली बनाया जाये, इसकी धाराओं को और कसा जाये और इस के अतिरिक्त सिलेक्ट कमेटी की तरफ़ से यह भी सिफ़ारिश होगी कि बैंकिंग का जल्दी से जल्दी नेशनलाइजेशन किया जाये-देश-हित के लिए, समाज-हित के लिए, देश में समाजवादी समाज की रचना के लिए जल्दी से जल्दी बैंकों का नेशनलाइजेशन किया जाये।

Shri Sham Lal Saraf: Sir, I welcome the laudable objectives behind the Bill that is before us. It is to regulate the credit system in the country. But when I examine this Bill with this idea I am afraid I have to breathe hot and cold at the same time, and I hope the hon. Minister will not mind it.

Firstly, I will not speak in a fashionable manner that simply because we have said that we are committed to socialism the banks should be straight-away nationalised, because it can never be a one-way track. A number of things have to be done first before you reach that stage when the banks can be nationalised. This is not the time to speak in detail about it, but my submission is that I very much welcome the move to regulate the system of credit in the country. The scheduled and non-scheduled banks come in that orbit. What we are doing is really welcome, but there are one or two things which I want to place before the Government. I have a little experience about the rural areas

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and, of course, of the urban areas as well. We very much want an alternate system of credit. Credit is not available in spite of the fact that a number of financial corporations have been set up, a number of industrial finance corporations are there and there are quite a number of banks. But as far as the lower strata of the community is concerned, no credit is available to them. My hon. friend Shri Gauri Shankar mentioned about the rural areas. It is correct that today you may curb, I should say, the undesirable ways of banking systems of individuals, of financiers and of others—it may be all right—but unless and until you provide an alternate system of banking, an alternate system of credit, the entire economy of the country will come to jeopardy. Therefore, I submit and I request some of my friends of the Congress Party also that there is none who would raise a hue and cry when the time will come for nationalisation of banks. This is not the time to think about that and to see that we may not be taken into a trap that ultimately will create a financial chaos in the country.

Sir, banking and finance are the two subjects which are very delicate and have to be dealt with very carefully. I need not sermonise the hon. Minister who is sitting there. I have not been able to speak in some detail on the different aspects and different sections of this Bill. But I would certainly whole-heartedly support this amendment that is before the House today that this Bill be referred to the Select Committee. Let us examine it there and give our mind and then bring it in a much better form. But as far as the idea is concerned, there is none who is against that. There are a number of things there. For instance, today, there are financiers who are advancing finances either as financiers or, what you call, on hire-purchase system where as much as 50 to 60 per cent interest is realised. But, on the contrary people who get that finance are earning much more. I

have asked a number of people who say, "Well, we welcome it because we have no other way of getting credit." Therefore, a number of things have to be done. When we speak of socialism, either we be in a position to socialise all that needs to be socialised or turn into a totalitarian Government. Otherwise, half-way measures always bring us harm and will not help us in any way. Therefore, my submission would be, without taking up any other point at the moment, that steps be taken to regulate the banking system with the individual banker, with the financier, with a small banker, with a small person or a corporation which receives deposits and then also you have to see how you can get the hoarded money out, the black money out and also to stop other nefarious activities in which a number of people are engaged today. Therefore, I request that this entire matter may be thoroughly examined and may be, not in this session, in the coming session a very well-thought-out Bill is brought forward before the House and then the House agrees with it.

With these words, I hope the Government will accept that.

Shri B. R. Bhagat: Mr. Speaker, Sir, I am very glad that the hon. Members took such a great and keen interest in this debate. No doubt, this is an important matter, and, therefore, the feelings on this subject are bound to be very much exercised. But I find that the arguments advanced were so contradictory that often times they cancel each other. For example, some of the hon. Members opposite said that the control that the Reserve Bank is having does not go far enough and, therefore, it would be better that banking as a whole should be nationalised. On the other hand, some Members said that the power vested in the Government and the Reserve Bank is so harsh that nationalisation would have been better, that instead of doing this the Government should have nationalised

banks. It is quite natural that on a subject like this, there may be such differences of opinion. But, I think, while making the motion, I said very clearly that the purpose of the Bill is rather positive. There are certain sectors of the banking and financial operations which have got to be controlled and regulated in the national interest. I broadly divided this into three main purposes. Firstly, it is the control and regulation of non-banking deposits and a special provision has been made there. The control is limited only to giving directions about the nature of business that they would undertake and they will have to submit from time to time the returns and other things so that the Reserve Bank, the Central Bank, is in picture as a whole about the extent and the nature of their work and they are able to direct it to the channels which may be conducive to the national interest. So, the control is only limited to this field. Second'y, it is the banking operations, banking companies, where much stricter control is envisaged to the extent of going to remove the directors or managers or other officials—also in appointing directors—where it is found necessary. Thirdly, it is the reducing of voting rights from 5 per cent to one per cent so as to reduce the concentration of power. So, this charge that the Government is hustling or rushing the House in passing this Bill in a hurry is not true because although the amendments sought are of some importance but they are of basic and fundamental importance and there cannot be much change or variation in the Bill. They are not of technical or complicated or legal character. Therefore, to refer a Bill like this to a Select Committee will not achieve any purpose. It can only delay things. It can be delayed over a period of time which, I think would not be in the interest of the country today. The Bill is of a very urgent importance and, therefore, it was thought that a motion like this should

not be referred to a Select Committee. By referring this motion to a Select Committee, I think, they will only achieve this purpose of delaying this purpose for so many months and much harm will be done. I still make this point rather emphatically that this Bill is of a such nature that much would not come out of the Select Committee because the issues are more of basic and fundamental nature. Whether you have the voting right of 5 per cent or reduce it the per cent or not is a matter which the House as well can decide it. Whether the non-banking deposits should be controlled or not is a basic question and whether the Reserve Bank should be clothed with certain basic powers or not are the issues which the Select Committee cannot but the House as a whole can decide and decide with the fullest knowledge and advantage so that there is nothing that the Select Committee can improve upon it. Therefore, I want to refute this charge that the Government is rushing the House unnecessarily in passing this Bill.

Another point was raised that by clothing the Reserve Bank with powers to remove the managers or directors, we are violating the processes of law, the natural justice. Shri Masani and some other friends also tried to labour this point although very conveniently they ignored this fact that we have ourselves tabled an amendment that we are giving the right of appeal to the persons concerned to the Central Government if they are aggrieved by the decision of the Reserve Bank. No Member who made this point raised this although I stated it while making the motion. Even otherwise, the question of natural justice is not involved because the clause itself provides that the Reserve Bank will take this step under certain conditions. The action will be taken only when it is satisfied that the actions and activities of that particular officer whether he be a director or a principal officer or an executive officer or any other employee, are of

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such a nature that they are prejudicial to the interest of the banking operations and the nature of the banking operations is such that—the House is aware that repeatedly we have come to this House with that—because certain action was not taken in time, at an appropriate moment, because the Reserve Bank had not the powers or they could not do it, that ultimately a banking institution, the bank, had to go into liquidation or was wound up. Repeated instances can be pointed out. In a banking operation, there can be a point which can be located with certain activities of a principal officer or a particular officer which are prejudicial to the interests of the bank itself. In such conditions only the Reserve Bank will take action. It will follow the procedure prescribed. Notice will be given in writing, and the person concerned can submit a representation, and we have also given the right to him for appeal. By means of an amendment which we are seeking to make, we have provided that in case he has any grievance he can appeal to the Central Government. So, I do not think that the question of violation of natural justice is involved.

Then, a point was made that there was no concentration of power in the banking system. Actually, Shri M. R. Masani tried to paint a picture that a bank was controlled by the small shareholders only, and, therefore, the reduction of their voting right from 5 per cent to 1 per cent was unnecessary. If that be so, then why object to it? If the bank is controlled by the small shareholders, then why object to this reduction of the voting power? So, the two things are absolutely contradictory. My point is that, and my hon. friend probably knows this, there are banks where there is a good deal of concentration of voting rights, and that was the reason why some years ago we reduced that, and we provided that whatever may be the shareholding or controlling power of a particular group or a particular individual, the voting rights should be reduced to five per

cent. That was because in the case of an institution like this we did not want that an individual or a group of persons or a group of businessmen should have disproportionately higher controlling interest. Today, we have come to a situation where unless it is reduced still further, the tendency for concentration will become more and more. Therefore, when my hon. friend admits that banks are under the control of small shareholders, logically it follows that he should not object to the reduction of the voting rights from 5 per cent to 1 per cent. Therefore, I think that that provision also is very much healthy in character.

The third point which has been made is that by our trying to contro the non-banking deposits, we shall be controlling a large number of individuals. My hon. friend Shri Bade made this point. I think he is wrong. Here, the individuals are not concerned, but only the companies or firms. For example, a money lender in a village is not subject to control under this Bill.

Shri Bade: But a joint family firm will be controlled.

Shri B. R. Bhagat: But then, that is not an individual but a firm. A family firm can be a very big firm also.

In view of the fact that there is a large amount of unaccounted money, and further the deposits which are controlled by non-banking operations are growing every year, and also for various other reasons, it is necessary that these have to be controlled in the national interest. As I said in the very beginning, it is necessary that these have to be controlled because they are affecting the deposits of the banking companies; the deposits in the banks are not increasing at the rate at which they should because they are being diverted to these non-banking institutions. That is the rationale behind this control.

Then, I come to the question of clothing the Reserve Bank with such a power as what Shri M. R. Masani calls as police power. I think that when any

power is given to an institution like the Reserve Bank or any other agency, it is quite natural for an hon. Member who has a particular viewpoint or ideology to object to it. But he himself said that the Reserve Bank has a very good record. The House will appreciate that the Reserve Bank has been functioning in an exemplary manner, and it has been the custodian of the credit and financial interest of the country and it has done very good work. Where the Reserve Bank has failed or where it has got inadequate powers is in the matter of preventing a bank from going to disaster or preventing a banking company from functioning in an undesirable manner. For example, powers are being taken now to appoint directors. Why are we doing so? That is because we have found that the observers that were being appointed under the present Act were effective only for a few months; they could discipline the directors of the banking company who were not erstwhile considered to be very desirable in their working, for a few months by their very presence, but after a few months, of course, the observers were only observers and therefore, the board of directors could overrule them. Therefore, we found that it was necessary that there should be directors who could participate and have an effective voice in the management. Unless such powers are taken, the banking operations cannot be controlled from the very beginning. Here, I would submit that the difference between a banking company and any other industrial or commercial company has got to be understood. Banks like the Palai Central Bank or any other bank could have been prevented from going into liquidation, if proper action could have been taken at the right moment. But because certain powers were not there, they could not be prevented from going into liquidation. Repeated instances could be given where because adequate power was not applied at the right time, undesirable banking operations could not be prevented. If adequate powers had been there, such an

eventuality would not have arisen at all.

