



Friday
23rd April, 1954

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers)

VOLUME I, 1954

Sixth Session

1954

**PARLIAMENT SECRETARIAT
NEW DELHI**

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Acc. No. ^{Book 0} 25290
Dated 01.12.2014

THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

2243

2244

HOUSE OF THE PEOPLE

Friday, 23rd April, 1954

The House met at a Quarter Past
Eight of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS.

ORDNANCE FACTORIES

*2005. **Sardar Hukam Singh:** Will the Minister of Defence be pleased to state the value of the work done by the Ordnance Factories against trade orders during 1953-54?

The Deputy Minister of Defence (Shri Satish Chandra): Final figures for the financial year 1953-54 are not yet available, but it is anticipated that the total value of trade work excluding those from the Railway_s and P. & T. Department undertaken in Ordnance Factories during 1953-54 will be approximately Rs. 129 lakhs.

Sardar Hukam Singh: What are the chief articles produced in the Ordnance Factories that are ordered by the trade?

Shri Satish Chandra: They include leather goods, non-ferrous metals, steel and various other engineering jobs.

Sardar Hukam Singh: As compared with the previous year, may I know whether the order has been on the increase in value or was there a decrease?

Shri Satish Chandra: There has been considerable increase. Last year the Ordnance Factories produced about Rs. 72 lakhs worth of articles for the other Ministries as well as the trade. This year Rs. 1.29 lakhs represents the value of the orders anticipated only from the trade. In addition to it, orders have been received from the Railways, the Ministry of Communications and some other Ministries. The value of the total orders anticipated in 1953-54 is Rs. 1.85 lakhs.

UNIFIED CALENDAR

*2006. **Shri Jhulan Sinha:** Will the Minister of Natural Resources and Scientific Research be pleased to state the present position with regard to the preparation of a unified calendar for which purpose a committee was appointed some time in 1952?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): The Council of Scientific and Industrial Research is preparing a unified experimental calendar for the next 5 years (1954-55 to 1958-59). Parts covering 1954-55, 1955-56 and 1956-57 are completed and parts covering 1957-58 and 1958-59 are being compiled.

Shri Jhulan Sinha: May I know how much this calendar is likely to cost and what advantages it is likely to confer over and above the ordinary almanac?

Shri K. D. Malaviya: The main object of this is to create a uniformity

in the calendars observed by the public and the government bodies.

As to the cost, a committee is sitting, and the committee has been receiving grants from the Council of Scientific and Industrial Research. I do not remember the exact amount, but perhaps a sum of Rs. 10,000 has been given to them as a first instalment. Perhaps more money will be required.

This committee has so far prepared calendars for three years. The rest is under preparation.

Shri Jhulan Sinha: May I know if the Government is aware of the disturbances in the ordinary calculation of things according to the present almanac that will be created by this unified calendar?

Shri K. D. Malaviya: I am not aware of any disturbance, but this calendar which is under contemplation has not yet started being in use. It is only a recommendation, and Government have not yet taken any final decision on it.

Shri Kasliwal: May I know whether it is proposed to sponsor world-wide adoption of this calendar?

Shri K. D. Malaviya: No, Sir. There was a proposal made by some interested persons, scientists, that a unified calendar for the whole world should be evolved.

Dr. Ram Subhag Singh: May I know whether the interested scientists, about whom the hon. Minister referred just now, include any Indian scientist; and, if so, what is his name and what calendar has been recommended by him to be adopted by the Government of India as a national calendar?

Shri K. D. Malaviya: I do not remember exactly the person. I remember to have read a suggestion in some newspaper by some scientist some time back that there ought to be an international calendar.

Tobacco

*2007. **Shri Dabhi:** Will the Minister of Finance be pleased to state:

(a) the area in acres in which tobacco was grown during the

years 1950-51, 1951-52 and 1952-53 in Kaira District of Bombay State;

(b) the quantity of tobacco produced in Kaira District during the years 1950-51, 1951-52 and 1952-53; and

(c) what was the amount realized by way of excise duty on tobacco from Kaira District during each of the years 1950-51, 1951-52 and 1952-53?

The Deputy Minister of Finance (Shri A. C. Guha): (a) to (c). A statement showing the required information is laid on the Table of the House. [See Appendix VIII, annexure No. 65.]

Shri Dabhi: From the statement I see that the Central excise duty realised on tobacco in 1950-51 was Rs. 54 lakhs, in 1951-52 it was Rs. 45 lakhs, and then in 1952-53 it was only Rs. 24 lakhs. May I know whether this progressively decreasing excise duty on tobacco clearance is due to the fact that low quality tobacco is charged at the higher rate of fourteen annas a lb. in Gujerat and Kaira districts?

Shri A. C. Guha: It is not due exactly to that fact. It is due to the general depression in the tobacco market. For the last two years there has been a sort of slump in the entire tobacco market, in India and also throughout the world, and there has been a large accumulation of tobacco. I think the hon. Member may know that we have very recently reduced the duty on tobacco, and we expect that a considerable quantity will now be taken and that we shall be in a position to realise more duty.

Shri Dabhi: Is it a fact that in Gujerat and Kaira districts the lower quality of tobacco is charged at the higher rate of fourteen annas a lb., while in some other parts of the country the lower quality of tobacco is charged at a lesser rate?

Shri A. C. Guha: The same rate prevails throughout the country for the same quality of tobacco.

Shrimati Renu Chakravartty: In the new recommendation for lowering the

rates of duty, has any difference been made between the lower grades and the higher grades of tobacco, and has the bigger slab been reduced for the lower grades?

Shri A. C. Guha: The rates have been reduced also for the lower grades. But if hon. Members are interested in knowing the exact figures. I can only refer to the Gazette notification. I have not got all the figures with me now.

Shri Dabhi: Is it a fact that several tobacco merchants of Kaira district have made representations to Government requesting them that the lower quality tobacco may be permitted to be cleared at a lower rate of duty, and do Government intend to do anything in the matter?

Shri A. C. Guha: We had received several representations, from the Gujarat area as well as other regions of the country; and in view of those representations we very recently reduced the rates of duty for all grades of tobacco.

COLONISATION OF ANDAMANS

*2008. **Shri S. C. Samanta:** Will the Minister of Home Affairs be pleased to refer to starred question No. 1621 asked on the 6th April, 1954 and state:

(a) how the scheme for the development and colonisation of the Andamans worked in 1953;

(b) the number of displaced families who were settled during the period;

(c) the length of new roads added, the number of new schools and dispensaries and hospitals opened and the number of police and revenue staff increased during the year; and

(d) the programme of work for the next year?

The Deputy Minister of Home Affairs (Shri Datar): (a) to (d). A statement giving the required information is placed on the Table of the

House. [See Appendix VIII, annexure No. 66]

Shri S. C. Samanta: May I know whether road connection between Port Blair and North and South Andamans will be taken up in the near future?

Shri Datar: That will be taken up when Government have before them a plan for the eighty miles of pucca road.

Shri S. C. Samanta: May I know whether there is any saw mill established in the Ranghat area for the refugees settled there?

Shri Datar: My impression is that it is being established.

Shri Bhagwat Jha Azad: May I know if the refugees who are being rehabilitated there are being given five acres of cleared land; and have Government received complaints that they are not being given five acres which is according to the agreement?

Shri Datar: They are given not only five acres but in all ten acres; and there has been no complaint at all.

Shri Punnoose: What is the machinery to select the families from the States? Who is doing that work? Are there various stages in this? Have Government come across complaints that families that have sold out their whole belongings in the State in the hope of their being sent to the Andamans are not sent and they are at bay now?

Shri Datar: There has been a very properly considered machinery according to which 75 per cent. of the families to be sent are from the refugees and the other 25 per cent. are from the other parts of India like Travancore-Cochin and Bombay. In all these cases we receive recommendations of nominations and the final choice rests with the Chief Commissioner.

NATIONAL INCOME UNIT COMMITTEE

*2011. **Shri Morarka:** Will the Minister of Finance be pleased to state:

(a) whether the National Income Unit Committee has been able to make any use of the data collected by the National Sample Survey; and

(b) if not, the reasons therefor?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): (a) Yes, Sir.

(b) Does not arise.

Shri Morarka: May I know what schedule the National Income Unit Committee have made use of; the Calcutta schedule or the Poona schedule?

Shri B. R. Bhagat: The National Survey Report is based on the Calcutta schedule. The Government have not accepted the Poona schedule and so the use made by the National Income Unit Committee is that of the Calcutta schedule.

Shri Morarka: Is it a fact that the National Sample Survey places the consumer's expenditure at Rs. 220 per capita while the National Income Unit Committee places it at Rs. 285 per capita?

Shri B. R. Bhagat: Yes.

Shri Morarka: May I know how the difference of Rs. 45 can be explained?

Shri B. R. Bhagat: Briefly, there are two broad differences between these two figures. Firstly, the National Sample Survey figure of the household expenditure refers only to the rural households, whereas the National Income (United Committee's) figure refers both to the rural and urban households and it is natural that the urban household expenditure is likely to be higher than the rural household expenditure. Secondly, there is a margin between the national income and the sum total of

the personal consumer's expenditure. So, these two figures are not comparable for any income purposes.

Dr. Suresh Chandra: May I know whether it is not a fact that the Poona schedule is more reliable, and if so, why the Government is insisting on taking a schedule from National Sample Survey?

The Deputy Minister of Finance (Shri A. C. Guha): Only recently the Prime Minister made it clear before the House that the Government had accepted the figures given by the Indian Statistical Institute which the hon. Member has referred to as the Calcutta schedule. So, it is not a question as to which figure is more acceptable to somebody, but the Government have accepted the figures.

Dr. Suresh Chandra: Sir, I asked a very specific question; whether the Poona schedule is not more reliable, and if so, why the Government have not accepted it? It is not, that the Government have accepted some figures.

Shri A. C. Guha: The same question was asked by the same hon. Member before when the Prime Minister intervened to give a reply that the Government considered the Calcutta schedule to be more reliable and so they have accepted that schedule.

Mr. Speaker: I am going to the next question.

Shri Bansal: Sir, today the questions are much less and with your permission I want to ask one question.

Mr. Speaker: I do not want to set up a precedent. If I allow more supplementaries because there is time available, it will mean giving a cue for Members to go on asking more supplementary questions.

Shri Bansal: Sir, this is a very important question.

Shri Morarka: May I put one more question, Sir?

Mr. Speaker: Yes.

Shri Morarka: Is it a fact that the data collected by the National Sample Survey in their second round differed from those collected in their first round for the very same item?

Shri B. R. Bhagat: The data collected by the National Sample Survey in their second round have been published and of subsequent rounds is still being processed. Although there was no specific request from the National Income Committee for utilisation of the data collected in the first round by that Committee, in the subsequent rounds that point of view has been taken into consideration and hence a different design and methodology has been used for the collection of data.

EMPLOYEES OF INCOME-TAX DEPARTMENT,
U.P.

*2012. **Shri Rup Narain:** Will the Minister of Finance be pleased to state:

(a) the number of officers, inspectors and other employees in the Income-tax Department at present in U.P.;

(b) the number of Scheduled Caste employees among them;

(c) whether Income-tax inspectors have recently been recruited by the Income-tax Commissioner, Lucknow; and

(d) if so, the number recruited and the method of selection?

The Deputy Minister of Finance (Shri M. C. Shah): (a) Out of the 975 employees at present in the Income-tax Department in Uttar Pradesh, there are 92 officers, 48 Inspectors and 513 clerks. The balance constitutes Class IV staff.

(b) The number of scheduled castes employees excluding Class IV staff is 1 Officer, 5 Inspectors and 18 Clerks. Information about Class IV staff is being collected and will be laid on the table of the House.

(c) Yes, Sir.

(d) The number of Inspectors recruited recently is six of whom 5 belong to the Scheduled Castes. Selection was made by an *ad hoc* Committee consisting of the Commissioner of Income-tax, Lucknow and two Assistant Commissioners of Income-tax, from among candidates who—

(i) in the case of vacancies reserved for members of the Scheduled Castes and scheduled tribes, responded to an advertisement in the local paper or were recommended either by certain recognised Institutions representing the Scheduled Castes and Scheduled Tribes, or by the Regional Director of Resettlement and Employment, Lucknow; and

(ii) in the case of unreserved vacancies, were sponsored by the Employment Exchange.

श्री रूप नारायण : क्या मैं जान सकता

हूँ कि जो पांच इन्स्पेक्टरों इस विभाग में लिये गये हैं उन में से तीन को रिजर्व करने के लिये कंसीडर किया जा रहा है ?

Shri M. C. Shah: I have not followed the question.

Mr. Speaker: Out of the five people selected—the hon. Member will correct me if I misinterpret him—there is some information with him which says that three are likely to be reverted. Have I understood him correctly?

Shri M. C. Shah: Out of the six vacancies five people from the Scheduled Caste have already been accepted.

Mr. Speaker: Will the hon. Member repeat his question.

श्री रूप नारायण : क्या मैं जान सकता

हूँ कि, जो ६ वेकेंसी हुई थीं और जिन में से कि पांच शेड्यूल्ड कास्ट्स के लिये रिजर्व थीं, उन रिजर्व वेकेंसीज में जो पांच इन्स्पेक्टरों लिये गये थे, उनमें से कुछ को रिजर्व करने का विचार किया जा रहा है ?

Shri M. C. Shah: No, Sir.

श्री रूप नारायण : यह जो सेलेक्शन हुआ था वह सिर्फ एम्प्लायमन्ट एक्स्चेंज के जरिये हुआ था या कि बाहर से भी कैंडिडेट मांगे गये थे ?

Shri M. C. Shah: As I said, from the applicants who responded to an advertisement in the local paper and some who were recommended either by certain recognised institutions representing the Scheduled Castes and Scheduled Tribes, or by the Regional Director of Resettlement and Employment, this *ad hoc* Committee selected these five candidates.

श्री रूप नारायण : इन्स्पेक्टरों की जगहें सिर्फ ४८ बताई गई हैं जब कि आफिसर्स की ९२ बताई गई हैं। क्या मैं जान सकता कि इस विभाग में इन्स्पेक्टरों कम क्यों रखे गये हैं ?

Shri M. C. Shah: What was the last line?

Mr. Speaker: Why is the number of inspectors so much less?

Shri M. C. Shah: That I have already given. The number was less for the last few years and, therefore, in order to make up the required quota this time, out of the six vacancies, five inspectors were taken. The number was less and, therefore, 16-2/3 per cent. of the vacancies allowed for direct recruits is reserved for members of the Scheduled Castes and 5 per cent. of the vacancies for members of Scheduled Tribes. As that proportion was not there, this time out of six vacancies, five were taken.

Shri Velayudhan: In answer to part (d), may I know, out of this number how many are gazetted posts for Scheduled Castes?

Shri M. C. Shah: These are posts of inspectors and they are not gazetted officers.

INCOME-TAX APPELLATE TRIBUNAL

*2013. Shri K. C. Sodhia: Will the Minister of Law be pleased to state:

(a) the total number of Benches of the Income-tax Appellate Tribunal working at present and which of them are not permanent bodies;

(b) the total number of cases decided by them during 1953-54;

(c) the average time taken for a case; and

(d) which are the authorities against whom appeals are taken?