To speak of nationalisation of banks, as some hon. Members have urged, is, I think, beside the mark, because only during the last session, the House had discussed it and rejected it by 119 votes to 27. All the pros and cons were discussed thoroughly at that time, and the Government's point of view had also been stated broadly that purely from practical and other considerations, it would not be in the national interest to nationalise the banks just now. But Government had given the assurance that they would take steps to eliminate some of the malpractices and other things that had come to light, and see that banking was made to flow on proper national lines. We have fulfilled that assurance and we have come forward with this Bill for taking more powers. Therefore, if certain hon. Members opposite say that we are clothing the Reserve Bank with police powers and making it a monopoly, I think that that may be verbiage or jargon only but I think that it is not a sound analysis of the financial situation.

The concentration of power has got to be prevented at every step, and the Reserve Bank has been given powers for this purpose. I think my hon. friend should appreciate in this connection that the Governor of the Reserve Bank does not act on his own. There is a board consisting of distinguished representatives in whom my hon. friend has faith, and, therefore, the power vested with the Reserve Bank will not be a Statist or monopolist power. I think that it is high time that the Reserve Bank must have such powers for being exercised in the interests of the banking organisations themselves in order to serve a national purpose.

With these words, I commend the Bill for consideration.

Mr. Speaker: The question is:

"That the Bill be circulated for the purpose of eliciting opinion

thereon by the 29th February, 1964.”.

The motion was negated.

Mr. Speaker: The question is:

“That the Bill be referred to a Select Committee consisting of 15 Members, namely Shri Ramachandra Vithal Bade, Shri Kamalnayan Bajaj, Shri C. R. Basappa, Shri P. C. Borooah, Shri S. N. Chaturvedi, Shri Sachindra Chaudhuri, Shri Kashi Ram Gupta, Shri Hem Barua, H.H. Maharaja Shri Karni Singhji of Bikaner, Shri T. T. Krishnamachari, Shri Harish Chandra Mathur, Shri R. R. Morarka, Shri Sham Lal Saraf, Shri Prakash Vir Shastri, and Shri Prabhu Dayal Himatsingka with instructions to report by the first day of the next session.”.

The motion was negated.

Mr. Speaker: The question is:

“That the Bill further to amend the Reserve Bank of India Act, 1934, the Banking Companies Act, 1949 and the State Bank of India (Subsidiary Banks) Act, 1959, be taken into consideration.”.

The motion was adopted.

Mr. Speaker: We shall take up the clause-by-clause consideration tomorrow. Now, we shall take up short notice questions.

16.30 hrs.

SHORT NOTICE QUESTIONS AND ANSWERS

U.S. Rupee Holdings

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{ Shri Kapur Singh:
Shri Gulshan:
S.N.Q. 5. { Shri Prakashvir Shastri:

{ Shri Nath Pal:
Shri Yashpal Singh:
Shri Solanki:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that U.S. rupee holdings in India, in the form of counterpart funds, now exceed Rs. 15,000 millions, almost one-half of the total money circulating in the country; and

(b) if so, how the Government assess its impact upon the home economy and politics?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). The counterpart rupee funds generated by the sale of agricultural products imported from the U.S.A. under PL 480 amounted to Rs. 822.81 crores on 31st October, 1963.

According to the agreements covering these imports and the rupee accretions, amounts totalling Rs. 175 crores have been reserved for U.S. uses which *inter alia* include:

- (i) the administrative expenditures of the U.S. Embassy in India.
- (ii) loans, with Government of India's concurrence, to business activities in India with U.S. business associations; and
- (iii) agricultural market development activities and agreed educational and research projects.

The balance of the funds which amount to about 80 per cent are deposited with the Reserve Bank of India and remain invested in special Government of India securities carrying a rate of interest of 1½ per cent. The only way in which these funds can go into circulation is when drawn upon in the form of long term loans and grants for developmental projects in India as mutually agreed upon

by the two Governments. Care has thus been taken to ensure that these funds have no inflationary impact on the monetary situation in the country and the position has been adequately safeguarded in all respects.

Shri Kapur Singh: May I know whether any other foreign country also holds any considerable rupee funds in India? If so, the details and effects thereof in terms of part (b) of the question?

Shri B. R. Bhagat: Not such a large amount. But that is a separate question.

Shri Daji: Frozen or not, can Government tell us whether it is a fact that the rupee funds held by the Government of U.S.A. account for 50 per cent of the total liquid funds in the country?

Shri B. R. Bhagat: The total liquid funds, if you include the demand deposits, will come to Rs. 3,300 crores. This is only Rs. 800 odd crores.

Shri Nath Pai: This news appeared about a week back. We tabled a question immediately. The Finance Minister definitely knows that those who hold the strings of the purse may possibly hold the reins of power too. This news item was likely to give a very wrong impression about the political relationship of the Government of U.S.A. with India. May I know why did it take them so long, till we tabled a question, to issue a clarification? Is it not part of the duty of Government, when such news items appear—because it appeared in a most respectable journal, the *New York Times*, to issue a clarification and make the position clear? Is it our duty only to look after the self-respect of the country?

Mr. Speaker: The question is clear.

Shri Nath Pai: To you. But I wonder whether it is to him.

Shri B. R. Bhagat: I will be benefited by the advice in future.

Shri Nath Pai: That is not the answer.

Mr. Speaker: Because it creates a wrong impression in the minds of people in the country, the Government should have been careful to issue a contradiction and make the position clear. That was really the question.

श्री प्रकाशवीर शास्त्री : क्या मैं जान सकता हूँ कि इतनी भारी धनराशि इस देश में अमरीका की होने के बावजूद भारत की आर्थिक व्यवस्था पर भविष्य में उसका कोई प्रभाव नहीं होगा, इस के लिए भी कुछ यत्न किया गया है ?

अध्यक्ष महोदय : यह तो उन्होंने कहा ।

Shrimati Renu Chakravartty: Is there any written agreement when we entered into this agreement for supply of agricultural commodities stating what the position would be if the U.S. Government wanted to use the funds for helping any private sector industry or otherwise and the Government of India refused to do so? Can the Government refuse?

Shri B. R. Bhagat: If it is refused, that will not be done.

श्री यशपाल सिंह : क्या सरकार यह विचार कर रही है कि इस रकम को डिफेंस परपोज़ के लिए खर्च किया जाय ?

श्री ब० रा० भगत : जी नहीं ।

Shri Shivaji Rao S. Deshpalkh: The other portion of the news item related to the reported anxiety of the US Government as to what to do with the funds which have accumulated under PL 480. What is Government's reaction to that also?

Shri B. R. Bhagat: As I said, 80 per cent is invested in the Reserve Bank. Even that has to be under an agreement between the two Governments. It is invested in approved projects. Agreement has already been arrived at in respect of certain things, e.g. loans of Rs. 335 crores and grants of Rs. 178 crores.

Shri Joachim Alva: Is the hon. Minister aware that it was a responsible paper like the *New York Times* which published this report that the funds accumulated constitute half the currency in circulation in India and this report was relayed here? Why did not the PRO in the Ministry become active and issue a contradiction?

Mr. Speaker: That also has been put.

दिल्ली के दुकानदारों द्वारा मूल्य-सूचियों का लगाया जाना

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- श्री कृष्णराय :
 श्री बड़े :
 श्री लल्लू भबानी :
 श्री काशी राम गुप्त :
 श्री राम सेवक यादव :
 श्री जशवन्त मेहता :
 श्री सोलंकी :
 श्री प्र० के० देव :
 श्री नरसिंह रेड्डी :
 श्री स० मो० बनर्जी :
 श्रीमती शशांक मंजरी
 श्री कपूर सिंह :
 श्री प० ह० भिल :
 श्री यदुवीर सिंह :
 श्री श्रीकार लाल बेरवा :
 श्री माले :
 श्री गौरी शंकर कक्कड
 श्री कृष्ण पाल सिंह :
 श्रीमती बल्लन्त कुमारी :
 श्री किशोर पटनायक :
 श्री रामधर नन्दन :
 श्री बी० एन० मण्डल

SNQ. 6.

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली और नई दिल्ली में जिन दुकानदारों ने अपनी दुकानों के बाहर मूल्य सूची नहीं लटकाई थी, उन को भारत प्रतिरक्षा नियम की धारा १२५(ए) के अन्तर्गत गिरफ्तार किया गया है और उन पर जमाने किये गये हैं ;

(ख) यदि हाँ, तो ऐसे दुकानदारों की संख्या कितनी है और क्या यह भी सच है कि इन दुकानदारों ने मूल्य सूची दुकान के बाहर नहीं बल्कि भीतर लटकाई हुई थी ;

(ग) क्या यह भी सच है कि दिल्ली सेन्ट्रल कोऑपरेटिव स्टोर ने गुड में बहुत ज्यादा मुनाफा कमाया है ;

(घ) यदि हाँ, तो क्या सरकार ने उसके मंचालकों को भी भारत प्रतिरक्षा नियम की धारा १२५(ए) के अन्तर्गत गिरफ्तार किया है ; और

(ङ) यदि नहीं, तो उनके साथ ऐसी नरमी बरतने के क्या कारण हैं, और जनता पर इसका क्या असर पड़ा है ?

The Minister of State in the Ministry of Food and Agriculture (Shri A. M. Thomas): (a) and (b). 37 shopkeepers in Delhi and New Delhi were arrested up to 15th December, 1963, for contravening the provisions of the Delhi (Display of Prices) Order, 1963. Two cases have been decided up to 15th December by the Court; in one case the court awarded a sentence of fine and in another a sentence of imprisonment as well as fine.

In 32 cases price lists had not been displayed at all. In the remaining 5 cases, price lists were found well inside the shops and not conspicuously displayed as near to the entrance of the business premises as possible, as required by the Order.