The Minister of Law and Minority Affairs (Shri Biswas): (a) The Income-tax Appellate Tribunal consists of eight Benches, two at Bombay, two at Madras and one each at Calcutta, Delhi, Allahabad and Patna respectively. Six Benches are on a permanent footing and the remaining two, *viz.*, the Patna Bench and the additional Madras Bench are temporary.

(b) The total number of cases decided by all these Benches during 1953-54 was 10,162.

(c) Precise information is not available. I understand that due to heavy work the Bombay Benches normally dispose of appeals within 10 or 12 months of institution and the time taken in other places is normally less.

(d) Appeals are taken to the Tribunal against the orders of the Commissioners of Income-tax, the Appellate Assistant Commissioners of Income-tax and the Excess Profit Tax Officers.

Shri K. C. Sodhia: Of how many Members does each tribunal consist?

Shri Biswas: Each Bench consists of two Members

Shri K. C. Sodhia: Are there any differences in judgment between the two members in any of the cases....

Mr. Speaker: Order, order. I think it is too wide a question to ask. Any other questions?

Shri Raghuramalah: May I know whether there is any proposal to shift one of the Benches now located in Madras?

Shri Biswas: There is no proposal to shift any of the Benches in Madras particularly. The whole question of redistribution of all the eight Benches is under consideration.

Shri K. C. Sodhia: What is the way in which appointments are made to these tribunals?

Shri Biswas: All I would say is that one Member is a judicial Member and the other is an accountant member. They are selected in the normal way.

Shri K. C. Sodhia: On the recommendation of the U.P.S.C. or by the Ministry itself?

Shri Biswas: I suppose the selection is finally made by the Public Service Commission. I am speaking subject to correction.

एच० एम० एस० "नाइजीरिया"

*२०१५. श्री रघुनाथ सिंह : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत, ब्रिटेन से एच० एम० एस० "नाइजीरिया" सिविल इंचकूजर खरीद रहा है ;

(ख) यदि हां, तो उसके लिये भारत को कितनी कीमत देनी पड़ेगी ; तथा

(ग) कूजर का जीवन काल कितने दिनों का है ?

The Minister of Defence Organisation (Shri Mahavir Tyagi): (a) Yes.

(b) Rs. 40 lakhs.

(c) 15 years.

श्री रघुनाथ सिंह : हम यह जानना चाहते हैं कि यह शिप कब बन कर तैयार हुआ था ?

श्री त्यागी : यह सन् १९४० में पहले पहल बना था ।

Shri Joachim Alva: What is the procedure for buying our ships? Do we ask the British Admiralty or the British shipping-yards? In the British Naval Estimates, the names of the ship-yards are given from where they buy their ships. Why is it that we have reversed the procedure and go direct to the British Admiralty whilst in the case of buying houses abroad, we go to dud contractors whose capital is £ one and thus do not proceed on Government-to-Government level?

Shri Tyagi: The question is longish. I might inform the hon. Member that this ship had been purchased directly from the Royal Navy. Since it was the property of the Royal Navy, Government had to approach the Government for the purchase.

Shri Kasliwal: May I know whether this ship is being refitted now in the British ship-yards and if so, what will be the price?

Shri Tyagi: It will be refitted with the latest weapons and other requirements and the approximate cost which has been given to us would be of the tune of about Rs. 80 lakhs.

Shri M. S. Gurupadaswamy: May I know whether the Government think that the purchase of cruisers is absolutely necessary for the defence of the country and whether it is not possible to rely upon destroyers, etc.?

Shri Tyagi: It has not been possible. The ship market is very tight and ships are not available everywhere.

Shri Sadhan Gupta: May I know what is the price of a new cruiser if that is to be purchased?

Shri Tyagi: With all fittings and everything, perhaps it will be near about Rs. 3 crores.

Shri Raghunath Singh: One question, Sir.

Mr. Speaker: Next question.

SERVICE CONDITIONS OF ARMY OFFICERS

*2016. **Sardar Hukam Singh:** (a) Will the Minister of Defence be pleased to state whether the conditions of service for officers selected for the Special List of Quartermasters, Technical Officers and Record Officers in the army have been finalised?

(b) How do these conditions and terms of service, including pay and allowances, pensions and promotions compare with those of such officers for general duty?

The Minister of Defence Organisation (Shri Tyagi): (a) Yes.

(b) A statement is laid on the Table of the House. [See Appendix VIII, annexure No. 67].

Sardar Hukam Singh: Would there be any difference in the training of these special officers and those that are in the regular Army?

Shri Tyagi: Yes, Sir. There is a slight difference somewhere in some grades. Generally, the rules are on the same lines and there is not much of a difference.

Sardar Hukam Singh: When the training is the same and also the qualifications, what are the grounds for differentiating between them in regard to conditions of service and remuneration that they would draw?

Shri Tyagi: The duties are different; the functions are quite different. One category of officers has to work as executive officers in the field, etc., having control of units, while the other officers of the category involved in this question do mostly technical work.

Sardar Hukam Singh: Is the special list being drawn out of the old personnel already serving in this department or is the list open and recruitment will be made?

Shri Tyagi: On the basis of the experience gained by the officers in the different branches.

Sardar A. S. Saigal: May I know for how many years these officers who are selected for the special lists are kept temporary and after how many years they are confirmed?

Shri Tyagi: It is very difficult for me to answer; for all the officers, I cannot give one definite reply. It will differ according to the category of officers.

PRODUCTION OF GOLD

*2017. **Shri S. C. Samanta:** Will the Minister of Natural Resources and Scientific Research be pleased to state what is the comparative annual production of gold in India from 1947 to 1953, year-wise?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): A statement giving the information required is laid on the Table of the House. [See Appendix VIII, annexure No. 68].

Shri S. C. Samanta: May I know whether Government is proposing to utilise the local people in order to minimise the cost of production of gold??

Shri K. D. Malaviya: Cost of production of gold depends on many more important factors than the utilisation of local people. But, it is a fact that generally, with regard to the survey programme of natural resources, Government are considering a scheme which will probably include many more people who are not qualified technically to be employed in the gold mines.

Shri S. C. Samanta: From the statement I find that in the last two years, in comparison, production has fallen. What is the reason?

Shri K. D. Malaviya: Production has unfortunately been falling in the last so many years and the reasons stated for this fall are greater depths to which now mining has gone especially in the Kolar mine zone, low productivity of labour and consequent increase in the cost of production.

Shri S. C. Samanta: May I know whether any fresh gold-surveying work has recently been taken up by the Government?

Shri K. D. Malaviya: Yes, Sir. In many places, new finds of gold have been discovered. But, exploitation of gold depends on many other factors, besides the finding of gold. There are also some workable mines in Bihar, Manbhum, where gold can be worked economically. It is for the State Government to take initial steps in these matters.

श्री राधा काल व्यास : क्या मैं यह जान सकता हूँ कि इन सोने की खानों के अलावा हिमाचल प्रदेश में एक नदी है जिसका नाम सोनखाड़ी यानों सोने की नदी है, जो कि तीन मील चौड़ी और १८,२० मील लम्बी है और जिसकी रेती में सोना मिलता है, और अगर यह सही है तो क्या सरकार उससे सोना निकालने का कोई प्रयत्न कर रही है ?

श्री के० डी० मालवीय : अक्सर खानों के अलावा नदियों की बालू में सोना हुआ करता है लेकिन वह सदैव इकानामिक ही नहीं होता। साधारण तौर पर यह मालूम हुआ है, बैज्ञानिकों द्वारा और जिब्रालाजिकल डिपार्टमेंट से, कि बालू में पाया हुआ सोना अक्सर सस्ता नहीं होता, गालियन वह सोने से भी ज्यादा मंहगा हो जाता है।

AMENITIES FOR SECRETARIAT STAFF

*2020. **Sardar Hukam Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the amount that was spent out of Rs. 45,600 placed at the disposal of 108 PSD.

the Home Ministry for providing amenities to the Secretariat Staff during 1953-54; and

(b) what special amenities were provided during this year?

The Deputy Minister of Home Affairs (Shri Datar): (a) A sum of Rs. 42,750/- and not Rs. 45,600/- was made available for the provision of amenities to the Secretariat Staff during 1953-54. This amount was distributed to the various Ministries to supplement the amount collected by them from their staff for this purpose.

(b) In addition to the usual amenities in the form of games and sports etc. steps are also being taken to set up two reading rooms—one in the North Block and one near the South Block. Arrangements will be made to provide in these reading rooms magazines, books etc. and also facilities for indoor games like Table Tennis, which cannot be easily provided by the local clubs.

Sardar Hukam Singh: May I know if the Home Ministry cared to find out from the Ministries what portion of the amount placed at their disposal has really been spent during the year that has run out?

Shri Datar: We are concerned with the various grants that we made to the Ministries, and the total amount is Rs. 42,000 and odd to the different Ministries.

Sardar Hukam Singh: May I know whether running of the canteens also is met out of the funds provided by the Government, or that is a different affair altogether?

Shri Datar: So far as running of canteens is concerned, it is an entirely different subject. And for that Government have granted an initial loan of Rs. 5,000. It has nothing to do with this.

Shri Thimmiah: May I know whether any concession in regard to the tuition fees is given to the sons of the lower staff of the Government?

Shri Datar: There is no question of concession. A very small subscription, between Rs. 3 to Rs. 12, is collected from every member, and this amount is given by way of addition.

Sardar Hukam Singh: May I know whether any Secretariat staff besides the Secretaries—the lower staff—is also consulted from time to time in any meetings or otherwise, to get their point of view.

Shri Datar: We have got a Central committee in this respect called the Secretariat Staff Welfare and Amenities Committee which has representatives of the various Ministries and offices, including attached offices, and through them the whole thing has been organised.

Shri Damodara Menon: It was stated that this amount is supplemented by staff contribution. May I know the total amount contributed by the staff?

Shri Datar: I have not got the exact amount. It is about the same amount.

GOLD PURCHASE

*2021. **Shri S. C. Samanta:** Will the Minister of Finance be pleased to state the amount of gold purchased from abroad, if any, in the years 1947 to 1953?

The Parliamentary Secretary to the Minister of Finance (Shri B. R. Bhagat): No gold has been purchased from abroad during the period either by Government or by the Reserve Bank of India.

श्री एस० सी० सामन्त: क्या मैं जान सकता हूँ कि दूसरे सालों में सोने का पर्चेज किया गया है या नहीं ?

श्री बी० आष० भगत: सन् १९४७ के बाद सोना बाहर से आने पर प्रतिबंध लगा दिया गया था और वह अभी तक जारी है ।

Sardar A. S. Saigal: I would request you to take up Question No. 2019.

Mr. Speaker: Has he got the authority from the hon. Member?

Sardar A. S. Saigal: No, Sir.

Mr. Speaker: The Question List is over.

WRITTEN ANSWERS TO QUESTIONS

DAMAGE TO DAKOTA AT KHERIA

*2009. **Shri Munsawmy:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that a Dakota was slightly burnt and damaged while landing at Agra airfield near Kheria during the 1st week of March, 1954;

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

(c) the loss to Government; and

(d) whether any of the occupants sustained injuries?

The Minister of Defence Organisation (Shri Tyagi): (a) Yes, Sir.

(b) & (c). The proceedings of the Court of Inquiry convened to enquire into and report on the causes of the accident and the loss involved have not yet been finalised.

(d) No, Sir. Both the instructor and the pupil pilot escaped unhurt.

कवियों तथा लेखकों को अनुदान

*२०१०. **श्री एम० एल० द्विवेदी:** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) (१) हिन्दी (२) उर्दू और (३) अंग्रेजी के कवियों और लेखकों को कब से अनुदान दिये जा रहे हैं अथवा अब दिये जा रहे हैं और उनकी रकमें कितनी हैं ; तथा

(ख) सन् १९५३ के अन्त तक प्रति वर्ष भाषावार दी गई रकमों का व्यौरा क्या है ?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malavaya): (a) and (b). A statement is laid on the Table of the House. [See Appendix VIII, annexure No. 69].

GRANTS TO SOCIAL WELFARE INSTITUTIONS IN BIHAR

*2014. **Th. Jugal Kishore Sinha:** Will the Minister of Education be pleased to state the grants made to the various Social Welfare Institutions of Bihar by the Central Social Welfare Board?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): A statement is placed on the Table of the House. [See Appendix VIII, annexure No. 70].

ALL-INDIA WRITERS' CONFERENCE

*2018. **Shri Muniswamy:** Will the Minister of Education be pleased to state:

(a) whether Government have given any assistance to the Third All-India Writers' Conference held at the Annamalai University; and

(b) whether any representatives of Government participated in this Conference?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) Yes, Sir. A grant of Rs. 2500/- has been sanctioned to the P. E. N., Bombay to meet the expenses in connection with the Conference.

(b) No.

जामिया मिलिया

*२०१९. श्री एम० एल० द्विवेदी : क्या शिक्षा मंत्री २६ फरवरी, १९५४ को पूछे गये तारांकित प्रश्न संख्या ४१९ के उत्तर को ध्यान में रखकर यह बताने की कृपा करेंगे :

(क) पुस्तकें तैयार कराने का काम जामिया मिलिया को देने से पहले क्या ऐसी अन्य संस्थाओं से भी कोई परामर्श किया गया था जिन्हें इस प्रकार के काम का अनुभव है ; तथा

(ख) यदि नहीं तो क्यों ?

The Deputy Minister of Natural Resources and Scientific Research (Shri K. D. Malaviya): (a) No, sir.

(b) There was no other organisation in Delhi which had as much experience of work and achievement in the field of Children's literature as the Jamia Millia which has been working in the field of Social Education and Children's literature for over 30 years. Moreover, this work could be entrusted only to an organisation which had the requisite educational experience and background.

निश्चित अवधि वाले पद

४३७. श्री एम० एल० द्विवेदी : (क)

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि केन्द्रीय शासन में विभिन्न मंत्रालयों में कितने ऐसे पदाधिकारी हैं जो निश्चित अवधि समाप्त होने पर भी अपने पद को संभाले हुए हैं तथा क्या वे सदन पटल पर एक विवरण रखने की कृपा करेंगे जिसमें निम्नलिखित बातें दी गई हों—(१) ऐसे पदाधिकारियों के नाम; (२) उन राज्यों के नाम, जहाँ से वे पदाधिकारी आए; (३) केन्द्र में वे कितनी अवधि से कार्य कर रहे हैं; (४) उन विभागों के नाम जहाँ पर उन्होंने काम किया है अथवा वे अभी काम कर रहे हैं; और (५) प्रत्येक के विषय में निश्चित अवधि से अधिक समय केन्द्र में काम पर लगाये रहने के कारण ?

(ख) क्या केन्द्र और राज्यों के पदाधिकारियों में अदला बदली का क्रम बन्द कर दिया गया है ?

(ग) यदि नहीं, तो क्या कारण है कि भ्रष्टाचार समाप्त होने पर पदाधिकारियों को अपने राज्यों को वापिस नहीं भेजा जाता ?

The Deputy Minister of Home Affairs (Shri Datar): (a) It is not possible to assign a precise meaning to the words "stipulated term". Even when the tenure system operated it was more as a matter of general policy than of meticulous observance of any prescribed rules. Before the last War when officers were plentiful and the Centre's demands less pressing, many posts of and above the rank of Under Secretary in the Government of India were filled by officers taken on deputation from the provinces, on what was known as the "tenure system". The periods of tenure itself changed from time to time. Those prevailing just before the war were as follows:—

Secretary	...	5 years with option to Central Government to extend for another 5 years.
Joint Secretary	...	5 years
Deputy Secretary	...	4 years
Under Secretary	...	3 years

Even in those days it was never clearly decided whether an officer transferred from one post under the Central Government to another should be regarded as commencing a fresh tenure in the latter post. Actual practice varied in individual cases.

At that time a special cadre known as the Finance & Commerce Pool Cadre was also created with a view to provide for a more continuous and specialised training and experience needed for officers dealing with the activities of the Finance & Commerce

Ministries. This Pool consisted of officers borrowed from the Indian Civil Service Cadres of the provinces and also other officers taken from the Central Services. Officers so borrowed and appointed to the Pool were intended to remain more or less permanently in service at the Centre and the tenure system was not applicable to their cases.

A breakdown in the tenure system had already commenced in 1908 because the Centre's demands had increased beyond the permissible proportion. War and postwar conditions further aggravated this factor. With the departure of European and Muslim Indian Civil Service officers after the transfer of power, the manpower situation deteriorated very seriously with the result that the tenure system with regard to Indian Civil Service/Indian Administrative Service officers had to be temporarily suspended. Steps are now being taken to restore the system as far as practicable.

After independence it was necessary to create an Indian Foreign Service for manning India's Diplomatic Missions abroad and related posts in the External Affairs Ministry. For this purpose many officers were selected from the State cadres of the Indian Civil Service and have been in continuous employment in posts in the Foreign Service. Most of them will eventually be permanently seconded to the Foreign Service and there should ordinarily be no question of their being returned to the State cadres.

A statement showing the names of Indian Civil Service/Indian Administrative Service officers taken from the States who are now serving in the Government of India, together with particulars of the posts held by them from time to time and the periods of their appointments, is being prepared and will be laid on the

table of the House as soon as possible.

(b) and (c). Despite the official suspension of the tenure system, the exchange of officers between the States and the Centre has continued as far as circumstances have permitted. The following statement gives the number of Indian Civil Service/Indian Administrative Service officers brought to the Centre during the

last few years and these returned to the State Cadres:—

	Officers brought to the Centre.	Officers returned to the States.
1948	19	9
1949	18	11
1950	11	7
1951	11	9
1952	27	13
1953	27	14

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**THE
PARLIAMENTARY DEBATES**
(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

5471

5472

HOUSE OF THE PEOPLE

Friday, 23rd April, 1954

*The House met at a Quarter Past Eight
of the Clock.*

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

QUESTIONS AND ANSWERS

(See Part I)

8-46 A.M.

BUSINESS OF THE HOUSE

Mr. Speaker: Order, order. I might just remind the hon. Members that though, in their view, they are trying to whisper or speak in low tones, the sound equipment in the House is very keen on reporting everything that is being said. Just as I am trying to hear hon. Members who are addressing the Chair, I could distinctly hear all their talk and it disturbs me in following what the hon. Members are saying. I would, therefore, request the hon. Members to be careful not to talk at all. If they at all want to talk, the lobby is the proper place where they can go and discuss matters. Let there be absolute silence in the House. I have to inform the House that the Business Advisory Committee met yesterday for allocation of time to five additional Bills which Government intend to bring forward before the House during the remainder of the current session and for the transaction of other business.

112 P.S.D.

The Committee agreed to the following allotment of time to the various Bills:-

Name of Bill	Time allotted.
1. Himachal Pradesh and Bilaspur (New State) Bill	2 hours.
2. Shillong Rifle Range and Umlong Cantonment Assimilation of Laws Bill	1 hour
3. Rubber (Production and Marketing) Amendment Bill	2 hours,
4. Coffee Market Expansion (Amendment) Bill .	2 hours.
5. Prevention of Disqualification (Parliament and Part C States Legislatures) Amendment Bill	2 hours.

I think Nos. 3 and 4, Rubber (Production and Marketing) Amendment Bill and Coffee Market Expansion (Amendment) Bill are going to the Select Committee.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Yes.

Mr. Speaker: So that, the hon. Members of the House may appreciate the reasons for the allotment of time.

The Committee also recommended that two hours should be allotted for discussion on peaceful uses of Atomic Energy proposed to be raised by Shri Meghnad Saha.

In order to find time for the above-mentioned business and for any other important discussion for short duration, the Committee recommended that sittings of the House should

[Mr. Speaker]

be fixed on Tuesday the 18th, Wednesday the 19th, Thursday the 20th, and Friday the 21st May, 1954.

The Committee had originally stated that the House should sit on Monday the 17th May, but on a later check-up it was found that Monday is a closed holiday. That is why the dates are advanced by one day.

There will be no question hour on these days and no Private Members' business on Friday the 21st May, 1954.

I take it that the House is agreeable to these recommendations.

Hon. Members: Yes.

Shri Raghavachari (Penukonda): May I submit that last time you were pleased to state that the present session will close on the 15th May, and that there will be no extension. If the session is extended in spite of such assurances, our programmes will be upset.

Mr. Speaker: I quite agree with the hon. Member, and I am very particular that our programmes should be definite, but all the same there are exigencies and exigencies, and Government find that some Bills have to be put through at an early date. If that is so, I do not think the House will deny the Government the facility of having legislation which they consider to be urgent and has to be put through.

The hon. Member will see that in this are included certain important legislations such as Himachal Pradesh and Bilaspur (New State) Bill and Prevention of Disqualification (Parliament and Part C States Legislatures) Amendment Bill. So far as the Prevention of Disqualification Bill is concerned, I understand, unless the date is advanced—there is nothing controversial about it—about 80 Members of Parliament will be affected by that. So, it has to be advanced. My point is that the Business Advisory Committee, which represents all shades of opinion in this House, fully took into consideration the difficulties

of Members, and the awkwardness of having to change their engagements after they have been fixed. It is only because they felt that these Bills have to be put through that they came to this decision. This is the considered decision of the Business Advisory Committee, I cannot argue all these points in the House.

Shri Raghavachari: May I submit that the Minister for Parliamentary Affairs was consulted and the Business Advisory Committee met only a few days ago, and all these important Bills should have been before the House. Immediately within a week a further change is made.

Mr. Speaker: There, too, I agree, and I believe the hon. Minister for Parliamentary Affairs also agrees, but, after all, these are all human affairs, and no discussion is necessary now on this question.

श्री गणपति-राम (जिला जोनपुर-पूर्व-रक्षित अनुसूचित जातियां): अध्यक्ष महोदय, मैं आप की इजाजत से केवल एक शब्द कहना चाहता हूँ

Mr. Speaker: Order, order. No questions now. This is the Business Advisory Committee's decision which I am announcing. The House has expressed its approval of it.

This report shall be published in the Bulletin and shall constitute the order of the House in regard to the allocation of time in regard to these Bills and other items of business.

There is one other thing which I might mention to the House as to why the Business Advisory Committee have thought it proper to extend the period by two days more. The House knows...

Sardar A. S. Saigal (Bilaspur): By four days.

Mr. Speaker: By two days more than what was considered necessary for the passing of the Bills which are mentioned here. If the hon. Members follow quietly without any flutter

about it, they will be able to follow more clearly. Now, ordinarily we should have finished it on the 19th May, but we thought that we should have two more days because the House knows that the hon. Prime Minister is going to Colombo for a very important conference. It is very likely that not only he may like to say but the House itself may like to know from him as to what happened at that Conference. If the hon. Leader of the House agrees and if he considers it necessary we may have some time even for a discussion on it. It is from that point of view that the Business Advisory Committee thought it necessary to extend it by a further period of two days and that is the situation which arose later, as Mr. Raghavachari will appreciate.

Now, the hon. Minister for Parliamentary Affairs will make a statement as regards the priority of Government Bills.

ORDER OF GOVERNMENT BILLS

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, on the 17th April, I promised to inform the House about the order of Government's legislative business for the remainder of the present Session. The following will be the order of Bills:

1. Minimum Wages (Amendment) Bill—it will be taken up today,
2. The Voluntary Surrender of Salaries (Exemption from Taxation Amendment) Bill,
3. The Delivery of Books (Public Libraries) Bill,
4. The High Court Judges (Conditions of Service) Bill,
5. Lushai Hills District (Change of Name) Bill,
6. Absorbed Areas (Laws) Bill,
7. Drugs and Magic Remedies (Objectionable Advertisements) Bill,
8. The State Acquisition of Lands for Union Purposes (Validation) Bill,

9. Indian Railways (Second Amendment) Bill,
10. Factories (Amendment) Bill,
11. The Companies Bill,
12. The Code of Criminal Procedure (Amendment) Bill,
13. T.A. and D.A. of M. Ps. Bill,
14. The Prevention of Disqualification (Parliament and Part C States Legislatures) Amendment Bill,
15. The Hindu Marriage and Divorce Bill (for concurrence of the House of the people for Joint Committee),
16. The Special Marriage Bill,
17. The Himachal Pradesh and Bilaspur (New State) Bill, 1954,
18. The Shillong (Rifle Range and Umlong) Cantonment Assimilation of Laws Bill, 1954,
19. The Rubber (Production and Marketing) Amendment Bill, and
20. The Coffee Market Expansion (Amendment) Bill.

The last two Bills are going to be referred to Select Committee.

Mr. Speaker: I think there are certain other Bills also which are going to be referred to the Select Committee.

Shri Satya Narayan Sinha: The Companies Bill and the Code of Criminal Procedure Bill are going to be referred to the Select Committee. Of course, I have already said about the Hindu Marriage and Divorce Bill.

श्री गणपति राम (जिला जॉनपुर-पूर्व-रचित-अनुसूचित जातियां): रिमूवल आफ अनटचीबलिटी बिल के वास्ते हमार मंत्री महोदय ने पिछले सेशन में वायदा किया था कि वह इस सेशन में जरूर लाया जायेगा और पास किया जायेगा। मैं आपसे पूछना चाहता हूँ कि वह इस सेशन में आने वाला है या नहीं ?

अध्वक्ष महोदय: सुनिये, सब बिल बताये जा चुके हैं। उनके अलावा कोई भी बिल आने वाला नहीं है।

श्री रघुनाथ सिंह (जिला बनारस मध्य): हम लोगों की रिक्वेस्ट है कि जहां तक अस्पृश्यता का सम्बन्ध है, यह बिल अगर इसी समय आ जाता तो बहुत उत्तम होता।

Mr. Speaker: The hon. Member will have consultations with the hon. Minister and if the Minister is agreeable and if the House is also agreeable, I have no objection to prolong the sittings of the House for any length of time. It is for the hon. Members to consider whether they will sit after the 21st May, as I find the House is already restive and is protesting that we have extended the sittings by about 6 days more.

MINIMUM WAGES (AMENDMENT)
BILL.—Contd.

9-A.M.

Mr. Speaker: We will now proceed with the further consideration of the following motion moved by Shri V. V. Giri on the 13th March, 1954, namely:—

"That the Bill, as amended, be passed."

I might say that the time allotted to this Bill is two hours out of which 18 minutes have been taken up before.

Shri Tushar Chatterjea (Serampore): Mr. Speaker, Sir, some time back I heard the Labour Minister saying something about the Minimum Wages Act in the Central Advisory Board for fixation of minimum wages, and what the Labour Minister said there goes to show that the Government has, of late, become a bit serious about this Minimum Wages Bill.

Mr. Speaker: Order, order.

Shri Tushar Chatterjea: The Labour Minister assured us that the Government will try to fix adequate minimum wages and also a sort of regional or State minimum will be fixed. This was assuring, no doubt, but the point

is, so far as this Bill goes, we do not see any seriousness in the attitude of the Government. Had the Government in their mind such things as fixation of minimum wages and some sort of regional or State minimum, then, certainly, they would have proposed a new sort of Bill in which such things would have been incorporated. But, so far as this Bill goes, we do not find any serious attitude of the Government.

I say this, firstly, because, for a long time this Bill is pending in the House. From the Government side it is argued that it is due to the overcrowding of business here that this Bill could not be put through. But, had Government been serious about guaranteeing minimum wages to the workers then they could have arranged for the promulgation of an Ordinance just as they did in the case of compensation for lay-off etc. But this has not been done and the fixing of the minimum wage of the workers has been made to depend on the prolonged procedure of the House.

Secondly what do we find in this Bill? Extension of the time-limit has been granted. Altogether, I have calculated four years have elapsed from the original time-limit fixed. This means that the workers have been made to suffer material loss for these four years, when the workers have been legitimately demanding the fixation of minimum wages and the spokesmen of the Government of India very very categorically say that in India the workers are not yet given adequate minimum wages. This extension after extension of the time for fixing the minimum wages means that the Government is not at all serious about this vital labour demand.

The argument that is advanced in the Statement of Objects and Reasons is also not convincing. One argument is that some more time should be given for the Part B States for making complete arrangements to implement the Minimum Wages Act. Already three years have passed. Are we to

believe that three years are not enough for the States for making complete arrangements? For Part A States, some argument has been advanced that there are some legal difficulties and this Bill has to be brought about. We are not responsible for these legal difficulties. It is the business of the States to implement the Bill timely and for the fault of the Governments the workers cannot be held responsible. In other words, the workers cannot be asked to suffer material loss. We do not want to oppose the Bill, rather we want a quick passage of the Bill. In view of the circumstances and the experience we have got, even now we cannot rest assured, when a final time-limit has been fixed, that the State Governments would adequately implement the provisions of this Act in time.

We have every reason to suspect that there may be still negligence on the part of State Governments, and so we must demand a safeguard. Supposing a particular State Government does not fix the minimum wage rate in time for a particular section of employees, then there must be some sort of a safeguard by which the workers can get their demand of a minimum wage fixed. Therefore, I would suggest to Government that, whatever the Bill provides for, Government must take up the attitude that in case a State Government fails to implement it, in time, then some machinery should be evolved by which workers can have the right to refer the matter to a tribunal, which shall have the right to determine the minimum wage rate and that rate must be binding on the employers.

The Bill does not make any effective provision for the fixation of the minimum wage rate itself. In the Bill provision has been made that it is the business of the State Governments to consider what should be the upper limit of wages. As far as our experience goes, State Governments do not always consider the pros and cons in full and they do not take into

consideration the actual labour conditions. Many State Governments are led to fix the minimum rate in such a manner that it does not serve the interests of the workers. As the Labour Minister said in the Central Advisory Board, if Government is really serious about the fixation of adequate minimum wages, then some limit should be fixed in the Bill itself, but the Bill falls short of the necessity in this respect.

Then there is a provision in the Bill for excluding a part of the States so far as agricultural labourers are concerned. We do not understand how instead of making a provision for the whole of the State for agricultural labourers, a part of the State can be made the basis for fixation of the minimum rate of wages. I can cite an example. In West Bengal, as far as the paper report goes, the minimum rate for agricultural workers has been fixed only in the districts of Darjeeling and Jalpaiguri and that too in some parts. We understand by this that in other parts of West Bengal, all the agricultural labourers get adequate minimum wages. It is actually nothing of that kind. The Labour Minister himself was once reporting here that the condition of the agricultural labourers is very precarious and that those labourers generally remain unemployed for 100 days in a year. He also quoted that the average daily income of an agricultural labourer is Rs. 1-4-0 and that is for the whole family. If this is the finding of the Agricultural Labour Enquiry Committee, then certainly it demands that the minimum rate of wages should be fixed not only for a part of the State for agricultural labourers, but for the whole of the State, but nothing of the kind has been provided for in the Bill.