(c) It is a fact that the Delhi State Central Cooperative Stores made high profits on the sale of some quantity of gur imported by them on the basis of a quota granted by the Delhi Administration.

(d) and (e). Government are advised that the conduct of the Cooperative Stores does not attract any provision of the Defence of India Rules, as no controlled price of gur had been fixed under the Defence of India Rules. Breaches of the Delhi Khandasari and Gur Dealers' Licensing Order are involved and for this adequate suitable action is being taken. The question of any leniency of treatment or otherwise does not therefore arise.

[खाद्य तथा कृषि मंत्रालय में राज्य-मंत्री (श्री अ० म० धामस) : (क) और (ख). १५ दिसम्बर, १९६३ तक दिल्ली और नई दिल्ली में ३७ दुकानदारों को दिल्ली (मूल्य प्रदर्शन) आदेश, १९६३ के उपबन्धों का उल्लंघन करने पर गिरफ्तार किया गया था। न्यायालय द्वारा १५ दिसम्बर तक दो मामलों का निर्णय कर दिया गया है, इनमें से एक मामले में न्यायालय ने जुर्माना किया और दूसरे मामले में कैद और जूमनि की सजायें दीं।

३२ मामलों में मूल्य सूची का बिलकुल प्रदर्शन ही नहीं किया गया था। शेष ५ मामलों में मूल्य सूची दुकानों के काफी भीतर पाई गई थी और आदेश के अनुसार दुकानों के द्वारों के निकट से निकट इस प्रकार प्रदर्शित नहीं की गई थी जिस पर ग्राहकों का ध्यान आकर्षित हो।

(ग) यह सत्य है कि दिल्ली सेंट्रल कोऑपरेटिव स्टोर्स ने गुड़ की कुछ मात्रा, जोकि उन्होंने ने दिल्ली प्रशासन द्वारा दिए गए कोटे से बाहर से मंगायी थी, की बिक्री से बहुत मुनाफा कमाया।

(घ) और (ङ). सरकार को परामर्श दिया गया है कि कोऑपरेटिव स्टोर का यह

कार्य भारतीय प्रतिरक्षा नियमों के किसी भी उपबन्ध को आकृष्ट नहीं करता है क्योंकि गुड़ का नियंत्रित मूल्य भारतीय प्रतिरक्षा नियमों के अन्तर्गत निर्धारित नहीं किया गया था। इन से दिल्ली खण्डसारी और गुड़ व्यापारियों के लाइसेंसिंग आदेशों का उल्लंघन होता है और इस के लिए यथेष्ट उपयुक्त कार्यवाही की जा रही है। अतः उनमें किसी भी प्रकार की नरमी बरतने या रियायत करने का प्रश्न ही नहीं उठता है।]

श्री कच्छबाय : क्या यह बात सही है कि उस में लाखों रुपयों का मुनाफा कमाया गया है? सेंट्रल कोऑपरेटिव सोसाइटी के जो प्रमुख लोग हैं वे दिल्ली प्रदेश के बहुत बड़े कांग्रेसी पद पर काम करने वाले व्यक्ति हैं और उस में एक संसद् सदस्य चौधरी ब्रह्म प्रकाश भी हैं, बड़े लोग उस में हैं, इसलिए उन पर कानून नहीं लगाया गया ?

Shri A. M. Thomas: For the month of November, we sanctioned a quota of 1,000 tonnes for the Union Territory of Delhi. That was to be imported from U.P. 300 tonnes of it were as quota to this co-operative Stores out of which they imported only 100 tonnes, that is, 1,000 quintals. Out of this, they sold some quantity at the rate of Rs. 80—85 and the Delhi Administration has taken action to fix the prices subsequent to the report that they have sold at this rate. It was only a small quantity out of the quantity imported that they sold at this price. Even then it was unjustifiable because they have gained large profits by this transaction. What the Delhi Administration has done at present is that the rest of the quota has been cancelled and they have not been given any other quota to import gur to the Union Territory of Delhi.

श्री कच्छबाय : इस सोसाइटी द्वारा १००० टन गुड़ खरीदा गया था। उस में से ५०० टन गुड़ सहाकारी सोसाइटी में को

दिया गया और ५०० टन अन्य दुकानदारों को दिया गया जिस को कि दुकानदारों ने ६५ रुपये क्विंटल पर बेचा, जिस के लिए एक दुकानदार ने कहा कि मैं गुड़ ५७ रुपये क्विंटल बेच सकता हूँ लेकिन इस सब के बावजूद भी इस सोसाइटी ने गुड़ ८७ रुपये क्विंटल के हिसाब से बेचा . . .

अध्यक्ष महोदय : अब मंत्री महोदय क्या बतला सकते हैं कि दुकानदारों ने क्या भाव बेचा या एक दुकानदार ने क्या कहा कि वह इतने में बेच सकता है ? आप उन से कोई सवाल करें ।

श्री कछवाय : मेरा ऐसा कहना है कि दुकानदारों ने इस गुड़ को ६५ रुपये क्विंटल बेचा और एक दुकानदार ने कहा कि मैं ५७ रुपये पर क्विंटल बेच सकता हूँ लेकिन इस के बावजूद इस सेंट्रल कोऑपरेटिव सोसाइटी ने ८७ रुपये क्विंटल गुड़ बेचा और उस ने इतना नाजायज़ तौर पर मुनाफ़ा कमाया . .

अध्यक्ष महोदय : आर्डर, आर्डर । अब एक दुकानदार ने किसी को किसी वक्त क्या कहा इस बारे में मिनिस्टर साहब कैसे जवाब दे सकते हैं ? अलबत्ता मिनिस्टर साहब पहले हिस्से का जवाब दे दें ।

Shri A. M. Thomas: With regard to this matter, I have already replied.

Mr. Speaker: The same gur that was given over to the co-operative societies was passed over to other shopkeepers and retailers who sold it at very exorbitant price. What has been done? That is the question.

Shri A. M. Thomas: The enquiry has revealed that part of the gur imported by the Stores from U.P. was stored in the godowns of a private firm, Messrs. Shiv Dayal Jugal Kishore. On 29-11-1963 the Stores wrote to Shri Jugal Kishore of this firm that they had utilised their godowns for the storage of imported gur and that he might sell it at Ra. 85

per quintal on their behalf. On the same date, Shri Jugal Kishore informed the Stores that the firm's godowns were at the disposal of the Stores on a rent free basis and that this arrangement had been brought to the notice of the President of the Stores.

Whatever it be the enquiry has revealed that *prima facie* there has been breach of the conditions of the Gur Dealer's Licensing Order with regard to storage, etc. For that cases have been registered and steps are taken by the administration.

श्री बड़े : क्या यह सच है कि सेंट्रल कोऑपरेटिव स्टोर ने ८५ या ८७ रुपये क्विंटल के भाव पर गुड़ बहुत दिन बेचा, यदि हां, तो उस ने इस में कितना मुनाफ़ा कमाया और क्या यह लाइसेंसिंग आर्डर, डिफेंस आफ इंडिया ऐक्ट के अन्तर्गत निकाला गया है, यदि हां, तो उन के खिलाफ कोई ऐक्शन क्यों नहीं लिया गया ?

Shri A. M. Thomas: Gur licensing and control order is under the Essential Commodities Act while the display of prices order is under the Defence of India rules so that the action taken against the other shopkeepers is under the Defence of India rules. This is a case of breach of the conditions of the gur licensing order and that is why I said that under that action is being taken against this society.

Shri Kashi Ram Gupta: What is the total amount?

Shri A. M. Thomas: The total amount? Our information is that they imported 100 tonnes out of which they have disposed of a portion at the rate of Rs. 85. Out of 1000 quintals about 300 were sold in retail at Rs. 85 and about 400 quintals at Rs. 80 per quintal in wholesale and the prices, according to the subsequent order, of different kinds of gur range from Rs. 66-69 wholesale and retail Rs. 68-71. At the rate of Rs. 85, the hon. Member can calculate it.

श्री काशी राम गुप्त : क्या मंत्री महोदय यह बतलाने की कृपा करेंगे कि दुकानदारों के लिए जो वस्तुओं के मूल्यों की सूची लगाने की पाबंदी है वह पाबंदी क्या इस कोम्प्रापरेटिव स्टोर पर भी थी, यदि हां, तो क्या उन्होंने उस पाबंदी का पालन किया, यदि नहीं किया तो फिर उन का डीलर्स लाइसेंस रद्द करने के लिए सरकार का विचार है कि नहीं ?

Shri A. M. Thomas: I have already stated that the permit to import gur has been cancelled.

Shri Kashi Ram Gupta: I said that the dealers' licence should be cancelled.

Shri A. M. Thomas: With regard to dealers' licence, that is a big society dealing in many things and having a pre-eminent position in the territory in the wholesale trade. They deal in cement, coal, and other articles also. So, if the licence is cancelled for all these things, it will lead to great hardship for the public also and so we have not resorted to that. I do not think it becomes necessary. Then there are the cases also to be disposed of.

Shri Kashi Ram Gupta: The first point has not been replied.

श्री प्रकाशबीर शास्त्री : मैं यह जानना चाहता हूँ कि इस कोम्प्रापरेटिव स्टोर को जो लाइसेंस दिया गया था तो क्या लाइसेंस की शर्तों में एक शर्त यह भी थी कि यह सोसाइटी जिन को गुड़ बेचेगीं तो रसीद के ऊपर जिसको कि वह दिया जा रहा है उस का नाम लिखा जायगा लेकिन सोसाइटी ने जिन को गुड़ बेचा है उस में इस नाम लिखने की शर्त का पालन नहीं किया है, यदि हां तो फिर इस सोसाइटी के विपरीत क्या कार्यवाही की गई है ?

Shri A. M. Thomas: No, Sir; there is no such condition in the licensing

order. In fact they should keep records of the sales to the persons they have sold and other things and if you call for the records they would have necessarily to furnish them.

श्री राम सेवक यादव : क्या मंत्री महोदय को यह जानकारी है कि चीजों को बढ़े हुए दाम पर और काले बाजार में थोक व्यापारी बेचते हैं, यदि यह सही है तो उन पर रोक लगाने की क्या कार्यवाही की गई और यह जो ३७ लोग पकड़े गये उन में फुटकर व्यापारी कितने हैं और थोक व्यापारी कितने हैं ?

Shri A. M. Thomas: There were a number of cases where price lists were not displayed and action has been taken. Two ended in conviction; other cases are being proceeded against.

Mr. Speaker: How many wholesalers and how many retailers?

Shri A. M. Thomas: These are all retailers.

Shri Daji: In view of the gross profiteering, is a general enquiry proposed by the Government into the other transactions entered into by the society or not?

Shri A. M. Thomas: The Chief Commissioner has received certain complaints with regard to the other transactions also. He is enquiring into these things also.

Shri Inder J. Malhotra: Apart from these co-operative societies were there other licencees also who did so and if so the amount of gur they imported and the price at which they sold it?

Shri A. M. Thomas: There were other licencees also and the stores' excuse was that there were other wholesalers also selling at more or less the same price and so they say they were justified in selling at that price.

Shri Jashvant Mehta: In the light of experience of profiteering by traders including co-operatives and there being a big gap between the prices of gur producing areas and gur deficit areas, is Government considering the removal of inter-state ban on gur movement?

Shri A. M. Thomas: That is a policy matter.

Shri Gauri Shankar Kakkar: Is the hon. Minister aware that according to by-laws and co-operative enactments they are not permitted to indulge in such profiteering and if so is there any action contemplated against that society by the Registrar or other authorities?

Mr. Speaker: He has answered it already.

Shri A. M. Thomas: That is a larger question. The question here is whether they have committed any criminal offence. With regard to other things, it is a matter to be enquired into by the co-operative department.

Mr. Speaker: Shri Nath Pai; Calling Attention Notice.

Shri Kapur Singh: Sir, I want to put a question. My name was also there.

Mr. Speaker: There were many more whom I have not called. I am sorry.

16.52 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE.

U.S. SEVENTH FLEET EXTENDING ITS OPERATION INTO THE INDIAN OCEAN

Shri Nath Pai (Rajapur): I call the attention of the Prime Minister to the following matter of urgent public importance and I request that he may make a statement thereon:

The U.S. 7th Fleet extending its operation into the Indian Ocean

and Government of India's reactions thereto.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): There have been newspaper reports to suggest that the United States Government was extending operational sphere of its Seventh Fleet from the China Seas to the Indian Ocean area. We had no information on this subject and we had at no stage been consulted by the U.S. Government in the matter. When General Maxwell Taylor called on me on 17th December, among other matters mentioned, he told me that they were considering the advisability of some units of their Seventh Fleet cruising these areas with the object of getting acquainted with the Seas in this region, but no decision had been taken in the matter. Some Naval vessels of the Seventh Fleet might be used for such cruises. If the U.S. Government decides to do this, all that we need say, today, is that outside the territorial waters of India, the ocean is, naturally, open to them, as to the Naval vessels of any other country.

Shri Nath Pai: Taking note of the statement made by the Prime Minister in the other place, and also by the Foreign Minister of Indonesia that by itself this move does not compromise in anyway the non-alignment policies, may I know what were, according to the assessment of the Government of India, the reasons and motives behind this move, and what are the likely political implications and impact of this move on the politics of South-East Asia?

Mr. Speaker: That is too wide a question.

Shri Nath Pai: It does arise.

Mr. Speaker: In a Calling Attention Notice, the whole political implications and things that might arise subsequently cannot be allowed.

Shri Nath Pai: May I know his assessment, how far, since the 7th Fleet is part of the armed strength of the United States, and it is coming in the Indian Ocean, the Government of India

Mr. Speaker: He might frame a short and straight question which I can allow, but not this.

Shri Nath Pai: May I know, what according to the Government of India's assessment, the motives and reasons behind this are? Is it, as it is claimed, to provide deterrents to the Chinese or is it to emphasise the independence of the US Government of those countries which today are provided with military bases? These are very legitimate questions, Sir.

Shri Jawaharlal Nehru: How can I answer this question? That will be a surmise on my part, what their intentions are. I do not know; that may be the case to some extent. But it would not be proper for me to inform the House of some guess-work of mine on it. But all I can say is that we knew nothing about it. In fact, we first saw it in the newspapers here, which reproduced, I think, some message from America, some newspapers there, about this. I think it is probably just to keep acquainted, as I was told. When Gen. Maxwell Taylor came to see me, he did not mention this. He was with me for half an hour, and as he was going away, he said, "Your newspapers seem to be full of this; it has not been finally decided yet, but it was being considered", as I have said, that some ships, some part of the fleet should come to these waters and perhaps may even go to Africa and roam about like this. He did not say anything about its coming to our ports, anyhow in our territorial waters. That was all.

Shri Harish Chandra Mathur (Jalore): May I know if it is the understanding and attitude of the Government of India that any coun-

try, whether it is the USA, China or Japan, has a free access to the Indian Ocean or the Arabian Sea and can take their warships there, without consulting those countries and have exercises, without a sort of 'no objection' from our country? Is it not likely to impinge on our policy of non-alignment?

Shri Jawaharlal Nehru: So far as I know, there is no question of any exercise anywhere. Taking our permission . . .

Shri Vasudevan Nair (Ambalappuzha): Are they coming for sight-seeing?

Shri Harish Chandra Mathur: If there is no consultation, there is an impression created that there is no objection from the Government of India. Does it not create certain conditions or . . .

Shri Jawaharlal Nehru: I am just saying that. There is no question of their referring the matter to us. It depends on what they are going to do. We do not know yet. An hon. Member said "sight-seeing." Yes, I say it is sight-seeing, seeing the waters, etc.

Shri Vasudevan Nair: How can the warships come here for sight-seeing?

Shrimati Renu Chakravartty (Barrackpore): With atomic weapons!

Shri Jawaharlal Nehru: It is just possible to impress the countries round about that they are there. Some justification there may be. But they are not coming to India. The Indian Ocean is a vast area: it spreads right from Africa down the South Pole and to the west up to the Atlantic Ocean. We cannot say nobody can go round all that area.

श्री बक्षपाल सिंह (कैराना) : मान लीजिये कि भारत सरकार के प्यारे प्रोपोजिब्ल को, यानी कोलम्बो-प्रोपोजिब्ल को चाहना मान

[श्री यशपाल सिंह]

लेता है, तो फिर भारत सरकार का सैन्य फ्लीट के बारे में क्या रुख रहेगा ? (*Interruptions*) मैं दूसरा सवाल पूछ लेता हूँ ।

अध्यक्ष महोदय : अब माननीय सदस्य बैठ जायें ।

Shrimati Renu Chakravartty: It is stated in the papers that it is not one or two occasional ships that will be coming, as has been stated by the Prime Minister, but that it is a task force of the 7th Fleet, with their escort vessels, and that there will be nuclear warheads and aircraft carriers. I would like to know whether it is not part of the policy of interdependence, of military defence, for the whole of South-East Asia, and what is the Government's attitude towards it? Is it only that it is sight-seeing cruise or, is it part of the military strategy and the extension of the influence of the United States in waters which are strategically important to us?

Shri Jawaharlal Nehru: I do not know how far that report in the papers about nuclear warheads is correct or not. Maybe. I understand from the statement made by Gen. Taylor, on his going away from India today, that an aircraft carrier, with some destroyers, if they decide so, would probably be coming to the Indian Ocean in a month or two's time. I suppose the obvious inference is that they are doing this to let it be known that they are there.

Shrimati Renu Chakravartty: It is quite obvious.

Shri Jawaharlal Nehru: Yes; quite so.

Shri Swell (Assam—Autonomous Districts): On the 18th April this year, the Defence Minister stated on the floor of the House in response to a Calling Attention Notice that a foreign ship bearing the name

Chung Hsuing appeared in our Andhra coast and when being challenged by our merchantship Jalapushpa, sped away along with three auxiliary ships, and we could do nothing to intercept it. He also stated that during the last . . .

Mr. Speaker: What is the question: It should not be too long.

Shri Swell: I am coming to this question. It is also stated that during the last Chinese aggression, we allowed the United States—

Mr. Speaker: He is making a speech. I cannot allow it.

17 hrs.

Shri Swell: In this context, may I know from the Prime Minister whether he does not consider that the presence of the U.S. 7th Fleet in the Indian Ocean area will not help in containing Chinese military adventurism and expansionism?

Shri Jawaharlal Nehru: I do not see the connection between the two.

Shri Vasudevan Nair: May I know whether the Government thinks that the voyage of the 7th Fleet in the Indian Ocean will only help to increase the tension in the area and cause concern in the minds of the independent countries in the area and if Government think so, may I know whether they are going to convey this feeling of this country to the U.S. Government?

Shri Jawaharlal Nehru: I do not think that any particular concern need be cause to the countries here. If the hon. Member takes the countries one by one, most of the countries in South-east Asia are more or less allied to the United States Government.

Shri Daji (Indore): The Ceylon Prime Minister has expressed grave concern.

Shri Jawaharlal Nehru: I did not hear what the hon. Member said. I

do not say all, but most of them are and some of them are not. It is possible that some people may feel a little nervous about it.

Shri Warior (Trichur): May I know whether there is any truth in the report that Gen. Taylor offered the new aircraft carrier coming along with the 7th Fleet here in the Indian Ocean as that will be giving sufficient protection to us as an air umbrella and said that all other things in the minds of the Defence Ministry here may be left over, and the Defence Ministry has almost agreed to that proposal?

Shri Jawaharlal Nehru: There has been no offer and no proposal of this kind or of any other kind. He merely referred to this matter. As it has been mentioned in the newspapers here, he has been it and, therefore, he referred to it. He said, it has not been decided yet finally, but when he left America, he was being told that it was being considered whether a part of the 7th Fleet, that is, as I said, about three or four destroyers and an aircraft carrier will probably come here, tour about, may be go to Africa and go back. That is all he referred to.

श्री प्रकाशवीर शास्त्री (बिजनौर) :
मैं जानना चाहता हूँ कि प्रजीडेंट कैनेडी की मृत्यु पर न जा कर जो भूल हुई थी, क्या उसका प्रायश्चित्त इसके द्वारा किया गया है ?

Mr. Speaker: Order, order. That has nothing to do with this.

Shri Bhagwat Jha Azad (Bhagalpur): Since the American and British newspapers are featuring almost authoritative news of some sort of continuing presence of USA's 7th Fleet in the Indian Ocean, will Government ask for a clarification from the USA in this regard?