The Bill does not make any provision for determining the principles on which the fixation should be made and that has been entirely left to the State Governments. Of course, there is one provision by which a tripartite

[Shri Tushar Chatterjea]

board is appointed, but that board is not a compulsory affair. The State can do the fixation and in some cases the tripartite board also can do it and this means that in the mind of the Government, there is no fixed opinion as to the principles on which the minimum wage should be fixed. The Labour Minister is reported to have said in the Central Advisory Board that the Fair Wages Committee's recommendations would be followed and a proper fixation would be made. We cannot rely on those words only. There must have been something definite and categorical in the Bill itself. Otherwise, how can you just depend upon occasional promises and assurances of the Labour Minister? In that respect also, the Bill falls short of the necessity.

Another very important thing is that even where the minimum rates have been fixed—of course, I do not know the details of the rates—it has been reported that there are some cases where it is fixed at a level even lower than the existing level. I have got only a very few instances and I do not know the details in respect of the whole country in this matter. The Government has not yet come forward with a detailed report from which we can know actually what sort of minimum rates have been fixed in the different employments. Why should there be this secrecy on the part of Government? Why should Government not come forward with a detailed report so that we may know whether the fixation of the rate has been properly made or whether it is made as a matter of formality only and the adequacy is not there. It is very necessary that a detailed report should be forwarded. Otherwise, we cannot remove the suspicion from our minds. The Labour Minister definitely said in the Central Advisory Board that the object of the Minimum Wages Act is not to endorse existing rates, but fix adequate wages. We want to know what the guarantee is that these words or promises will be implemented in practice. Nothing

of the kind has been provided in the Bill.

About the Fair Wages Committee's recommendations, for a long time from the workers' said, demands have been made that those recommendations should be implemented. The Fair Wages Committee have recommended that the fixation of the minimum wage should not be taken as the minimum subsistence wage. It should be something higher than the minimum subsistence wage and should take into consideration not only the living conditions of the workers but also their efficiency and their improved standard of life. The Fair Wages Committee has recommended that in fixing the minimum wage, the question of the capacity of the employers to pay should not come at all. We know in several cases the employers make the plea that they have not the capacity to pay the rate that may be fixed. The recommendation of the Committee is that the question of the employers' capacity must not come in when fixation is being made, and that Committee submitted its report as far back as 1949. I do not know whether Government has done anything on it up till now. We want that when the Bill is going to get passed, these defects must be corrected and remedied.

Lastly, I come to the extension of the Minimum Wages Act. As far as I have read the newspaper report, even the Central Advisory Board has suggested that provision should be made for extension to other employments. This Bill does not provide anything of the kind. We do not understand why the Labour Minister, sitting on the Central Advisory Board, says one thing and the Bill falls short of what the Central Advisory Board has suggested and what the Labour Minister himself is committed to. We want that the extension of the Minimum Wages Act should be made to other industries as well and this should have been referred to by Government in the Bill itself.

There is another very important loophole or defect in the Bill. There

is one provision that in such employments in which less than 1,000 workers work in a whole State that particular employment should not come under the purview of this Bill. The point is this. It may be that, generally speaking, there is no such employment where in the whole of a State there are less than 1,000 workers; it may be the case at the present moment. But supposing somewhere in a particular State, there is found an employment in which less than 1,000 workers work, then what wrong or what fault those particular workers have done for which they are to be deprived of these minimum wages. We do not understand. It may be the case of 500 workers; it may be the case of 900 workers. Those poor workers have not done any thing wrong because they are less in number. Why then should they be deprived of this benefit? We cannot understand the logic of this thing. Therefore, our final demand is this. This Bill falls far short of the demand of not only the workers, it also falls far short of the suggestions of the Labour Minister himself and the Central Advisory Board of the Minimum Wages. They have understood or experienced or realised that at the present moment there is a big gap between this Bill and the pronouncements of the Labour Minister. We therefore hope and urge upon the Government that all these difficulties must be looked into; the defects must be corrected and the Bill should be modified in such a way that all the demands of the workers are fulfilled.

Shri Ramachandra Reddi (Nellore): I have a few observations to make on the Bill under consideration. I am second to none in the matter of appreciation of the provision of better amenities to labour. But our normal enthusiasm to support labour should not out-run the practical difficulties that we have to encounter. In several States, I know, minimum wages have been fixed and they are now being adopted but we have not been given any opportunity to know to what extent the minimum wages that have been fixed there are

being adopted and to what extent they are favourably reacting upon both labour and capital there and to what extent Government have been able to appreciate the exact position that is happening there.

I know in Madras and Andhra States in several sectors of industrial activity minimum wages have been fixed but we have not yet known either from the States or from the Centre whether the minimum wages have been satisfactory; whether there has been any bad reaction after the minimum wages have been fixed and worked and to what extent improvements or adjustments are necessary. I know in a few small or minor industrial pursuits, the minimum wages have worked havoc because the small capitalists who started certain industries were not able to cope up with the wage rate and so they had practically to discontinue their industrial enterprises. Especially in the rural areas where labour cannot find supplementary employment in factories or other industrial concerns, and where labour will be satisfied with a small wage, minimum wages have been fixed at a higher rate than the capitalists could bear or the labour would be able to secure otherwise. In such circumstances there is deployment of labour. Several thousands of labour in several industries have been deployed already and they are not able to find employment. They can migrate to towns where employment will be available but even in towns there is rush for employment and as such people who are living in rural areas are not able to secure employment in urban areas. In these circumstances, I only wish that the Government examines thoroughly the position to the extent the Minimum Wages Act has been made applicable and to the extent that minimum wages have been fixed. After that, certain adjustments may have to be made and the Government will have to think, rather soon, about these adjustments which are very urgent.

In the fixation of minimum wages, fair wages have been thought of and in some cases dearness wages also have

[Shri Ramachandra Reddi]

been provided. But no notice has been taken by either the Government or by the sponsors of labour movements to find out ways and means of employing those people who have been deployed. One of the causes of deployment is that the wage rate is not possible for the small capitalist to advance.

As regards the minimum wages in the agricultural sector in rural areas, it is a very complicated problem and it is not easy theoretically to approach it and pass a few remarks. Those who know the agricultural sector and could assess the work that they are getting from the labourer would be able to assist the Government in coming to proper conclusion. Mere theoretical expressions would not help the situation at all because the standards of labour have to be diagnosed properly and the skilled and unskilled classes of labour in agricultural operations will have to be taken into consideration as in the Industrial Sector. Furthermore, agriculture is not an occupation which gives employment throughout the year. It is a seasonal industry and people are employed during a particular season and after that season is over they are practically deployed from the agricultural operations. It is, therefore, to be very carefully and tactfully handled and unless separate laws like the laws applicable to the factories are also passed to ensure that agriculture does not suffer on account of the fixation of minimum wages it will not be economical for the agricultural industry to utilise agricultural labour. It is, therefore, absolutely necessary that the matter has to be gone into with greater care. As a matter of fact, agricultural practices change from place to place and even in the same district they are different in different localities. I am sure in certain places where agricultural wages have been indicated in the press, or the State gazettes, certain landlords pay much higher wages than what is actually shown in the gazette. To that extent if minimum wages are fixed on a uniform scale the wage earner who is able to earn

much more than what is likely to be fixed on a uniform scale will suffer. If there are permanent labour employed by the landlords, they are, I think, paid adequately because without adequate payment, they will be reluctant to work and produce to any degree of satisfaction. I have known certain officers of the Agricultural Department who used to say that if we are paid as you pay, we need not stay in the government service. If that is the impression that is created in the minds of the officers themselves in the Agricultural Department, there is something which has to be properly examined and understood before these things are taken up seriously. I do wish that the Government would examine these things and come forward with a scheme for fixation of minimum wages even in the agricultural sector. Because, in the absence of any definite laws for working the minimum wages or to form a basis for the minimum wages in this sector, there are already very many difficulties that are experienced. For instance, agricultural labour does not come to the field as we find the industrial labour coming to the factory. They take their own hours of work and they leave the field as and when they like. But these are things which can be adjusted only by legislation which has to be strictly adhered to. In these circumstances there is no use in hustling any measure which would force the Government to fix minimum wages in the agricultural sector.

As I have already mentioned, the matter has to be tackled very soon, both from the point of view of agricultural labour as well as from the point of view of agricultural production which is entrusted to the care of the agricultural land-owners. As a matter of fact, in every State the number of bigger landlords is very small. And if labour laws have to be adopted, it will affect only a very small number of labour and also only a small number of landlords or capitalists. The question is whether it is

worth while to fix wages or to take up any law to control the agricultural operations and the labour thereof. It is necessary that the Government should examine all these things more carefully, if necessary, after consulting both the labour as well as the capitalists or the agricultural producers, as the Government is doing in the case of industrial labour.

Special attention has to be paid when fixing these wages to the conditions that exist in the rural areas. As I have already pointed out, the conditions are quite different in the rural areas from those in the urban areas. Any small trouble created in the rural areas, especially in the agricultural sector, would not only hamper the agricultural operations but also produce very bad results in the matter of production. After all, agriculture being a seasonal industry, it is very useful to understand the actual needs of the agricultural industry as well as the needs of the agricultural labour in each rural area. Conditions might differ not only from State to State but from village to village in a particular area also. It depends upon the productive capacity and the cultural practices in each area.

I therefore suggest earnestly to the hon. Minister of Labour that these matters will have to be very carefully considered. A mere theoretical solution should not be swallowed in because the later results might lead to disaster and great trouble. That has to be faced by the Government as well as the industry. In this connection I would only earnestly appeal to the hon. Minister that wherever the question of minimum wages occurs and wherever the question of employment of labour is taken up, they must see not only that those who are in employment are paid properly but also find ways and means for employing again those who are disemployed on account of some circumstances in the labour sector. Because, if a man cannot maintain a particular industry and as such has to disemploy several members of the labour sector, Government will be doing a

great injustice to labour if they cannot be employed otherwise. So, as we adopt these labour laws and as we adopt these minimum wages to be fixed sooner or later, we have to see that as much labour as is thrown out of employment is found other sources of employment to enable them to eke out their livelihood. We cannot always equate the circumstances in the industrial labour with those in agricultural labour. Special care has to be taken to discriminate or discern between the two sectors of labour.

The Minister of Labour (Shri V. V. Giri): I am grateful to hon. Members belonging to all sections of the House for the constructive suggestions that they have made in the matter of this Bill. I would like to submit that social legislation to be implemented in the fullest degree requires propaganda, creation of public opinion in its favour, and constant touch in this case with workers who must be explained all the implications of the Minimum Wages legislation and with employers and State Governments who have to implement the various requirements of the Act. Members interested in this subject should exert all their influence, with strength they have, as representatives of the States, with the State Governments, workers and employers for the implementation of this enactment. They should also be in touch with the various Advisory Committees which are charged with the duty of fixing minimum wages. In fact, they should take on their shoulders the responsibility of studying the conditions in scheduled employments and see whether the Act has been applied in spirit and letter. Trade union leaders should exert their influence to organise sound, democratic trade unions, whether in the field of agriculture or in the case of other scheduled employments in Part I. A mere ukase from the Centre will not be helpful unless real and effective work is done in the States. I would therefore appeal to the hon. Members, who are much concerned about the acts of commission and omission on the part of the Central

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and State Governments, to assist actively in the implementation of the Act.

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

Before dealing with the specific points made in the course of the debate I would like to draw the attention of the House to the discussions which we had on this subject at the Mysore session of the Indian Labour Conference held in January, and the Bombay session of the Minimum Wages Central Advisory Board which met on the 8th and 9th of this month.

The Indian Labour Conference being a tripartite organisation of the greatest importance in the labour field, I thought that this vital subject of wages should be placed before it. The Conference considered such questions as implementation of the Minimum Wages Act, principles for the fixation of wages, uniformity in actual fixation, and the need for widening the scope of the Act, etc. Having considered the various suggestions made by different interests, the Conference passed a resolution recommending that the time for implementing the Act in respect of Part I of the Schedule should be extended till the 31st December, 1954 and that the Central Advisory Board should examine the manner in which the Act has been implemented so far, with a view to formulating a code of directions to be issued by the Central Government to the State Governments, so that principles and criteria for the fixation of wages may be laid down. The Conference also recommended that the Government should issue notifications for covering additional employments on the advice of the Central Advisory Board. A meeting of the Central Advisory Board was held on the eighth and ninth of April, 1954. The Board considered the recommendations of the Indian Labour Conference and also examined other important matters such as standardisation of the methods of collection of statistics, disparity in wages in contiguous States or in the same geographical area, uniformity in regard to the pay-

ment for overtime and weekly day's rest etc. Among several important recommendations made by the Board, I must make a special mention of the concept of 'national minimum wage' which was examined in great detail. The Board recommended that the minimum wage should not be below Rs. 1-2-0 to Rs. 2-0-0 per day for any category of workers depending on the area-wise and employment-wise classification. This may develop into an important step and I propose to place it before the Labour Ministers' Conference also, so that further action may be taken on lines acceptable to the highest level of policy matters.

I shall now deal with some of the most important criticisms made in the course of the debate. The main criticism has been that the progress of implementation of the Act has not been satisfactory. I should like to remind the House, in this connection, that minimum wages could not be fixed under the Act in employments covered by Part I of the Schedule to this Act after the 31st March, 1952 as the time limit for fixation of wages expired. Even the present Bill has been pending before the House for an year, as has been stated by an hon. Member on the other side. We have not been keeping quiet all the time. We have been pressing the State Governments to take all preliminary actions, such as the establishment of committees and sub-committees in consultation with the interests concerned, so that minimum wages might be fixed as soon as the present Bill is passed. In regard to the Centre also, a committee for fixing the minimum wages, an advisory committee for revising the minimum wages and a necessary Board to co-ordinate their activities are being set up. I am glad to say that good progress has been made in regard to these preliminary matters, and I can assure the House that there is not likely to be any need for extension of time beyond 31st December, 1954 in so far as employments in Part I of the Schedule are concerned.

In regard to Part II of the Schedule—that is, agricultural employments—the Planning Commission has recommended in the Five Year Plan that full and effective implementation of the Minimum Wage Legislation should be secured during this period. Enforcement of minimum wages for agricultural workers in low-wage pockets, for the larger farms and in areas selected for intensive development should be regarded as an important aspect of the programme for improving the conditions of agricultural workers and should receive the highest priority. In view of the paucity of data and administrative difficulties pointed out by various State Governments, a limited beginning should be made with regard to the fixation of minimum wages for agricultural workers, and the scope should be extended further as experience is gained. That is the view of the Planning Commission. It will, however, be agreed that substantial progress in the fixation of minimum wages in as many areas as possible, on this basis of a vast programme of implementation, should be achieved. It is, therefore proposed to amend the Act so as to extend the time-limit, to enable the minimum wage rates to be fixed in the remaining areas by 31st December 1954. It will be appreciated that in a vast country like India, where agricultural labour is absolutely unorganised, it is difficult to implement the Act throughout the country at a stretch. Apart from it, a large machinery will be required to enforce a measure of this character throughout the rural part of this country. This matter was also considered by the Minimum Wages Central Advisory Board at their Bombay session, where the representatives of all sections of the workers, employers and State Governments were present. The Board recommended that action on the lines indicated in the Plan should be taken. The State Governments will be fixing wages gradually, and the position will be reviewed in due course. I shall then place all these

facts before the House and ask for further extension of time as may be necessary.

Another point that was made in the course of the debate was that the Minimum Wages Act should be extended to all industrial establishments in the country. This suggestion is based on some misunderstanding. This Act is mainly intended to cover cases of employments which are unorganised and sweated; and where trade unions do not exist; or, where it will be easy to have strong trade unions and where there is little or no bargaining power on the part of the workers. It will not, therefore, be right to cover all employments generally. The Central Advisory Board while considering all the additional employments needed to be covered, recommended that State Governments should examine the question, particularly in respect of those employments which have already been included by some States and those whose inclusion has been suggested. Some Members have criticised the lack of co-ordination by the Centre. I must state that the Act is mainly for implementation by the States. The Centre has therefore to play its role very carefully and to the extent necessary

One major step taken by the Centre has been the preparation of model rules of the Act which, I am glad to say, have generally been accepted by the States. The Centre works as a co-ordinating authority also through the Central Advisory Board. Co-ordination is also achieved through discussions in tripartite meetings like the recent session of the Indian Labour Conference. The States have been asked to prepare an annual report on the working of the Act. These reports will be consolidated by the Centre to produce an All India picture of the working of the Minimum Wages Act.

It has been stated that there have been too many violations of the

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Minimum Wages Act and that, no action has been taken by the State Governments. As far as I am aware, the State Governments are taking action in cases of violation. We have also impressed upon the Ministries of the Central Government employing industrial labour, who are concerned, that they should co-operate fully with the officers responsible for the enforcement of the Act.

I think I have dealt with the most important of the points raised in the course of the debate. As I have said, these points have already been engaging the attention of the Government and many of them have recently been examined in detail by the Central Advisory Board which met recently at Bombay. Further action on the recommendations of the Board will shortly be taken. I now hope that with the co-operation of the employers, workers and the States, we will be able to go forward and cover rapidly all the workers in the sweated and unorganised industries and give them a minimum wage as an earnest of the fair wage to come.

Mr. Deputy-Speaker: The question is:

“That the Bill, as amended, be passed.”

The motion was adopted.

VOLUNTARY SURRENDER OF SALARIES (EXEMPTION FROM TAXATION) AMENDMENT BILL

The Deputy Minister of Finance: (Shri A. C. Guha): I beg to move.....

Mr. Deputy-Speaker: On behalf of Shri C. D. Deshmukh, he may move this. The record would not be complete otherwise.

Shri A. C. Guha: With your kind permission, I beg to move:

“That the Bill to amend the Voluntary Surrender of Salaries (Exemption from Taxation) Act, 1950, be taken into consideration.”

This is a non-controversial Bill. The present Act, in section 2 (2) gives a list of persons to whom this exemption will be applicable. But, this list makes the whole Act something like a closed thing. If there is any addition of the officers or persons to whom this exemption is to be given, who may be ready to surrender a portion of his pay voluntarily, there would be the necessity of amending the present Act. Since the passing of this Act, there have been certain persons who have to be included in this exemption list. If the hon. Members will look into the list here, even the Speaker and the Chairman are not included in the list, for they have also surrendered a portion of their salary. That is why instead of keeping the list as a closed and fixed one, we are proposing in this Bill to keep the whole thing open so that any person who may surrender a portion of his salary and make a declaration in writing, may be given this exemption. Sections 2 and 3 of the present Act are being replaced by clause 2 of the Amending Bill.

Under the Income-tax Act, a person is liable to pay tax on his salary on a due basis. That is, he is liable to pay the tax on what is due to him and not necessarily on what he cares to receive. But for the provision in the Voluntary Surrender of Salaries Act, 1950, he would not be able to get this exemption. To remove this difficulty and obligation under the Indian Income-tax Act, I am moving this Amending Bill. I hope there will be no objection from any section of the House to accept the Bill as proposed.

Mr. Deputy-Speaker: Motion moved.

“That the Bill to amend the Voluntary Surrender of Salaries (Exemption from Taxation) Act, 1950 be taken into consideration.”

Shri Nambiar (Mayuram): We are glad that such a Bill has been brought

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forward and we also approve the Bill. But, we have to make one thing clear. This sort of voluntary surrender is not the only thing that is required. What we wanted was, and we have already expressed our view, that there should be a maximum ceiling on the salaries of certain officers and certain Government officials. We have already made it clear that these salaries ranging up to Rs. 3000, 4000 and 5000, and sometimes even up to Rs. 10,000 for officers, whoever he may be and whatever position he may occupy should not be allowed. Even according to what Mahatma Gandhi said earlier, the Ministers should get only Rs. 500/- a month or something like that. I do not know exactly what he said about the Secretaries and others. When the Ministers get Rs. 500/- the Secretaries cannot expect to get Rs. 3000 and Rs. 4000/-. As the hon. Minister explained just now, if the minimum wage for an agricultural worker is Rs. 1-2-0 in India, why the salary or wage or whatever you call it, of a Government servant, including the President should be Rs. 10,000, I cannot understand. There cannot be such a world of difference between Rs. 1-2-0 per day or Rs. 35/ per month on the one side and Rs. 10,000/- on the other side for the President. Of course, the amount may be smaller for you. But, the difference is there and it is also very much. For instance, the Chief Secretaries or the Secretaries, the Members of the Railway Board Secretaries and officers here are drawing up to Rs. 3000 and Rs. 4000. There cannot be any justification for this. The Government must come forward with a Bill to seal it up. The maximum must be fixed. As things stand today, I would say that it should not go beyond Rs. 1000. There cannot be any reason whatsoever why all these things should be left to the sweet will of the officer concerned, sweet will of the Speaker or the Deputy Speaker, sweet will of the President concerned to voluntarily surrender because they are philanthropical personalities. I do not want to cast aspersions on any of the officers including the President today. It is

good that they come forward and surrender a portion and we welcome to that extent. But, we cannot allow such a sort of situation to continue. With regard to salaries and allowances of Members of Parliament, you could have seen what certain Members expressed. They said that if at all a salary is to be paid, it should not go beyond Rs. 300 a month. That does not mean that the responsibility of a Member of Parliament is less than that of a Secretary who is drawing Rs. 3000. It is not on the money that it has to be decided. The whole thing has to be decided by the work that he does, by the situation in the country, whether the Exchequer is in a position to pay an exorbitant rate of wages or salaries, whatever you call it, to the officers. That is the idea. The Government should come forward with a positive Bill or legislation to fix the maximum and minimum. The minimum has been fixed by the hon. Minister for Labour as Rs. 1-2-0 per day. Even this will never be put into operation and even this sum of Rs. 1-2-0 will not be paid. He has himself said that there is no guarantee that even this minimum wage will be paid. There cannot be any salary beyond Rs. 1000 a month as things stand today, considering the economic crisis that we are facing, and considering the low standard of living of the common man in this country. I request the hon. Minister to come forward with such a legislation as early as possible. Till then, of course, these philanthropical gentlemen will give whatever they like and we will willingly accept that. To that extent, we welcome this Bill.

Shri K. K. Basu (Diamond Harbour): I fully endorse what has been said by my hon. friend Shri Nambiar regarding the principle which we should adopt so far as the salaries and emoluments paid in our country are concerned. As the Mover of the Bill said, we should support this Bill and welcome those of us beginning from our President down to our Speaker and Deputy-Speaker who have gladly, in view of the conditions and economic distress in our country,

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voluntarily surrendered a portion of their salaries. They should not be taxed. I would only join issue with him on one question and that is a question of principle. The way in which the Act is sought to be amended by Government shows that there will be persons holding high offices who might be willing to surrender their salaries. When the salary of the President was fixed at Rs. 10,000 the consideration was that we may not be able to find persons who would be willing to serve the country in that particular capacity below a certain pecuniary level. That is a very serious mistake which the Government committed. We have, as our President, a man who has been connected with the political movement throughout his life and he is willing to shoulder the responsibility at a lower salary, because he feels that he is there as the representative of people and any consideration of pecuniary benefit should not be allowed to play any part in the selection of the person concerned. I feel that the Government is trying, by this legislation to create a psychological atmosphere in the country whereby it might be considered that an individual has been generous to surrender a part of his salary. We find in the list Ministers, the President and even the President of the Constituent Assembly, who is now the President of India, Speakers, Judges of the Supreme Court and also Governors of States. Therefore, I feel that the Government must take into consideration whether they should not scale down the salaries of these persons. They have come here as the representatives of the people; they have come to serve the people and not to earn for the future and for their children. That attitude should go. By this amending Bill the Government is trying to create a psychological atmosphere where it might be considered that particular individuals have been magnanimous enough to surrender part of their salaries. When Government finds that there are persons who are willing to shoulder the onerous

responsibility at much lower salaries, why not they come forward and fix the salaries at a lower level? We are trying to have a welfare State and this is the basic condition of a welfare State. We must try to scale down the salaries. So far as the Bill goes, we certainly support it. But we feel that such conditions should not be created as to make an impression in the minds of the people that there are certain individuals who are prepared to surrender their salaries. If there are persons who are willing to surrender a greater part of their salaries today, Supreme Court Judges and others tomorrow in our country will there not be people who will accept lower salaries than were being paid before, and more so when we have a welfare State? I therefore, say that the Government should take into consideration this principle and in future must lower down the scales that are being paid to very senior and responsible officers of the State.

Pandit K. C. Sharma (Meerut Distt.-South): Sir, I appreciate the spirit of the gentlemen who are willing to forego a part of their salaries. But, at the same time, I do not appreciate the State depending upon the charity of its servants. If they do not want the money, there are a number of institutions for which they can subscribe and give help. This is a very archaic and retrograde attitude of life. Why should the State or any department of the State depend upon the charity of a certain person with regard to the money advanced to him for the performance of certain functions?

One aspect of this sending back the money to the national Exchequer is that the person is not willing to do his duty to the fullest capacity or his capability. When once a man who has been put in a certain position offers charity to the State, the State cannot expect the full quota of his services to it. This is a very dangerous aspect of the whole state of affairs. It is not a question of a few lakhs of rupees coming back to the State Treasury but it is the question of a certain attitude.

Amendment Bill

Suppose a man who is given Rs. 10,000 or Rs. 5000 gives back Rs. 2000. By accepting this Rs. 2000 back from the government servant, the Government foregoes complete control over his activities. That, I submit, is more harmful than the few thousands of rupees left in the hands of the public servants who are expected to have hearts large enough and brains and intelligence enough to use for better public good in certain other charitable institutions.

10 A.M.

पंडित ठाकुर दास भार्गव (गुडगांव): जनाब डिप्टी स्पीकर साहब, यह बहुत नानकटोवर्शल सा बिल है। इस के ऊपर ज्यादा बहस की जरूरत नहीं थी। लेकिन जो ख्यालात हाउस के अन्दर जाहिर हुए हैं, मैं उनके बारे में दो एक लफ्ज अर्ज करना चाहता हूँ।

जहां इन्कम टैक्स महकमे का सवाल है, या फाइनेन्स महकमे का सवाल है, मैं इसे एंप्रिशाएट करता हूँ कि उन्होंने जो देश का मामूली कानून है, उससे थोड़ा सा डिपार्चर किया। एक शख्स अगर कोई आमदनी करता है या उसे जो पै मिलती है या और जो इमाल्युमेंट्स मिलते हैं, सारी उसकी आमदनी सब्जेक्ट टु टैक्स होती है। अगर उसकी आमदनी बढ़ जायेगी तो गवर्नमेंट की आमदनी भी बढ़ जायेगी। अगर यह बिल पास न हो तो इसके माने यह है कि जिन बड़े अफसरान ने गवर्नमेंट ट्रेजरी में देना मंजूर किया है, उनके ऊपर ज्यादा टैक्स लगेगा। उनकी जितनी आमदनी है उस सार पर टैक्स लगे और गवर्नमेंट को उसके कलैक्शन का हक हो। एक बात में फाइनेन्स डिपार्टमेंट ने जरूर जरा अक्लमन्दी से काम लिया। मुझे एक रूलिंग याद है जिस के अन्दर एक बड़े प्रोफेसर ने इसी तरह से अपनी आमदनी का एक हिस्सा कुछ यूनिवर्सिटी स्टूडेंट्स के स्कालरशिप के लिये दे दिया था। और उसके ऊपर बराबर सारी पै पर टैक्स लगता रहा। हालांकि उसने अपनी आमदनी का हिस्सा दे दिया था फिर भी टैक्स लगाने के लिये उसकी सारी तन्स्वाह ही उसकी आमदनी करार दी जाती रही। उसने यह भी

कह दिया था कि खजाने से वह हिस्सा उसकी आमदनी का सीधे भेज दिया जाया करे, उसको न मिले, फिर भी उसका कोई असर नहीं हुआ। तो एक तरह से यह बिल उन अशख्स के हक में है जिन लोगों ने वालेन्टरी सरेंडर कर दिया है, यह बात वाजिब ही रखी गई है। पहले यह रियायत थोड़े आदीमियों को थी, अब यह कुछ ज्यादा आदीमियों के लिये बढ़ा दी गई है। लेकिन मैं अर्ज करूंगा कि अभी भी यह रियायत थोड़े ही आदीमियों को दी गई है। सिर्फ शैड्यूल वाले आदीमियों के लिये पहले थी, दूसरे क्लास वालों के लिये नहीं रखी गई थी जो कि प्रोविशियल या स्टंट गवर्नमेंट्स के कानूनों से बनी हुई नौकरियां हैं उनके लिये नहीं थी। अब उनको यह रियायत दी गई है जिनकी सेन्ट्रल एक्ट या प्रोविशियल एक्ट के मातहत तन्स्वाह मुकरर है। अच्छा हो अगर इस उसूल का एमंडमेंट हो जाय। जो भी लोग अपनी आमदनी का हिस्सा पब्लिक काम के लिये देते हैं, या गवर्नमेंट को वापस कर देते हैं उसका रीस्ट्रिक्ट करना वाजिब नहीं था। इसीलिये मैं अर्ज करूंगा कि इसे रीस्ट्रिक्ट न किया जाय और ज्यादा बढ़ाया जाय।

बात यह है कि जो रियायत इन बड़े अफसरान को दी जाती है, वह छोट से छोट अफसरान को दी जाय और हर एक शख्स को दी जाय। जो भी खजाने में इस तरह से रूपया दाखिल करना चाहे उसके लिये वह सहूलियत होनी चाहिये। यह एक्ट एक तरह से बड़ा इन्नासेन्ट है, और इसके अन्दर बहुत अच्छी स्पिरिट है। अगर इसकी रियायत सिर्फ इन्हीं बड़े बड़े अफसरान को पहुंचाई जाय तो यह बहुत डिस्क्रिमिनेटरी लीजस्लेशन होगा।

दूसरी बात जो मैं अर्ज करना चाहता हूँ, वह यह है कि इस से यह साबित हुआ कि हमारे यहां के बड़े बड़े अफसरान, प्रीजिडेंट साहब, स्पीकर साहब, डिप्टी स्पीकर साहब, जज साहबान, हर एक अपने अमल से यह जाहिर करते हैं कि दरअसल जो इमाल्युमेंट्स

[पंडित ठाकुर दास भार्गव]