Shri Jawaharlal Nehru: I do not quite understand. Should I ask them, according to the hon. Member, what

their future intentions are and whether they intend sending these ships to the Indian Ocean repeatedly? Is that the question?

Shri Bhagwat Jha Azad: All the British and American Press are full of authoritative news that it is not a question of one or two ships coming for some sort of thing, but it is almost a permanent presence of USA's fleet in the Indian Ocean. I want to know whether the Government will ask for any clarification in this regard?

Shri Jawaharlal Nehru: No, Sir; we have not asked. They told us that they were coming just once here. I do not know what they will do in future.

Shri Hem Barua (Gauhati): True it is that the United States' extension of....

श्री राम सेवक यादव (बाराबंकी) :
ग्रखबारों में एसा छपा है कि प्रधान मंत्री ने राज्य सभा में कहा था . . .

अध्यक्ष महोदय : राज्य सभा का कोई जिक्र न करें ।

श्री राम सेवक यादव : ग्रखबारों की बात कर रहा हूँ । ग्रखबारों में छपा है प्रधान मंत्री के बयान के बारे में . . .

अध्यक्ष महोदय : उसका जिक्र न करें ।

श्री राम सेवक यादव : प्रधान मंत्री ने कहा है कि अमरीकी सातवां बेड़ा आ सकता है । फिर कहा था कि दो चार जहाज ही आ सकते हैं । यह दोनों बातें परस्पर विरोधी हैं । मैं जानना चाहता हूँ कि वस्तुस्थिति क्या है और प्रधान मंत्री इस प्रकार के अनिश्चित बयान क्यों देते हैं और अगर कोई बात है तो पक्की बात इस सदन को वह बतायें ।

श्री जवाहरलाल नेहरू : मुझे मालूम नहीं कौन सी बात इस में माननीय सदस्य को

Matter of Urgent
Public Importance

[श्री जवाहर लाल नेहरू]

एसी मालूम हुई जिस के आपस में दो माने हों। मैंने वहाँ यही कहा था कि उनके जहाजों में से कुछ तीन चार आयेंगे शायद। ठीक मालूम नहीं था मुझे। मेरा खयाल था। लेकिन आज जनरल मैक्सवेल ने कहा है यहाँ से जाते जाते, यह छपा भी है अखबारों में, टेलीप्रिटर में मैंने देखा है, कि उनका इरादा है, अगर भेजे तो एक ट्रांसपोर्ट एयरक्राफ्ट कैरियर और उसके साथ चार पांच डैस्टायर और एक आयल टैंकर, भेजे।

Shri Hem Barua: True it is that the United States' extension of 7th Fleet operations into the Indian Ocean is not dependent on our permission. But may I enquire from our Prime Minister whether this extension, if it is a *fait accompli*, of course, would not or might not mean an invitation to other powers, particularly antagonistic to us to do a similar thing, thus jeopardising our security?

Mr. Speaker: It is a matter of opinion. It is not any information he is asking for.

Shrimati Renu Chakravarty: That should be answered.

Mr. Speaker: He is asking whether Government does not think like that.

Shri Hem Barua: I want to know from the Prime Minister whether this might not be an invitation to other powers, particularly antagonistic to us, to do a similar thing thus jeopardising our security.

Shri Jawaharlal Nehru: I doubt very much if that would be such an invitation. I doubt very much if there is any other power which is capable of sending a considerable number of ships roundabout here.

Shri Nambiar (Tiruchirapalli): May I know whether it is the policy of the Government of India not to protest when naval forces of another country decide to cruise in a big way in the vicinity of our territorial waters in the garb of protecting India and

itself, several thousands of miles away from its shores, without our asking for such a protection?

Mr. Speaker: All these presumptions are not correct.

Shri Jawaharlal Nehru: Several thousand miles away?

Shri Nambiar: From the American shores.

Shri Jawaharlal Nehru: No; it is not the policy of ours at all. We see; if the thing is obviously to our detriment, we protest; if it is not, we do not.

Shri P. C. Borooah (Sibsagar): May I know whether this can be construed that with a view to contain China, the USA has taken the opportunity to...

Mr. Speaker: The hon. Member also is entitled to construe in any manner he likes. Papers to be laid on the Table.

17.06½ hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORTS OF ASHOKA HOTELS LIMITED AND HINDUSTAN HOUSING FACTORY AND REVIEW BY GOVERNMENT THEREON.

The Minister of Works, Housing and Rehabilitation (Shri Mehr Chand Khanna): I beg to lay on the Table a copy each of the following papers:—

(i) (a) Annual Report of the Ashoka Hotels Limited, New Delhi, for the year ended the 31st March, 1963, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government on the working of the above Company. [Placed in Library, see. No. LT-2177/63].

(ii) (a) Annual Report of the Hindustan Housing Factory Limited New Delhi, for the year 1962-63, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government on the working of the above Company. [Placed in Library, see No. LT-2178/63].

ANNUAL REPORT OF HINDUSTAN AIRCRAFT LIMITED AND COMMENTS OF AUDITOR GENERAL THEREON.

The Minister of Defence Production in the Ministry of Defence (Shri Raghuramaiah): I beg to lay on the Table a copy of Annual Report of the Hindustan Aircraft Limited, Bangalore for the year 1962-63, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library, see No. LT-2179/63].

THIRTEENTH REPORT OF UPSC AND MEMORANDUM THEREON

The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis): I beg to lay on the Table a copy each of the following papers (English and Hindi Versions) under article 323(1) of the Constitution:—

- (i) Thirteenth Report of the Union Public Service Commission for the period of 1st April, 1962 to 31st March, 1963.
- (ii) Memorandum explaining the reasons for non-acceptance of the Commission's advice in the case referred to in the above Report. [Placed in Library, see No. LT-2180/63].

NOTIFICATION UNDER CUSTOMS ACT, AND CENTRAL EXCISES AND SALT ACT.

The Minister of Planning (Shri B. R. Bhagat): I beg to lay on the Table:—

- (1) a copy each of the following Notifications under section 159 of the Customs Act, 1962:—

(i) G.S.R. No. 1859 dated the 7th December, 1963.

(ii) G.S.R. No. 1880 dated the 9th December, 1963. [Placed in Library, see No. LT-2181/63].

- (2) a copy of Notification No. G.S.R. 1860 dated the 7th December, 1963, making certain further amendments to the Customs and Central Excise Duties Export Draw-back (General) Rules, 1960, under section 159 of the Custom Act, 1962 and section 38 of the Central Excises and Salt Act, 1944. [Placed in Library, see No. LT-2182/63].

- (3) a copy of the Central Excises (Twenty-ninth Amendment) Rules, 1963 published in Notification No. G.S.R. 1843 dated the 30th November, 1963, under section 38 of the Central Excises and Salt Act, 195. [Placed in Library, see No. LT-2183/63].

ANNUAL REPORTS OF AIR-INDIA AND IAC

The Deputy Minister in the Ministry of Transport (Shri Mohiuddin): I beg to lay on the Table a copy each of the following papers under sub-section (2) of section 37 read with sub-section (4) of section 15 of the Air Corporations Act, 1953:—

- (1) Annual Report of the Air India along with the Annual

[Shri Mohiuddin]

Accounts for the year 1962-63 and Audit Report thereon.

[Placed in Library, see No. LT-2184/63].

- (2) Annual Report of the Indian Airlines Corporation along with the Annual Accounts for the year 1962-63 and Audit Report thereon. [Placed in Library see No. LT-2185/63].

17.09½ hrs.

‘COMMITTEE ON ABSENCE OF MEMBERS

SEVENTH REPORT

Shri Khadilkar (Khed): I beg to present the Seventh Report of the Committee on Absence of Members from the Sittings of the House.

17.09½ hrs.

‘STATEMENT re: RECOMMENDATIONS OF THE CENTRAL EXCISE REORGANISATION COMMITTEE AND DECISIONS OF GOVERNMENT THEREON’

The Minister of Planning (Shri B. R. Bhagat): This is a long statement, Sir.

Mr. Speaker: It may be laid on the Table.

Shri B. R. Bhagat: I lay it on the Table of the House. [Placed in Library see No. LT-2186/63].

17.10 hrs.

STATEMENT BY A MEMBER

डा० राम मनोहर लोहिया (फरेंखाबाद): अध्यक्ष महोदय, मैं निवेदन करता हूँ कि विदेश मंत्री ४ दिसम्बर और २६ नवम्बर की गलत बयानियों को सुधारें।

१. ४ दिसम्बर को श्री मनीराम बागड़ी के प्रश्न पर क्या चीन से अफ्रीका पहुंचने का हिन्दुस्तान के सिवाय अन्य कोई रास्ता नहीं है, उत्तर देते हुए विदेश मंत्री ने कहा “कोई और रास्ता होगा तो बहुत लम्बा होगा, कोई सीधा रास्ता नहीं होगा। मैं नहीं जानता। शायद सीलोन हो कर जा सकें।” हिन्दुस्तान के अलावा किसी और रास्ते के बारे में विदेश मंत्री को इतना सन्देह था कि उन्होंने कहा कि वह नहीं जानते और श्रीलंका मार्ग का संदिग्ध अन्दाजा लगाया। किन्तु इस गलती को अगर नजरअन्दाज भी कर दें तो सीधा रास्ता न होने की और लम्बे रास्ते की गलत बयानी जरूर सुधरनी चाहिये। पीकिंग से काहिरा नैरीबी जाने के लिये दो सीधे रास्ते हैं। एक काशगर-करांची का रास्ता है। दूसरा ताशकन्द हो कर है। दोनों में से किसी भी रास्ते से दो हजार मील से ज्यादा की उड़ान कम हो जाती। काशगर में बड़ा हवाई अड्डा है। और हर हालत में आधुनिक जट हवाई जहाज पीकिंग से करांची बिना कहीं उतरे आसानी से उड़ सकता है।