रक्खे गए हैं उनके लिये उन में कमी की गुंजाइश है। वह अपने आप खुद वालेन्टरी कट के लिये कहते हैं, वह हमारी मुबारकबाद के मुस्तहक हैं, मैं उनका शुक्रगुजार हूँ कि उन्होंने मेहरबानी करके इसे सोच कर कि हालाँकि वह ज्यादा ले सकते हैं फिर भी वह ज्यादा न लें, यह कट करवाया। लेकिन उनके इस एक्ट से यह साबित है कि किसी भी सबब से अगर जरूरत पड़ जाय तो दरअसल जो इमाल्यु-मेन्ट्स रक्खे गए हैं वह इतने हैं कि जिसके अन्दर वह लोग जेनरासिटी दिखला सकते हैं।

इसमें शक नहीं कि यह जेनरासिटी है अगर एक आदमी अपनी रॉटी में से कुछ निकाल दे और उसका हम जितना शुक्रिया अदा करें उतना अच्छा है। लेकिन इससे साबित होता है, जैसा कि मेरे चन्द दोस्तों ने जिक्र किया, कि तन्खाह का स्टैंडर्ड जरूरत से ज्यादा है।

इस जिम्न में दो बातों का जिक्र मेरे दोस्तों ने किया, एक सेक्रेटरी लोगों की तन्खाह का और दूसरा मिनिस्टर्स की तन्खाह का। मिनिस्टर साहिबान के बार में तो मैं निम्बयार साहब से मुत्ताफक नहीं हूँ। अगर आज आप किसी मिनिस्टर को ५०० रुपया तन्खाह दें तो यह पब्लिक स्कैंडल होगा। जिस वक्त महात्मा गांधी ने यह फरमाया था उस वक्त रूपय की कीमत आज से चौगुना थी। आज अगर आप मिनिस्टर को ५०० रुपया देंगे तो उसका काम नहीं चल सकेगा। बहुत सारे मेम्बर सेशन के दिनों में उसके यहां जा कर ठहरते हैं तो वह उनका खर्चा कैसे बर्दाश्त कर सकेगा। हमारे यहां पंजाब में मेम्बर लोग मिनिस्टर के यहां आकर ठहरते हैं। आप मुनासिब तन्खाह दें यह ठीक है लेकिन वह ५०० नहीं होनी चाहिये।

सेक्रेटरीज के बार में मैं यह अर्ज करना चाहता हूँ कि उसके बार में हम मुआहिद कर चुके हैं और उनको हम तोड़ना नहीं चाहते। हम देखते हैं कि सेक्रेटरी को मिनिस्टर से ज्यादा तन्खाह मिलती है लेकिन हम अपने

मुआहिद को नहीं तोड़ना चाहते। इस वास्तु इन दो बातों पर मेरा इस्तिलाफ है।

बाकी जहांतक और बड़े अफसरान की ऊंचे तन्खाह का सवाल है मैं समझता हूँ कि अब वक्त आ गया है कि हमको दोबारा उनकी तन्खाहों का रिवीजन करना चाहिये ताकि पब्लिक के सामने यह एक चीज आए कि हम किसी की भी जेनरासिटी पर नहीं रहना चाहते। ज्यादा अच्छा होता कि वह लोग जिन्होंने वालंटरी तौर पर सरेंडर किया है वह किसी और अच्छे काम में यह रुपया दें। बहुत सारे अच्छे काम हैं। और गवर्नमेन्ट के खजाने में भी जितना रूपया आवे अच्छा है क्योंकि गवर्नमेन्ट भी बहुत से अच्छे काम कर रही है। लेकिन मैं समझता हूँ कि इस तरह के वालंटरी सरेंडर से गवर्नमेन्ट का खजाना बहुत दूर तक नहीं भर सकता। यह अच्छा हो कि वह अपनी पूरी तन्खाह लें, उस पर इन्कम टैक्स दें और जो उनकी जरूरत से ज्यादा हो वह किसी अच्छे काम के लिये दें दें।

जहांतक रिवीजन आफ स्कैल का सवाल है मैं चाहता हूँ कि गवर्नमेन्ट इसकी तरफ तवज्जह दें। अभी अफसरान और दूसरे लोगों की तन्खाहों में ज्यादा फर्क है। अब वक्त आ गया है कि हम बड़ी आमदनीयों में और छोटी आमदनीयों में ज्यादा फर्क नहीं रखना चाहते, क्यूंकि तन्खाहों में फर्क कैसे ठीक समझ सकते हैं। इसीलिये मैं इतना कह कर इस बिल को सपोर्ट करता हूँ।

Shri Tek Chand (Ambala-Simla):
There is one aspect to which I wish to invite the attention of the hon. Members. No doubt, ostensibly, seemingly, it seems very proper that people should give and voluntarily surrender part of their salaries. but in execution there is a concealed mischief. there is bound to be a hidden heart-burning, and that is this. A class will arise, the favoured few, who, either to earn a little kudos or because their personal wants are few or their family is limited or because they are

otherwise rich in their own way, may like to surrender part of their salary, whereas another person, not so fortunate, not so well placed, with a large family, with a large number of commitments, may find it difficult to surrender. The result may very well be the man who surrenders automatically comes into a class of the favoured few, the philanthropes, a man whose panegyrics will be sung by his bosses, and yet another helpless man because he cannot surrender will be considered unfavourably. The result may very well be that in the case of such a person voluntary surrender becomes involuntary surrender. I have serious misgivings if, among certain classes of officers, they are really surrendering part of their salary voluntarily. I entertain very grave doubts. What is likely to happen will be that because one person, either out of genuine generosity or out of sheer pique or out of some other reason, surrenders a portion of his salary, the rest will follow unwillingly parting with a part of their salaries. I wish that invidious distinction may not come into being. If the Government thinks that the standard of the scale of their salaries is too high, by all means let them reduce it. It would be very proper for them to do so. But, if they think that the standard of their scales is correct, then let them voluntarily give away what they feel to such charities as appeals to them rather than they be called upon to accept lower salaries in order to gain certain advantages which will rebound badly on others who are not in a position to follow the line. Therefore, Government should be rather circumspect in encouraging this sort of voluntary surrender which, in the ultimate result, is prone to become involuntary.

Shri Achuthan (Cranganur): This is merely a measure to enable those who want to surrender a portion of their salaries from being taxed on that amount by the Income-tax Department. No wonder is going to be worked out in this country by this. I am quite satisfied. We are more con-

cerned with revising the pay of the higher officers and giving them better facilities in other respects. It has got a psychological effect also on the country.

As Mr. Nambiar said, the common man thinks that the Congress Government is not at all touching the pays of the high officers because of the guarantees given by the previous Government. Even though when we work it out, the amount may be very little, that psychology prevails and the opposition parties take advantage of that.

In our State also this is being done. The Praja-Socialist Party which is in power has announced that the Ministers will reduce their salaries from Rs. 750 to Rs. 500. It has a psychological effect. In fact, instead of spending Rs. 750 they reduce their spending only.

Shri Nambiar: That is good.

Shri Achuthan: So, the Congress Government must reduce the pays of their higher officers and tell them: "This is the position. You will be given other facilities—housing, educational and medical facilities."

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): You say they should have taken Rs. 750.

Shri Achuthan: They are taking only Rs. 500, and they say they are not going to amend the Bill because they do not want to shut out the representatives of the other parties from taking advantage of the higher salary. That was the position taken by Mr. Thanu Pillai when we interviewed him here. So that there is not much in it.

As Mr. Tek Chand remarked, there is a psychology among officers, and when one officer surrenders because he can afford to, the others are in difficulty. The other man thinks: what can I do, and though he is in difficulties, he also parts with a part of his salary. So, the whole thing

[Shri Achuthan]

affects his patriotism, his efficiency and his earnestness in the work. That is a serious matter. But, if any man volunteers, or has consideration enough for the formation of a socialist state in this country, let him surrender and he will have the benefit in regard to income-tax.

Shri Sadhan Gupta (Calcutta-South-East): I extend, with my friends Mr. Nambiar and Mr. K. K. Basu, my general support to this Bill.

This Bill is not a day too late because we do need it to enable certain officers to surrender a part of their salaries and to make them free of income-tax. But I also reiterate that the real question is not to make them surrender part of their salaries, as to reduce the salaries altogether.

Shri Velayudhan: Cut their salaries.

Shri Sadhan Gupta: There should be a cut in their salaries, as my friend says. The whole point is that we are a poor country, and, therefore, we cannot look at the salary structure from the point of view merely of the rise in the cost of living, merely of what the officer used to get at an earlier time and what he should get now. That is not the way we should look at it. We should look at it from the point of view of the tax-payer, from the point of view of the common people, who have suffered much more than the highly paid officials. We should look at it from the point of view of the low-paid employees of Government as well as of private concerns who are not getting a fair deal and who are not getting enough to make both ends meet. Under these circumstances, there is no moral justification—I should proceed further and say that it is highly immoral—to let certain people have a fat salary out of all proportion to the income of the common people of our country. When suffering has descended upon us, let us share the suffering. If the highly paid officials from the President downwards have a cut in their salaries, no doubt their lives

may be made harder, but yet there is no gainsaying the fact that it will only encroach on that part of their lives which can be called as luxuries, it will only curtail the enjoyment of certain luxuries and not affect the enjoyment of the necessaries and some frugal comforts of life. That is the standard which every highly paid official in the country from the President and Ministers downwards must set. Every highly paid official must sacrifice his luxuries in order to let his less better off brethren have a reasonable approach to a decent life. That is the point of view from which we approach the matter and we do not approach it from any other point of view. When we approach the matter from this point of view, there is a complete answer to the argument advanced by Pandit Thakur Das Bhargava or to the argument advanced in his support by Mr. Achuthan. After all, everyone will realise that when Mahatma Gandhi laid it down that a Minister's salary should be Rs. 500, things were different. Now the costs have increased and today Rs. 500 may not be sufficient for a Minister. Even if costs have increased, why not have Rs. 1,000? Why have Rs. 2,500 or Rs. 3,000 or more is the question that we put. Mahatma Gandhi said that the maximum salary that a person was entitled to in our country is Rs. 500.

Pandit Thakur Das Bhargava: It is Rs. 1,000 so far as a Minister is concerned.

Shri Sadhan Gupta: I am obliged to Pandit Thakur Das Bhargava for the correction. Even at that rate, is the maximum not justified? Pandit Thakur Das Bhargava has stated that the prices have increased four-fold. For the people getting higher salaries, I should say that the price index has increased about three or four times and so far as the people in the lower rung of the ladder are concerned, the costs have gone up and in the case of those people who have to pay only for the necessaries of their life,

the cost has gone up five or six times. If the index figure has gone up four-fold, can we say that the salaries also should go up to Rs. 4,000 a month? That is the precept which Mahatma Gandhi has laid down. Have we not a moral responsibility of conforming to that precept? Have we not a moral responsibility of fixing our salaries in accordance with that precept, taking into account, no doubt, the rise in the cost of living and also the greater inability of our tax-payer today to foot the bill of such high salaries. That is the point of view from which we approach the matter.

There is another aspect which has not been touched and which I seek to impress on the House. It is all right permitting some people to escape from the income-tax by surrendering their salaries, but there are cases where by a small surrender, the person concerned has the advantage of being taxed on a lower scale or on a lower slab, and this has to be guarded against. In West Bengal, for example, we know that a certain Deputy Minister surrendered Rs. 1,500 of his salary, and by that surrender, he has earned a relief from his income-tax, by deducting which his surrender really comes to Rs. 200 or Rs. 300. We should guard against this kind of evasion of income-tax if surrender is made. If a fame is sought to be built up or a reputation for patriotism is to be built up on the basis of surrendering salaries, let it not be from any profit motive. If a surrender is made, let us see that by such surrender, the Exchequer does not suffer unduly. Let us limit the surrender in such a way that, by that surrender, the person concerned does not go down to the next slab and have the advantage of that slab, thereby reaping a profit out of all proportion to the amount surrendered. That is a thing to be guarded against, particularly in view of Mr. Tek Chand pointing out that by surrender, they might get an undeserved reputation for patriotism and so forth. There is that argument but after all the interest of the people is greater. We

know that there are many ways in which you can earn undeserved reputation in society and we need not unduly be worried about this, but what we have to guard against is that by this undeserved reputation, they may not indirectly denude the Exchequer of an amount out of all proportion to the amount surrendered.

आचार्य कृपालानी : (भागलपुर व पूर्निया) : उपाध्यक्ष महोदय, यह जो बिल है, वह तो ठीक है, लेकिन मुझे समझ में नहीं आता है कि उसका मतलब क्या है ? यह जो बड़ आदमी है जिनको 300 आइं पी० कहा जाता है, ये लोग खाली अपने वास्तु यह कट डालना चाहते हैं या यह कट हमेशा के वास्तु आफिसर्स पर रहेगा, यह मुझे थोड़ा मिनिस्टर साहब बता देंगे तो अच्छा होगा ।

श्री अलगू राव शास्त्री (जिला आजमगढ़-पूर्व व जिला बलिया-पश्चिम) : मिनिस्टर साहब को कुछ अभी ख्याल नहीं है ।

Shri A. C. Guha: It is a voluntary cut and it is personal.

आचार्य कृपालानी : पर्सनल है, इसका तो मतलब यह हुआ कि उनकी जगह दूसर आ जायेंगे तो वह फिर उतनी ही तन्खाह ले लेंगे ।

Shri A. C. Guha: He may also surrender.

आचार्य कृपालानी : इसका मतलब यह है कि हमारे प्रेसीडेंट साहब को बीस हजार मिलता था, उसमें फिर वालन्टरी कट करके दस हजार किया

Shri A. C. Guha: According to the Constitution, the President's salary is fixed at Rs. 10,000 a month.

आचार्य कृपालानी : अच्छा, ठीक है दस हजार मासिक था, फिर अभी अगर वह वालन्टरी कट करके अपना मासिक पांच हजार कर लेते हैं तो क्या अगर उनकी जगह पर कोई दूसरा हमारा प्रेसीडेंट आयेगा तो वह दस हजार ले सकता है ?

श्री अलगू राब शास्त्री : जी हां ।

आचार्य कृपालानी : यह तो बड़ी अजीब बात है । इससे तो अच्छा है कि इन आदिमियों को जो लेते हैं वही लेते रहें ।

इसमें दश को कोई फायदा नहीं है । अगर आप लोगों को और हम लोगों को ठीक काम करना है तो फिर यह जो तन्स्वाहें हैं उनको हमें कम करना चाहिये और हम करंगे तो फिर अफसर लोगों को भी कुछ शर्म आयेंगी । पहले ही पहल जब हमने काम शुरू किया था तभी हम लोग कहते लोगों से कि मंहगाई हो गई है इसलिये पांच सौ तो नहीं लेकिन दो हजार से ज्यादा किसी को भी हिन्दुस्तान में नहीं मिलेगा, तो मुझे निश्चय है कि हमारा जो अफसरान लोग हैं वह भी इसको कबूल कर लेंगे । फारसी में कहते हैं कि बिल्ली को पहले ही दिन मारना चाहिये । पहले दिन तो उसको मारा नहीं और यह आशा हम लोगों से की जाती थी क्योंकि हम लोग जब सरकार में नहीं आए थे उस वक्त हम किस तरह से रहते थे ? सरकार में आने से किस तरह रह रहे हैं अगर इसका मुकाबला किया जाय तो ऐसा दखने में आता है कि कोई आदमी तो एक दम से साहूकार हो गया लेकिन उसको साहूकारी से रहना नहीं आता है । उसको हम अंगूजी में "newly rich" कहते हैं । यानी कभी दखा ही नहीं था । खान्दानी नहीं था । ऐसे ही ब्लैक मार्केट वर्ग रह से आ गया । उसको रहना नहीं आता है फिर भी जो खान्दानी होता है वह उसका अनुकरण करने लगता है तो बड़ा अजीब सा जानवर लगता है और बहुत हंसी की बात होती है । तो मैं आप से कहता हूँ कि बहुत से आदमी हम लोगों को आज दखते हैं और उनमें से हमारा परमानेंट आफिशल्स भी हैं, वह भी कहते हैं कि दखा, यह लोग कैसे रहते थे और आज उनके दिमाग को क्या हो गया है ? उनके ऊपर इसका बहुत खराब असर पड़ता है । यानी मिनिस्ट्रों के बार में, या बड़े बड़े लीडरों के बार में वह ऐसा आक्षेप करते हैं कि दखा भाई, यह लोग

कैसे रहते थे, आज इनका दिमाग बदल गया है । इसलिये इन लोगों के वास्तु परमानेंट सर्विसेज की कोई रिस्पेक्ट नहीं होगी तो हमें आश्चर्य नहीं होना चाहिये । उन्होंने हमेशा चार हजार रूपया कमाया और मजबूती में रहते थे । बहुत से ऐसा कहते हैं कि यह नए आदमी कहां से आ गए तो हमारा साथ मुकाबला करते हैं, इनको रहना तो आता ही नहीं है । यह तो बेचार २५, २० या ५० रु० में रहने वाले थे, इनको अब माँका मिल गया है । इसका भी बहुत खराब असर होता है । हम लोग जो करंगे, लीडर्स जो करंगे, उसी की दखा दखी दूसरे भी करंगे । इसी वजह से महात्मा ने कहा था कि सिर्फ पांच सौ रूपया तन्स्वाह रक्खी जाय । अब कहा जाता है कि पांच सौ तो उन दिनों के लिये थे, आज कल तो प्राइसेज बढ़ गई हैं । प्राइसेज बढ़ गई हैं तो क्या खाली हम लोगों के लिये, या बड़े लोगों के लिये बढ़ गई हैं या छोटे आदिमियों के लिये भी बढ़ गई हैं ? मैं तो समझता हूँ कि जिन लोगों को छोटी तन्स्वाह मिलती है उनके वास्तु प्राइसेज बहुत बढ़ गई हैं क्योंकि उनकी इनकम का ज्यादातर हिस्सा जो लाइफ की जरूरतें हैं उन्हीं में खर्च हो जाता है, और वह बहुत मंहगी हो गई है इसलिये उनको ज्यादा नुकसान होता है ।

आखिरकार जो हमारा दश में क्लर्क हैं या टीचर्स हैं, हमने दखा है कि जो टीचर्स हमारा बच्चों के गुरु हैं, उन गुरुओं को जो तन्स्वाह मिलती है वह चपरासियों की तन्स्वाह से भी कम है, और उनको सफेदपोश भी रहना पड़ता है । अगर वह टीचर्स हैं तो उनको पढ़ना भी पड़ता है, अखबार भी पढ़ना पड़ता है और जिन का ऐसा हाल है ऐसे आदिमियों से आप वालेंटरी कट न कराएं तो आपकी महरबानी है । अगर हमारा प्राइम मिनिस्टर साहब, हमारा प्रेसीडेंट साहब, हमारा स्पीकर साहब कहते कि एक कन्सालिडेटेड बिल आना चाहिये जिस में इन वी० आई० पीज० की सैलरीज को दखा जाय, और कम किया जाय, तो इसका

जनता के ऊपर बढ़ा असर पड़ता। अगर कांग्रेस पार्टी अपने हित को भी देखती और ऐसा करती तो इसका बाहर के अर्थीभयों पर इतना असर होता कि यह जो फुजूल प्रोपेगन्डा कांग्रेस को बढ़ाने के वास्ते हो रहा है, उसकी भी जरूरत न पड़ती। आदमी कहते कि यह लोग बेचारे ऐसे भले आदमी हैं कि बहुत छोटी तन्स्वाह लेते हैं।

मैं कहना चाहता हूँ कि यहां पर यह बात भी है कि छोटी तन्स्वाह वालों या मजदूरों में और बड़ी से बड़ी तन्स्वाह वालों में, या बड़ी से बड़ी जो इनकम हैं उस में बहुत फर्क है। ऐसा किसी मुल्क में भी नहीं। यह फर्क यहां पर करीब २०० दफा पड़ जाता है। अगर ५० रुपये एक मजदूर को मिलते हैं, या एक क्लर्क को मिलते हैं तो हमारे प्रेसीडेंट साहब को दफा हजार २०० मिलते हैं। तो २०० गुना हुआ न ? महात्मा ने एक दफा एक छोटी तन्स्वाह पाने वाले में और एक बड़ी तन्स्वाह पाने वाले में २०० गुने का फर्क निकाल कर जो हमारे वाइसराय थे उनको दिखलाया था। इससे वाइसराय को बड़ा गुस्सा आया। लेकिन यह फर्क अभी तक है। इसका मतलब मेरी समझ में नहीं आता है। इसी वजह से लोग कहते हैं कि हमारा स्वराज्य स्वराज्य नहीं, खाली ढकोसला है। यह देखने में आता है कि उसमें कोई भी अदला बदली नहीं हुई है। हमारे लेबर मिनिस्टर कहते हैं कि जो लोएस्ट सैलरी होगी, जो लोएस्ट इनकम होगी वह १ २०० २ आ० रहेगी। उसके लिये भी कहते हैं कि यह देहात में नहीं हो सकती। मैं कहना चाहता हूँ कि कम से कम इनकम १ २०० २ आ० नहीं होनी चाहिये। कम से कम इनकम एक आदमी की २०० रूपया महीने में होनी चाहिये। इसके साथ जो बड़ी से बड़ी इनकम हो वह २००० २० तक होनी चाहिये। हमारे सर्विसज के आदमी कहते हैं कि दस्ता डाक्टरों को, उनको कितनी फी मिलती है, वकीलों को कितनी फी मिलती है और इन्डिस्ट्रियलिस्ट्स को कितनी आमदनी होती है। मैं कहता हूँ कि जब हम पीब्लिक

सर्विसज को, और अपने लीडरों को रंगुलेट कर देंगे तो उन लोगों को भी रंगुलेट करने में बड़ी आसानी होगी। वह लोग हमारी ही मिसाल ले करके अपनी फीस बढ़ाते हैं, वकील बढ़ाते हैं, डाक्टर बढ़ाते हैं, अगर हम लोग यह करेंगे तो हम लोग उनके ऊपर भी जोर और दबाव डाल कर उनकी फीस और उनकी कमाई को भी कम कर सकते हैं। देश में किसी की भी कमाई किसी आदमी से २० गुने से ज्यादा न हो। अगर एक आदमी को एक रूपया मिलता है तो उसके भाई को, जो उतना ही काम करता है, शायद वह दिमागी काम करता हो, वह मजदूरी से ज्यादा आसान है, बीसगुने तक मिले, इससे ज्यादा नहीं मिलना चाहिये। मैं समझता हूँ कि इससे ज्यादा हमको कभी नहीं जाना चाहिये। साथ में यह भी मैं कह सकता हूँ कि आप करें चाहे न करें, यहां सर्कम्स्टान्सज ऐसे होंगे कि आपको झक मार कर करना होगा, और आहिस्ता आहिस्ता झक मार आप लोग ऐसा करते भी जाते हैं। यह जो सर्कम्स्टान्सज आज कल करार दिये जाते हैं जिस में आपको भी फायदा न मिले और देश को भी फायदा न मिले तो यह कोई अच्छी बात नहीं है।

यह जो दूटा फूटा बिल आपने रक्खा है, वह ठीक है। उसमें जैसा मेरे भाई ने कहा कि कोई आदमी अगर एक स्लैब से दूसरे स्लैब में जाय, और डिक्लेअर कर दे कि मैंने २००० २०० दे दिया जब कि दिया उसने खाली २०० २००, यह हो सकता है। लेकिन इसकी दवा कैसे हो सकती है ? ऐसे आदमी दिखलाते हैं कि हम लोग तो बहुत उदार दिल के हैं, लेकिन अगर अनारलिजिस की जाती है तो मालूम होता है कि वह लोग बहुत तंग दिल के आदमी हैं। २०० २०० देते हैं और दिखलाते हैं २००० २००।

बस मुझे इतना ही कहना है।

Shri A. C. Guha: Sir, I did not expect that this Bill would provoke such a discussion covering a wide range. I could understand Mr. Nambiar and

[Shri A. C. Guha.]

Mr. Basu taking advantage of this Bill to discuss something about the social and economic ideas. But what surprises me most is some of the remarks made by Mr. Sharma. He thinks that this Bill or a measure like this would be a sort of compulsion on some unwilling persons who may not be really willing to surrender a portion of their salary or may not like to do it for some circumstantial reasons. In a society there must be some social compulsion for every social being. Otherwise no society can carry on. There must be some social etiquette, some social convention, and also an impulse and an urge to imitate the good example set by others. I cannot understand how Mr. Sharma could take exception on that ground to the provision made in this Bill.

Shri Tek Chand has said that some may be fortunate, due to their family circumstances, to surrender a portion of their salary, but others may not be so fortunate, and a sort of compulsion will be exercised on them. That also would be an absolutely subjective thing. What I have said to Mr. Sharma's apprehension would equally apply to the apprehension of Mr. Tek Chand.

Acharya Kripalani has said many things.

Acharya Kripalani: Right or wrong?

Shri A. C. Guha: When an Acharya says anything it must be always right. How can I say that Acharyaji can ever be wrong? It may be right or wrong in an absolute sense, but may not be so in a relative sense. What he has said might be right in other circumstances or in an abstract sense; but for the circumstances and in relation to the situation with which we are dealing, most of his remarks may not be quite right.

Shri Sadhan Gupta mentioned one case of a Deputy Minister of West Bengal surrendering Rs. 1,500 of his salary. I do not know if he meant his monthly salary or a total amount from his salary.

Shri Sadhan Gupta: Monthly.

Shri A. C. Guha: A Minister in Bengal, as far as my knowledge goes, gets only Rs. 1,000 or even less. A Deputy Minister gets much less. And so I cannot understand how he can surrender Rs. 1,500 out of his monthly salary. I am sure a Deputy Minister in West Bengal gets very much less than one thousand rupees.

Shri Sadhan Gupta: With allowances?

Shri A. C. Guha: Allowance is not subjected to income-tax.

Shri K. K. Basu: Some allowances are there.

Shri A. C. Guha: I know there is one allowance namely T. A.

Mr. Deputy-Speaker: Let there be no cross-conversation. When hon. Members make any statements, let them be absolutely accurate, as far as possible.

Shri A. C. Guha: As for the points mentioned by Mr. Nambiar and Mr. Basu, I think I should refer them to the present scale of pay for I. A. S. officers. I would agree with them that the pay fixed for the I. C. S. officers is rather on the high side and may not be quite in conformity with the general standard of our people. But I think they do not know that the present recruits to the Indian Administrative Service are to get much less. Their salary, I think, has been fixed from Rs. 350 to Rs. 1,800. That is the maximum in the usual course. If they are taken to some special cadre, their salary would rise up to Rs. 3,000—not Rs. 4,000 as in the case of the Secretaries of the Central Government belonging to the I. C. S. And then out of this Rs. 2,000 or Rs. 3,000, whatever it may be, there will be income-tax taken. If some of them reach the highest scale of Rs. 3,000—I think not more than 10 per cent. of the recruits would get that scale—they will have to pay Rs. 697 towards income-tax. So, deducting this, there would remain only Rs. 2,300 even.

Amendment Bill

As for the relation between the minimum and the maximum income, I think much may be said, and one may grow very much eloquent on this. But if we take a general review of the scales of pay prevalent in other countries, including the communist countries, and also the difference between the maximum and minimum pay in those countries, I think we would not have much reason to be ashamed of or to regret about the position here—even though I would agree that there may be scope yet for scaling down our higher scales of income, particularly in private sectors. I can mention here that for some posts, not so much of a technical nature, the Public Service Commission could not always get sufficient number of applicants on the pay that is generally attached to such posts. In some cases they have had to advertise twice or thrice and even then really qualified persons were not available, on the scale which the Government was willing to pay for them. So considering the income either in private business or in private jobs, I do not think the present scale of pay as fixed now for most of our officers is very high. Of course, one may argue that there should be scaling down of income also for the private sector. That is a far wider issue, very much beyond the scope of this Bill.

I think in spite of what all Members might have said, none has taken any exception to this Bill, and I hope the Bill will be passed.

Mr. Deputy-Speaker: The question is:

“That the Bill to amend the Voluntary Surrender of Salaries (Exemption from Taxation) Act, 1950, be taken into consideration.”

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments to any of the clauses and so I will put all the clauses together with the Long Title and Enacting Formula to the vote of the House.

Shri S. S. More (Sholapur): Sir, May I put one question to the hon. Minister?

Mr. Deputy-Speaker: Yes.

Shri S. S. More: As provision has been made for certain officers to surrender part of their salaries for the purpose of avoiding taxation or getting exemption from tax, I want to know why the same concession is not being extended if the Members of Parliament are to get any salaries.

Shri K. K. Basu: Under the amended section they can do.

Shri A. C. Guha: Now the Members of Parliament are getting only daily allowance which is free from income-tax.

Shri S. S. More: I know the present position, but according to the report which your committee has submitted, some Members may opt for salary and allowance and that salary is liable to be taxed by way of income-tax.

Mr. Deputy-Speaker: That will be implemented by a Bill and this provides that wherever salary is fixed by a Central Act, it will be free from tax.

Shri S. S. More: Sir, there is a column, but I want to know whether that column will be covered?

Mr. Deputy-Speaker: Automatically.

Shri A. C. Guha: It is not necessary to add anything; persons whose salaries are fixed by State Legislatures or the Central Legislature are already included. The salaries of Members of Parliament will be fixed by an Act of the Central Legislature and so, automatically they will come within the mischief or the benefit of this Act.

Shri Nambiar: Sir, I want to ask one question.

Mr. Deputy-Speaker: No, no.

Clauses 1 and 2 were added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri A. C. Guha: I beg to move:

"That the Bill be passed."

Shri Nambiar: Sir, I want to know whether the hon. Minister can give us an idea as to what is the amount that has been saved out of this for the last few years, or at least in one year?

Shri A. C. Guha: I have not got the figures.

Shri Nambiar: Not even for one year?

Shri A. C. Guha: No, Sir.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

**BENARES HINDU UNIVERSITY
(AMENDMENT) BILL.**

(AMENDMENT OF SECTION 17)

Mr. Deputy-Speaker: We will now take up Private Members' Business.

Shri Raghunath Singh (Banaras Distt.—Central): I beg to move for leave to introduce a Bill further to amend the Benares Hindu University Act, 1915.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Benares Hindu University Act, 1915."

The motion was adopted.

Shri Raghunath Singh: I introduce the Bill.

Mr. Deputy-Speaker: Shri S. V. Ramaswamy is not here. Then, Shrimati Maniben Patel.

**SUPPRESSION OF IMMORAL
TRAFFIC AND BROTHELS
BILL**

Shrimati Maniben Patel (Kaira South): I beg to move:

"That the Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels, be taken into consideration."