यह प्रसंग उठाना बेमतलब होगा कि बी० आ० ए० सी० अथवा के० एल० एम० के साधारण हवाई जहाज किस रास्ते उड़ा करते हैं। चीनी हमलावर साधारण जहाजों में नहीं उड़ रहे हैं। उन्होंने इन कम्पनियों के विमान विशेष भाड़े से लिये अथवा चार्टर किये हैं। अन्तर्राष्ट्रीय कायदों के अनुसार पट्टे पर लिये विमान का विशिष्ट इकरारनामा होता है और उन्हें सदा सूचित रास्तों का इस्तेमाल करना जरूरी नहीं है। क्योंकि गलत तथ्यों को सुधारना भर है, इसलिये मुझे मजबूरन मतलब नहीं इस बात से कि चीनी नेताओं ने हिन्दुस्तान के रास्ते क्यों उड़ना चाहा और न इस बात से कि हिन्द की धरती पर हमला करने वालों को हिन्द की वायु का इस्तेमाल क्यों करने दिया गया। मैं आशा करता हूँ कि इन असंगत प्रश्नों को न उठाने

दिया जायेगा। वरना मुझे भी इन पर बोलने का मौका मिलना चाहिये।

२. उसी तारीख को श्री प्रकाशवीर शास्त्री को जवाब देते हुए विदेश मंत्री ने कहा "हमारी राय में अन्तर्राष्ट्रीय कायदों के हिसाब से और नैतिकता के हिसाब से भी हमारा उस लाइन को रोकना ठीक नहीं था जो कि रोजाना चलती है।" इकतरफा अथवा दुतरफा गोलीबन्दी के मेरे प्रश्न का विदेश मंत्री ने जवाब दिया "इस तरह की हवाई जहाज की उड़ान की इजाजत देने पर इस बात का क्या असर हो सकता है।" नैतिकता राय की चीज है, किन्तु अन्तर्राष्ट्रीय कायदे तथ्य की। एक गलती विदेश मंत्री ने यह की कि विशेष पट्टे पर लिये गये विमान को रोजाना चलने वाली लाइन से जोड़ दिया। दूसरी गलती विदेश मंत्री ने अन्तर्राष्ट्रीय कायदों के बारे में की। एसा एक भी अन्तर्राष्ट्रीय कायदा नहीं है, जो भारत सरकार को चीनियों को वायु रास्ता देने के लिये मजबूर करता हो। इस सन्दर्भ में विदेश मंत्री ने दूत सम्बन्धों का जिक्र किया। न इसका कोई अर्थ है और न युद्ध के एलान होने का। यह सर्व विदित है कि डिफैक्टो यानी अमली युद्ध डि जूरे याना कानूनी युद्ध है। यह भी सर्व सम्मत है कि एकतरफा गोलीबन्दी को कौन कहे, युद्ध विराम हो जाने के बाद भी, शान्ति नहीं होती, अस्थायी शान्ति तक नहीं होती, और लड़ाई बन्द होने के अलावा सब बातों में बद्ध समरों में युद्ध की स्थिति रहती है।"

अध्यक्ष महोदय आपने मुझे आदेश दिया है कि मैं श्री कैनेडी की अन्त्येष्टि क्रिया के सम्बन्ध में न पढ़ूँ। तो इस सम्बन्ध में मुझे एक व्यवस्था का प्रश्न उठाना है, जो इस वक्त उठाने दें।

अध्यक्ष महोदय : नहीं, मैं इस वक्त उसकी इजाजत नहीं दे सकता।

डा० राम मनोहर लोहिया : मैं आपसे अर्ज करना चाहता हूँ कि मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : व्यवस्था का प्रश्न किस पर है। जो आपने बोला है क्या उस पर व्यवस्था का प्रश्न है।

डा० राम मनोहर लोहिया : यह जो मेरा अपना बयान है उसकी आप ने परसों मुझको इजाजत दी थी। आप मेरे व्यवस्था के प्रश्न को सुन कर ही अपना हुकम दें, उस के पहले नहीं।

अध्यक्ष महोदय : आपने जो बयान देना चाहा था मैंने जब उसकी इजाजत दी थी देख कर, तो आपने कहा कि वह तो मेरी चिट्ठी थी। मैंने कहा कि आप अपना बयान दे दें। आपने अपना बयान दे दिया मैंने जिस हिस्से की इजाजत दी थी वह आपने पढ़ दिया। मैं दूसरे हिस्से की इजाजत नहीं दे सकता। प्राइम मिनिस्टर कुछ कहना चाहते हैं क्या।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं आपको याद दिलाऊँ। शायद आप भूल रहे होंगे कि १७ तारीख की कार्य सूची में इसको शामिल किया गया था।

अध्यक्ष महोदय : अब आप दूसरा सवाल उठाना चाहते हैं कि चूँकि कार्य सूची में रखा गया था इस वास्ते आपको हक हो गया, तो वह आप किसी और वक्त भगाइये। इस वक्त जितना मैंने आपको पढ़ने की इजाजत दी थी, वह पढ़ा गया।

डा० राम मनोहर लोहिया : आखिरी पैरा है जो इससे सम्बन्ध नहीं रखता। अगर आप मुझे इजाजत दें तो शायद मैं कोई रास्ता निकाल लेता जिससे कि यह मामला हल हो। विदेश मंत्री भी ठीक

अध्यक्ष महोदय : मैं उसकी इजाजत नहीं दे सकता ।

डा० राम मनोहर लोहिया : जिसका चीनियों के साथ सम्बन्ध है उसे मैं पढ़ूँ । आखिरी पैरा जो है उसका सम्बन्ध कॅनेडी से नहीं है ।

अध्यक्ष महोदय : जितना बयान मेरे पास आया था उतना आपने पढ़ दिया । आगे नहीं ।

डा० राम मनोहर लोहिया : आखिरी पैरा आप देख लीजिये । आखिर हम सब लोग अपनी समझ के अनुसार लोक सभ की सेवा करते हैं । (Interruptions).
सवाल यह है कि अपनी समझ के अनुसार . . .

अध्यक्ष महोदय : आपको मैंने जो कॅनेडी के सम्बन्ध में या उसकी इजाजत नहीं दी ।

डा० राम मनोहर लोहिया : जी हाँ, आखिरी मैं पढ़े देता हूँ ।

“मैं विदेश नीति अथवा भावना और आदर्श के प्रश्न नहीं उठा रहा हूँ, न सच्चे न खोखले, क्योंकि मैं चाहता हूँ कि इस तथ्य मुद्धार के संदर्भ में विदेश मंत्री को असंगत बातें कहने का मौका न मिले ।”

प्रधान मंत्री, वैदेशिक कार्य मंत्री तथा अणु शक्ति मंत्री (श्री जवाहरलाल नेहरू) : मैंने बनौर मुना जो डा० लोहिया ने कहा और उन्होंने इस बात को साबित करने की कोशिश की जो मैंने उस वक्त कहा था श्री प्रकाशवीर के जवाब में, वह गलत था । मेरी राय में अब तक वह बिल्कुल सही है और मैं अब भी फिर कहने को तैयार हूँ कि मेरी समझ में नहीं आता कि क्या गलती थी,

वावजूद उनको सुनने के । मैंने यह कहा था उनसे कि अगर जिस जहाज पर चीन के प्रधान मंत्री जा रहे थे उसे हम यहाँ से न जाने देते तो उनको ज्यादा चक्कर लगा कर जाना पड़ता । एक सर्व्यूटस रूट मैंने कहा था । मुझे मान्यता नहीं है कि वह और क्या होता । शायद उन को जवाब दे कर जाना पड़ता । यह मैंने कहा था और यह बिल्कुल सही बात है, इसमें कोई भी गलतफ़हमी नहीं हो सकती किसी को । उन्होंने बतलाया कि वह तामकन्द हो कर जाते या कहीं और हो कर जाते, इस पर उद्यम से । ताशकन्द कोई रास्ता नहीं है हवाई जहाज का, सिवाय इसके कि खास हवाई जहाज कभी जायें तो और बात है । लेकिन आम तौर से जाते नहीं हैं नये गमनों पर, जो मान्यता नहीं । काफी मुश्किल है ताशकन्द की रूट । पहाड़ों के ऊपर से है । अगर जाना ही हो तो हल्के हलके उस पर उड़ान करते हैं क्योंकि वहाँ कोई फॅसिलिटीज नहीं, कोई आराम नहीं इतला वगैरह की उन्हें । इसलिये वह रास्ता नहीं था । लेकिन मैंने इस का हिसाब नहीं लगाया था कि वह ताशकन्द हो कर जायें । सीधी बात है कि उन्हें चक्कर लगा कर जाना पड़ता ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं कह रहा हूँ, मैं अर्ज कर रहा हूँ कि गलत बयानी फिर हो रही है ।

अध्यक्ष महोदय : इस के अलावा मैं और कुछ नहीं कर सकता । आप रोज देखते हैं कि जब एक मेम्बर क्वेश्चन करे कि बयान ठीक नहीं दिया गया तो मैं उस को अवसर दे सकता हूँ कि वह अपना बयान दे दे और दूसरा बयान भी हो जाये । दोनों बयान ऊपर आ जाते हैं । इस के सिवाये और कुछ नहीं हो सकता ।

डा० राम मनोहर लोहिया : मुझे बीस दिन लगे इस सवाल को बनाने में ।

अध्यक्ष महोदय : मैं इस से ज्यादा और कुछ नहीं कर सकता ।

श्री जवाहरलाल नेहरू : मेरी राय यह है कि जो कुछ मैं ने कहा था वह बिल्कुल सही था । आप भी समझेंगे कि उस में कोई गलत बयानी नहीं थी कि चक्कर लगा कर जाना पड़ेगा । जैसे एक चिड़िया उड़ कर जाती है वैसे हवाई जहाज नहीं जाता । कुछ और भी बातें देखनी होती हैं कि किधर जा सकता है या उतरने की जगह है या नहीं, क्या उसे इत्तला मिलती है, वगैरह । जैसा उन्होंने कहा उधर से जा सकते थे, उत्तर से हिन्दुस्तान के, उस में पचासों दिक्कतें होतीं । अलावा इस के बी० ओ० ए० सी० वहां कभी गया नहीं है, आज तक मेरी इल्म में वह कभी वहां उड़ा नहीं है । बी० ओ० ए० सी० और के० एल० एम०, दोनों वहां नहीं गये हैं । वहां जाना मुश्किल था । मैं ने ग्राम वाते कहीं थीं कि चक्कर लगा कर जाना पड़ता । वह चाहे पूरा चक्कर न होता, सीधा होता, फिर भी चक्कर ही होना ।

डा० राम मनोहर लोहिया : अध्यक्ष महोदय, मैं सिर्फ रास्ते के बारे में पूछ रहा हूँ कि वह रास्ता छोटा होता या बड़ा ?

अध्यक्ष महोदय : अब वह सवाल नहीं कर सकते ।

श्री जवाहरलाल नेहरू : मैंने अर्ज किया कि मैं नहीं जानता, शायद नक्शे से छोटा हो, लेकिन नक्शे से छोटा होने की वजह से हवाई जहाज वहां नहीं उड़ रहे हैं . . .

डा० राम मनोहर लोहिया : उड़ रहे हैं और उड़ सकते हैं ।

श्री जवाहरलाल नेहरू : कराची से ताशकन्द को उड़ते हैं, लेकिन न तो बी० ओ० ए० सी० और न एल० एम० के जहाज वहां गये हैं । (Interruptions.) मेरी अर्ज यह है कि यह ज० म० ननीय सदस्य डा० लोहिया ने ऐतराज किया है इस में कोई

असलियत नहीं है सिवा इसके कि नक्शे से उन्होंने नाप लिया हो । मैं ने कहा कि वह बिल्कुल सही बात थी जहां तक मुझे इल्म था । मैं ने नक्शे से तो नहीं नापा, शायद नक्शे से बिल्कुल सीधा हो । लेकिन हवाई जहाज सीधे नहीं उड़ते हैं । जो हवाई जहाज उन्होंने लिया था वह सीलोन हो कर या इधर उधर हो कर जा सकता था ।

दूसरी बात उन्होंने गोल बन्दी या सीज-फायर के बारे में कही कि वह इकतरफा हुई दो तरफा नहीं हुई । यह बात सही है कि हमने अभी तक जान्ते से चीन के खिलाफ लड़ाई का ऐलान नहीं किया है । हमारे यहां उनकी एम्बेसी खुली है और उनके यहां हमारी एम्बेसी खुली है । यह गलत है या सही यह सवाल नहीं है ।

डा० राम मनोहर लोहिया : बिना ऐलान के भी युद्ध होता है या नहीं ?

अध्यक्ष महोदय : वह कहते हैं कि बिना ऐलान के भी युद्ध होता है या नहीं ?

श्री जवाहरलाल नेहरू : जी हां, होता है । लेकिन इस वक्त तक ऐसा ऐलान नहीं हुआ है । और ऐसे मौके पर हम इस बुनियाद पर कि साल भर हुआ उन्होंने युद्ध किया था, उनको न जाने देते, यह मेरी समझ में नहीं आया ।

दूसरी बात उन्होंने यह कही थी कि बी० ओ० ए० सी० का इधर जाना यह मामूली बात है ।

हम ग्राम तौर से उसे नहीं रोक सकते । यह जरूर था कि हम उन से यह कहते कि उतर जायें कहीं हिन्दुस्तान की जमीन पर, चीन के प्राइम मिनिस्टर को ले कर उतर जायें । यह हमारा कायदा है, लेकिन जब कोई खास आदमी होता है तो यह कायदा अमल में नहीं लाया जाता, और हम इसरार नहीं करते । चुनांचे हमने इसरार नहीं किया और . . .

ड० राम मनोहर लोहिया : प्रधान मंत्री को मालम होना चाहिए कि साधारण हवाई जहाजों के नियम और होते हैं और चाटर्ड हवाई जहाजों के नियम और होते हैं ।

17.23 hrs.

RE: ALLEGED BREACH OF
PRIVILEGE

Shri Daji (Indore): Mr. Speaker, Sir, I seek your leave to move this matter with no joy and regret but with the sense of duty for maintaining the dignity of the House. The Calling Attention Notice regarding the U.S. 7th Fleet extending its operations into the Indian Ocean was raised in this House by certain hon. Member as early as 12th or 13th of this month. No date was fixed for some days and then the hon. Speaker fixed 19th as the date when this notice could be replied to.

Sir, you will recall that some hon. Members raised this matter on the 17th morning at about 12 o'clock and then in the presence of the hon. Prime Minister you mentioned that it was the right of the Government to take some time to reply to certain notices if they so chose and to the knowledge and the information of the hon. Prime Minister you informed the House that the matter will come up on the 19th. Regrethably, even after this was known to the hon. Prime Minister that the matter was put on the Order Paper for the 19th, only a few hours after this matter was raised in this House, the hon. Prime Minister chose to make a statement on the same subject outside to reporters and in other places which has come in the papers. This conduct, I submit, constitutes a breach of privilege of the House. Apart from the accepted breaches of the House, there are others also, as for example, commented upon by May in his treatise at p. 120:

"Other acts besides words spoken or writings published reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts."

I submit respectfully and humbly that this action of the hon. Prime Minister in not replying to the same question on the 17th and choosing others forum outside—the forum of the other House—within a couple of hours of our raising the matter on the 17th has held this entire House to ridicule and contempt, not only of the nation, but of the whole world because it was a matter of the international implications. We have been made to look like a House which has a secondary importance, which is a second-rate House, whose Members can raise the matter and wait till the 19th, whereas outside the Ministers go on making important statements.

You, Sir, and your predecessors have repeatedly ruled that even in the matter of *suo motu* statements of policy or *sou motu* announcements, when the House is in session, the convention requires that the first announcement should be made in this House. In this particular matter, because it was a *suo motu* announcement, those observations will apply all the more forcibly because here was a notice accepted and communicated to the Government and to the Government's own knowledge fixed for the 19th for reply to the House. It is not only a question of convention. It is a question of the privilege of the House. Once the matter has been placed on the agenda to the knowledge of the Government and the knowledge of the Members, then the matters connected with that should be dealt with only in the House and not outside. Therefore, I submit, this action, actually speaking, has ridiculed

the whole House not only in its dignity but also it constitutes the breach of privilege of the House. I, therefore, move that the matter be taken into consideration. It may either be referred to the Privilege Committee or, it being an apparent matter of breach of privilege, it may be dealt with by the House itself.

Shri Kapur Singh (Ludhiana): May I say a few words here? The first question before the House for decision is, as to whether the quotation which my hon. friend has given from the May's treatise applies to the facts of this case. I think that is a question on which you should give a decision. The second question is, whether the Prime Minister made that statement at the other place *suo motu* or in reply to some question that was asked there.

Shri Daji: To newspaper reporters.

Mr. Speaker: Order, order. He might call it elsewhere, not the other House.

Shri Kapur Singh: If it was made in reply to a question, then it would put a wholly different complexion on the whole problem which is before us. The Prime Minister could not legitimately be expected to refuse to reply there simply because the question had been raised here or the question had been brought on the agenda here. I wanted to point this out so that the position may be clarified.

Shri Surendranath Dwivedy (Kendrapara): I know it is for you to decide whether you think it proper to refer this matter to the Privilege Committee. But I want to say this that since a notice was already given and it was on the Order Paper, I would like to know whether the Prime Minister got this notice before he got the notice of the Rajya Sabha. If that is so, then the propriety demanded that the statement should have been made first here.

Shri Daji: He was present when the Speaker announced this.

Shri Nambiar (Tiruchirapalli): At least it should have been done simultaneously.

The Prime Minister, Minister of External Affairs and Minister of Atomic Energy (Shri Jawaharlal Nehru): Sir, I have tried to understand this privilege motion. I am afraid, I have failed to understand it completely. I do not understand how a question of privilege should arise. The hon. Member said that this was on the Order Paper—the Order Paper of the 19th or what?

Shri Daji: 17th. In the morning you were informed.

Mr. Speaker: It was not regularly put on the Order Paper. But I had given information to the House that this would be answered on the 19th.

Shri Jawaharlal Nehru: I did not know that.

Shri Daji: The hon. Prime Minister was present here at 12.20 p.m. or so when the Speaker gave this information to all of us. It is there on record.

Shri Hem Barua (Gauhati): As a matter of fact, you wanted it on the 18th. The Prime Minister said that he would not be here on the 18th, and, therefore, it might be taken up on the 19th.

Shri Jawaharlal Nehru: That was afterwards. I am talking of the position before that.

I saw General Taylor on the 17th morning. As I was coming out of my room, just before 11 a.m. or just at about 11 a.m., a number of newspapermen surrounded me and asked me 'What did he say about the Seventh Fleet?' I tried to get rid of

[Shri Jawaharlal Nehru]

them without offence. But I did say one or two phrases; I forget now what they were. Possibly for half a minute or so I was with them till I walked and I got into my car to come here. I think I said that he did not say much, but he said, the matter has not been probably decided and a few ships might come here, might come to the Indian Ocean or something like that; I said nothing much. Then I came here. I had to go immediately to the Rajya Sabha where it was my Question Hour. When the Question Hour was over I was coming out, I was half way out, I had left my seat, and I was half way out when an hon. Member of the Rajya Sabha....

Shri Daji: We are not concerned with the proceedings of the Rajya Sabha. You have prevented me from referring to them.

Mr. Speaker: I shall ask him also not to refer to them. I agree with the hon. Member. But that was referred to by another hon. Member who had asked whether it was in answer to a question there that he said this. Anyhow, I would suggest that reference need not be made as to how it happened there.

Shri Jawaharlal Nehru: What happened in the Rajya Sabha need not be talked about? All right. Then, where does the privilege come in? I should like to know.

Mr. Speaker: The press also had been given information.

Shri Jawaharlal Nehru: Is the hon. Member really serious in this kind of thing?

Shri Hari Vishnu Kamath (Hoshangabad): It is a question of convention.

Shrimati Renu Chakravartty (Barrackpore): That is the Speaker's ruling. What can we do?

Mr. Speaker: I shall come to my ruling later.

Shri Jawaharlal Nehru: First of all, I had no information then that you had fixed 19th. I did not, in fact, know it. I may have forgotten it. But even yesterday and after the 17th night, I said that it was not necessary for me to make a statement then, but I was told, and after yesterday I saw, that you had fixed today. I did not know on the 17th when I saw the press that you had said that. In fact, you said that afterwards; you did not say that before 17th, before I met the press, before eleven o'clock. I do not see therefore when the question of privilege comes in.

Mr. Speaker: The position is very clear, and in fact, I had given my decision on that very day that there might be a question of courtesy, propriety and desirability but there was no question of breach of privilege at all. I had said that. But then Shri Daji had raised the point that there was one distinction namely that it had been on the agenda of this House. Though strictly it was not put down as one of the items, yet I had announced it in the House that it would be taken up on the 19th.

I have studied all rulings up to this time not only in India but also in the United Kingdom. They are all uniform in this respect that statements by Ministers outside the House in regard to their policy matters or some such things do not constitute a breach of privilege of the House, though it is a matter of propriety, and courtesy as so demands, that they should be made in the House when the House is in session.

The portion that Shri Daji has read out has no relevance here. That portion says that a breach of privilege can be committed besides by words spoken and other things by other means also. There might be a diagram drawn out or any caricature or anything of that sort. That means that it can be done in many other ways and not only by words spoken. Therefore, that has a different import altogether.

Even so, I had the benefit of looking into decisions where really the matter had been on the agenda itself. Then too it has been held that it does not constitute in any case a breach of privilege at all. But courtesy demands that when there is such a thing then the statement should be made before the House. But there might be circumstances otherwise.

As the hon. Prime Minister has said more than once before, it is desirable that when the House is in session, any statement on matters of broad policy might be made here. But that was a statement which he has said he had made to the press. I am not taking notice of anything that might have happened in the other place. As regards the objection that it had been given to the press, as the Prime Minister has just now explained, the pressmen had met him before he entered this House at all. Therefore, there is no question of any breach of privilege in this respect so far as this matter is concerned.

As regards the other thing, I have already stated....

Shri Hari Vishnu Kamath: There is a slight discourtesy.

Mr. Speaker: ...that we have decided many times before, and the other day also I gave my decision on it.

So, there is nothing more than that I can do.

The House will now stand adjourned and meet again at 11 a.m. tomorrow.

Shri Hem Barua: What about the half-an-hour discussion?

Mr. Speaker: We cannot have it today.

17.36 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, December 20, 1963/Agrahayana 29, 1885 (Saka).

[Thursday, December 19, 1963/Agrahayana 28, 1885 (Saka)]

ORAL ANSWERS TO QUESTIONS		COLUMNS	WRITTEN ANSWERS TO QUESTIONS—contd.		COLUMNS
S.Q. No.	Subject		U.S.Q. No.	Subject	
657	Relief to pensioners.	5557-58	1932	Polio	5603-04
658	Shifting of offices from Delhi	5559-60	1933	Small Savings	5904-05
659	Premium Prize Bonds	5560-61	1934	Medical College in Rajasthan	5605
660	Samadhi at Rajghat	5561-66	1935	Medical facilities in rural areas	5905-06
661	Premium rates	5566-67	1936	Customs duty on hearing aids	5606
662	Sterilization of leper patients and lunatics	5567-71	1937	Rewards in customs and excise	5606-07
663	Purchase of Generating sets	5571-72	1938	Licences for goldsmith	5607
664	Matatila Project	5572-75	1939	Sales Tax in Delhi	5608
665	Coal transport	5575-79	1940	Hospital near Mehrauli, New Delhi	5608
667	Anti-fraud squad	5579-82	1941	Primary Health Centres in U. P.	5609
668	Non-project loans	5582-84	1942	Accommodation for Income Tax Officers	5609
671	Dental decay	5584-88	1943	Power plants	5609-10
674	Government Security Press, Nasik	5588-91	1944	Thermal Plant in Andhra Pradesh	5610
675	U. S. loans	5591-93	1945	Foreign gold seized in Varanasi	5610-11
676	Kishau Dam	5593-94	1946	Power Projects in Andhra Pradesh	5611
WRITTEN ANSWERS TO QUESTIONS 5594-5633			1947	Power Houses in Lahaul Valley	5611-12
S. Q. No.			1948	Assistance for Madhya Pradesh	5612
666	Anti-Polio drugs	5594-95	1949	Expenditure on Dandakaranya Project	5612-13
669	Loans for refugees	5595	1950	Purchase of car by official receiver	5613
670	Power breakdown in Delhi	5595-96	1951	Land acquired for Rajasthan canal	5614
672	River Valley Projects	5596	1952	D.V.C.	5614-15
672-A	Collaboration Agreement with Thai Firm	5596-97	1953	Motwane Private Ltd., Bombay	5615
673	Inundation of Najafgarh Development Block, Delhi	5597-98	1954	Sharing of water and power between Rajasthan and Punjab	5615-16
677	State Finance Ministers' Conference	5598-99	1955	Search in Electric Companies of Bombay	5617
678	Agricultural Income-tax	5599	1956	Customs duty on Selenium Metal Powder	5617-18
U.S.Q. No.			1957	Hindi Journal for Health Education	5617-18
1925	Kothagudam Thermal Project	5599-5600	1958	Chartered Accountant Apprentices	5919
1926	College of Nursing in Andhra Pradesh	5600	1959	Aid from Britain	5619-20
1927	Indo-Commercial Bank	5601			
1928	Operation on dog	5601			
1929	Suburban Townships of Delhi	5602			
1930	Foreign aid for implementation of Five Year Plan	5602			
1931	Lajpat Rai Market, Delhi	5603			

WRITTEN ANSWERS TO
QUESTIONS—*contd.*

U.S.Q. No.	Subject	COLUMNS
1960	Plot allotted to Chinese Embassy	5620
1961	Indo-Pak Banking Agreement	5620-21
1962	"S.M. Abdulla Building", Delhi	5621-22
1963	Homoepathic Dispensaries	5622
1964	Allotment of bungalows to industrial institutions	5622-23
1965	Film shooting in foreign countries	5623
1966	Payments to Nagpur corporation	5623-24
1967	Checking of passengers at Nagapattinam	5624-25
1968	"Vyayam Shalas"	5625
1969	Arrest of gold smugglers	5625-26
1970	C.G.H.S. Cards	5626-27
1971	Investment Guarantee Agreement between India and West Germany	5627-28
1972	Beas Control Board	5628
1973	Quarters on Shahjehan Road, New Delhi	5628-29
1974	Arrests for smuggling gold	5629
1975	Seizure of contraband goods at Calcutta	5629-30
1976	Sargodha Electric Supply Co. Ltd.	5630
1977	Donations to temples	5630-31
1978	New C.G.H.S. Dispensaries	5631
1979	Tewra Dal	5631-33
1980	Multiple Officers Range Scheme	5633
BILL PASSED		5633-80

Discussion on the motion to consider the Preventive Detention (Continuance) Bill moved on 17-12-63 conclude. On the motion to consider the House divided, Ayes 239; Noes 73; and the motion was accordingly adopted. After clause-by-clause consideration the House again divided on the motion to pass, Ayes 236; Noes 68 and the Bill was accordingly passed.

COLUMNS

BILL UNDER CONSIDERATION 5681-5754

The Minister of Planning (Shri B. R. Bhagat) moved that the Banking Laws (Miscellaneous Provisions) Bill be taken into consideration. Sarvashri M. R. Masani and Himatsingka moved amendments thereto for (i) Circulation of the Bill for public opinion, and (ii) for reference of the Bill to a Select Committee respectively. Both the amendments were negatived and the consideration motion was adopted. Further discussion on the Bill was not concluded.

HORT NOTICE QUESTIONS AND ANSWERS 5755-67

Two Short Notice Questions No. 5 regarding U. S. rupee holdings and No. 6 regarding display of prices by Delhi Shopkeepers addressed to the Ministers of Finance & Food and Agriculture respectively were orally answered and supplementary questions were answered thereon.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 5767-76

Shri Nath Pai called the attention of the Prime Minister to the U.S. 7th Fleet extending its operations into the Indian Ocean and Government of India's reactions thereto.

The Prime Minister (Shri Jawaharlal Nehru) made a statement in regard thereto.

PAPERS LAID ON THE TABLE 5776-79

- (1) (a) Annual Report of the Ashoka Hotels Limited, New Delhi, for the year ended the 31st March, 1963, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (b) Review by the Government on the working of the above Company.
- (2) (a) Annual Report of the Hindustan Housing Factory Limited, New Delhi, for the year 1962-63, along with the Audited Accounts and the comments of the

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (b) Review by the Government on the working of the above Company.
- (3) A copy of Annual Report of the Hindustan Aircraft Limited, Bangalore, for the year 1962-63, along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.
- (4) A copy each of the following papers (English and Hindi versions) under article 323(1) of the Constitution:—
- (i) Thirteenth Report of the Union Public Service Commission for the period 1st April, 1962 to 31st March, 1963.
- (ii) Memorandum explaining the reasons for non-acceptance of the Commission's advice in the case referred to in the above Report.
- (5) A copy each of the following Notifications under section 159 of the Customs Act, 1962:—
- (i) G.S.R. No. 1859 dated the 7th December, 1963.
- (ii) G.S.R. No. 1880 dated the 9th December, 1963.
- (6) A copy of Notification No. G.S.R. 1860 dated the 7th December, 1963, making certain further amendment to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944.
- (7) A copy of the Central Excise (Twenty-ninth Amendment) Rules, 1963 published in Notification No. G.S.R. 1843 dated the 30th November,

PAPERS LAID ON THE
TABLE—contd.

COLUMNS

- 1963, under section 38 of the Central Excises and Salt Act, 1944.
- (8) A copy each of the following papers under sub-section (2) of section 37 read with sub-section (4) of section 15 of the Air Corporations Act, 1953:—
- (1) Annual Report of the Air-India along with the Annual Accounts for the year 1962-63 and Audit Report thereon.
- (2) Annual Report of the Indian Airlines Corporation along with the Annual Accounts for the year 1962-63 and Audit Report thereon.
- REPORT OF COMMITTEE ON ABSENCE OF MEMBERS PRESENTED.

5779

Seventh Report was presented.

STATEMENT BY MINISTER

5779

The Minister of Planning (Shri B. R. Bhagat) laid on the Table a statement regarding the recommendations of the central Excise Reorganisation Committee and also statements containing the decisions of the Government thereon.

STATEMENT BY MEMBER

5779—87

Dr. Ram Manohar Lohia made a statement in respect of certain statements made by the Prime Minister on the 4th December, 1963, regarding permission given for aircraft carrying Chinese Premier and Vice-Premier to fly over India.

The Prime Minister (Shri Jawaharlal Nehru) replied.

AGENDA FOR FRIDAY,
DECEMBER 20, 1963/AGRA-
HAYANA 29, 1885 (SAKA)

Further consideration of the Banking Laws (Miscellaneous Provisions) Bill and passing thereof; consideration and passing of the Delhi Development (Amendment) Bill and consideration of Private Members' Bills.