श्रीमती मणिबेन पटेल : उपाध्यक्ष जी, यह बिल ऐसा है कि जिसमें कोई ज्यादा कहने की जरूरत नहीं है। इसकी आवश्यकता में मानती हूँ कि सब लोग महसूस करते हैं। कुछ स्टेटों में इस सम्बन्ध में कानून मौजूद भी हैं, परन्तु यह उचित होगा कि सारा देश भर के लिये अगर एक सेंट्रल लेजिस्लेशन हो जाय, देश के लिये एक यूनीफार्म कानून हो जाय तो इस पर अमल करने में भी काफी आसानी होगी। हम जानते हैं और हमने अक्सर देखा है कि लोगों ने इस प्रकार का एक धंधा बना रक्खा है कि वह बेचारी लड़कियों को उठा कर ले जाते हैं और उनको बाथरूम में ले जाकर पैसा बनाते हैं। इसलिये अगर इस प्रकार का एक कानून बन जाय तो हमारा देश और समाज में जो आज एक नीतिक अधःपतन हो रहा है उसको रोकने में हम समर्थ हो सकते हैं। पार्टिशन के बाद तो यह बुराई और भी काफी बढ़ गई है, क्योंकि काफी लोग बेचार अपने घरों से निकाले गए हैं और उनके रहने का कोई ठीक प्रबन्ध न होने के कारण मात एक जगह बसी है, स्त्री दूसरी जगह है और पति कहीं तीसरी जगह पर रह रहा है। इसके अलावा लोगों की आर्थिक हालत भी काफी बिगड़ी हुई है, इस कारण कई लोगों ने इसका भी फायदा उठाया है और बंगाल प्रान्त में कलकत्ते में तो अभी यह भी देखने में आया है कि वहाँ पर समाज क्लीनिक्स का धंधा लोगों ने कर रखा है, अभी अप्रैल के महीने के मॉडर्न रिव्यू में यह खबर आई है कि यह काम वहाँ पर इतने जोरों

से चल रहा है कि वहां की स्टैंड असेम्बली इसको रोकने के लिये सरकार को जितनी अधिकार सत्ता चाहिये वह देने के लिये राजी हो गई है और विधान के अनुसार भी मैं समझती हूँ कि हमको इस तरह का अधिका-पूर्ण कानून बनाने में कोई अड़चन और संकोच नहीं होना चाहिये। मैं आशा करती हूँ कि सरकार इस पर ध्यान देगी और हमारा जो यह बिल है उसको जल्द से जल्द स्वीकार करेगी क्योंकि मैं समझती हूँ कि कानून बनाने से हमको लाभ ही है, इसीलिये मैं यह बिल आपके सामने पेश करती हूँ।

Mr. Deputy-Speaker: Motion moved:

“That the Bill to provide for and consolidate the law relating to suppression of immoral traffic in women and brothels, be taken into consideration.”

Shr.mati Jayashri (Bombay—Suburban): Sir, I heartily support the Bill moved by Shrimati Maniben Patel. In July 1951, the then Home Minister, Shri C. Rajagopalachari, had brought a Resolution in the House:

“This House approves the ‘Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others’ signed at Lake Success on the 19th day of May, 1950, by the representative of the Government of India on behalf of India, and is of the opinion that the same Convention be ratified by the Government of India.”

This was brought in 1951. After that, for a long time, somehow or other, this Resolution was not passed in the House; but ultimately we learn from the Five Year Plan that the Government have ratified this Resolution. In the First Five Year Plan, on page 622, para 31, it is written that India is a signatory to the international agreement for the suppression of traffic in persons and of prostitution, which was reached in 1950. India is one of the signatories among the 25

States which have signed the protocol on the 4th May, 1949 at Lake Success known as the ‘Suppression of white-slave traffic’. Sir, I wish to read only the first one or two articles of this Convention which will give us some idea of the scope of this Convention. Article (1) says:

“The parties to the present Convention agree to punish any person who, to gratify the passions of another:

(1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;

(2) Exploits the prostitution of another person, even with the consent of that person.”

Article 2 says:

“The Parties to the present Convention further agree to punish any person who:

1. Keeps or manages, or knowingly finances or takes part in the financing of a brothel;

2. Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.”

There are many articles. In article 27, it is said:

“Each party to the present Convention undertakes to adopt, in accordance with its Constitutions, the legislative or other measures necessary to ensure the application of the Convention.”

On the basis of this, some of the Members of the Parliament, especially the women Members, thought that as the Government were thinking of taking action, if we brought this Bill, perhaps, we might strengthen the hands of the Government. That was the idea. Some of us had approached the Deputy Minister also. He gave us time to understand that Government are not taking action in this matter. Perhaps the Government might have circulated the matter to the various States,

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for their opinion. I am informed that they are waiting for the opinion of the States. Meanwhile, if we bring this legislation, we hope the House will accept it because it is very necessary. A few States have already got this law, the Suppression of Immoral Traffic Act. But, as this evil is spread out throughout the country and inter-state gangs are working for kidnapping women, I think it is necessary that there should be a Central legislation which could apply to all the States.

Besides this, in the report on moral and social hygiene,—some of the legal difficulties which come in the way of the various State Governments have been shown. In one of the reports, it is said that a draft model Act was prepared and sent to the Government for examination and action. It is said:

“In this model Act, an effort was made to remove the defects of the existing law. But, it is regrettable that in spite of many reminders, the Government have taken no action. We are hoping that during this parliamentary session, the draft will be placed before the House of Parliament for discussion. In this connection, I would also like to mention that of late, the Delhi Branch of the Association for moral and social hygiene, in the course of its rescue operations has come up against a serious difficulty. It finds that often the municipal law militates against the State law....”

because the municipal law allows their segregation and also allows brothels to be continued.

The role of the brothel in international traffic was considered by the League of Nations in 1938, and in their report they have said:

S. “While it is realised that, in the general, the existence of licensed brothels is a matter of internal conditions which does not

come within the competence of the enquiry, at the same time, it is the Commission's duty to consider the bearing of this system on international traffic in the East. The observation of the Commission has shown that the existence of licensed or recognised brothels in an eastern country is a determining factor in making that country a place of destination for international traffic, and that immediately recognition is withdrawn from brothels, the amount of incoming traffic shows a marked decrease.”

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This shows that a principal factor in the promotion of international traffic in women in the East is a chain of brothels which are at the disposal of the traffickers, particularly, a brothel in the place of destination of the victim. The most effective remedy that they have suggested in the abolition of licensed or recognised brothels. In the Bill that is submitted before the House, it is mentioned that the recognition and licensing of brothels should be discontinued.

There was a meeting of women in Delhi in 1952, in which they said that the Government of India will have to pass the necessary legislation to suppress immoral traffic, and that the gaps revealed in the State laws and the activities of inter-state gangs stress the importance of tackling the evil on an All-India basis, and that as the existing laws may suffer from being enforced desultorily, the Central legislation would guarantee strict enforcement. As I said, in the report on moral and social hygiene, they have also mentioned this difficulty. On that ground, they circulated a questionnaire to various States. In the questionnaire, they have asked these questions:

(1) Are there any segregated or reserved areas in your State/City?

(2) Are these areas legally permitted?

(3) Are these brothels and the prostitutes residing there under police regulation?

(4) Do the prostitutes residing in the brothels undergo medical examination or other routine check-up?

Some of the States have replied to this questionnaire and summary of the reports invites attention to:

"(1) The extent of discrepancies in the State Acts on suppression of immoral traffic.

(2) The extent of contradiction between State law and Municipal bye-laws.

(3) Legal difficulties in the effective application of these enactments.

(4) Loopholes in the existing laws."

On the basis of this questionnaire and the findings, I would request the Government to take action and make efforts to find out from the various States the way in which this Act is working and the difficulties that come up in the way of enforcement.

While supporting this Bill, I would also request the Government to find out a machinery for rehabilitating the women already rescued. We have not got sufficient homes in the country. In this, the State also must help the private organisations which are already doing work for rescuing the girls. In Bombay, I am told that there are quite a good number of rescue homes, though the number of brothels in Bombay is, I am told, about 6000. If we rescue the girls, we require homes to give shelter to them. At present, some of the homes—widows' homes or children's homes—are, on the contrary, helping this traffic. They are bogus homes and for that also some of the Members have brought another Bill for licensing and registering these homes, because it is necessary that whenever these homes are started, there should be proper con-

trol on them. For that also, I would request the Government to see that some legislation is immediately introduced, so that such bogus homes do not do this trafficking in women and children.

I feel that only the combined force of three agencies can effectively check this evil. They are: (1) adequate Laws, (2) proper Government agencies to enforce the laws, and, (3) enlightened public opinion which is alive to its responsibilities and gives full support to this enforcement.

For the present state of affairs, I think the main thing to blame is the status given to women by our society. Society looks down on women. The status of women should be improved in order to root out this evil. So long as there are evil customs like child marriage, dowry and one-sided laws, it is difficult to root out this evil, because hunger is the chief root of prostitution, and women, when they are thrown out on the streets, have no other way but to resort to this evil trade. So the first thing for society to do is—I would appeal to my brothers here also—to see to it that the status of women is improved. There are legislations before this House for improving the condition of women in our country, and I would appeal to my brothers here that we should all help in passing these legislations without any delay, because, unless women get their proper status in society, it will be very difficult for the Government also to work, depending only on this Act. The chief thing is to improve the condition of women in society. So, together with the law, we have to see that women's condition in society is also improved.

Lastly, I would say among the other causes for this evil is the breaking up of the joint family system. All these years we know that in the joint family widows and unmarried girls were taken care of, while at present the women who have become widows are dependent on their other relatives who do not take proper care of them,

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and they fall into the hands of evil-doers. Also, there was the caste system which used to help in creating public opinion. The other factor is the growth of large cities. In a place like Bombay we have got a large population which comes from the villages. They leave their family behind, and then they are enticed and they take to this sort of prostitution. Also some of the women who work in all these big factories are forced to lead this life. All these things are the causes of prostitution.

Then there is also another factor. Sometimes when the women from the villages reach the big railway stations, they do not know the right place to go to. Procurers take advantage of these poor women and they fall into bad hands. So, we should see that on all these railways, women guides are kept, and they should guide the women. Big *melas* and religious fairs are also places where guides should be kept and they should look after the women.

If the Government look into all these causes and take proper action, I hope we will be able to remove this evil. I read in one of the books that in Russia also this evil prevailed as it is at present in India, but the Russian Government took all this action and they have been successful in removing this prostitution.

I wholeheartedly support this Bill.

Mr. Deputy-Speaker: I forgot to refer to the amendments for circulating the Bill for eliciting public opinion, one by Mr. Vallatharas and another by Mr. D. C. Sharma. They did not rise in their seats. Therefore, I have to call upon them. I believe they are not moving.

Shri D. C. Sharma (Hoshiarpur): We are moving.

Mr. Deputy-Speaker: Then, let them move their amendments.

Shri Vallatharas (Pudukkottai): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st August, 1954."

Shri D. C. Sharma: I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 29th August, 1954."

Mr. Deputy-Speaker: Let me hear immediately what the Government has to say before I allow further discussion. What is the attitude of the Government?

Shrimati Renu Chakravartty (Basirhat): You are not closing the debate, are you?

Mr. Deputy-Speaker: Absolutely not.

The Deputy Minister of Home Affairs (Shri Datar): I am happy to inform this House that the Government of India are in sympathy with the principles of this Bill. They are aware that the evil which is sought to be eradicated by the passage of this Bill is of a very vast nature. We have seen in Delhi, as in other places also, that a large number of girls of immature age are brought here or seduced here from the roundabout districts, especially from the hilly districts, and then they are compelled to lead a life of shame. The House is also aware that some months ago the Government of India, with the full co-operation of the Delhi State, had a large raid over these houses of ill fame and a number of girls have been rescued and a large number of them have now been kept in what is known as the poor home, and all arrangements are being made to look after especially the moral rehabilitation of these girls. The Government of India are going to do whatever is possible for rescuing other girls also with a view to see that this inhuman crime is brought under control, if not completely eradicated.

So far as the present Bill is concerned, Government have been taken a number of steps in this direction. Last year, we received from the Association for Moral and Social Hygiene in India a copy of a model Bill for the consideration of the Government. A number of very good principles had been laid down there. Therefore, immediately after we received this representation from this association, we considered that in as much as this subject was mostly a State subject, it would be better to have a uniform law on the subject, but that could be done only after consulting all the State Governments.

Thereafter, a number of lady Members had come to me and placed their representations so far as this particular point was concerned. Immediately, Government took action and addressed the State Governments on a number of points as to whether the existing law was sufficient, whether the State Governments would like to have a comprehensive all India legislation. They were also told that the Government of India had been a party to an International Convention for the Suppression of Traffic in persons and of the exploitation of prostitution of others. Government have already signed a convention and subsequently, in 1952, that convention was also ratified by the Government of India. So, under article 253, it is open to the Government of India to make laws with a view to implement the agreement or convention to which the Government of India is a party. After we submitted a detailed letter along with the copies of the draft Bill to the State Governments, we have received replies from some and we have yet to receive replies from a number of States like West Bengal, Orissa, Assam, Madhya Bharat, Madras and the Punjab. We have not received their reactions to these proposals and, therefore, Government have to wait.

But, all the same, Government have come to a tentative decision. In view of the large Volume of support that the Government have from the other States it is expected that these States

will also fall in line and allow the Central Government to have central legislation on the point dealing with the various subjects that have to be considered for a proper application of the law.

We have got here a Bill on this which is moved for consideration. We have also other Bill. That also is going to be moved for consideration in the other House. So far as these two Bills are concerned, they are Bills by private Members and therefore certain objections have to be taken into account.

Pandit Tuakur Das Bhargava: What is the other Bill?

Shri Datar: The Bill in the other House. It is a Bill on the same subject, moved by Shrimati Sita Parmanand and it is identical with this Bill. It is also fixed for today. So far as these private Members' Bills are concerned, there are certain difficulties which have to be taken into account.

In the first place, Parliament can legislate only under article 253 with a view to implement the international convention. But, both these Bills contain certain provisions which go beyond the terms of the international convention. They are necessary, but, still, they cannot be said to be those to which article 253 would apply.

There are also certain financial commitments so far as the provisions of these two Bills are concerned. It is stated in the course of the Bill here as well as there that a Rescue Home should be established, that certain action should be considered as penal and they also state that tribunals should be set up to try these and other offences. For all these provisions, the President's recommendation under article 117 (3) is absolutely essential, because there are financial commitments. It reads like this:

"A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India shall not be passed by either House of Parliament unless the President has

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recommended to that House the consideration of the Bill."

Now, the Bill before the House is such that in this respect the hon. Mover has not asked for the recommendation of the President. Unless a recommendation is received, it will not be open to this House to move for the passage or the enactment of such a measure.

So far as the implementation of the international convention is concerned that is a point which can only be taken up by the Government, and as I have stated to this House, Government are fully aware of the enormity of the evil and of the need for having central legislation so far as this great offence against humanity is concerned. I would, therefore, assure this House that as soon as the opinions that have not so far been received are received, we would consider all those opinions and the Bills before the two Houses and, after considering all the matters, Government would place before this House a comprehensive Bill dealing with all the aspects of the case.

Shri B. S. Murthy (Eluru): How long will it take?

Shri Datar: I cannot exactly say when the opinions will be received. But, Government have been acting extremely diligently so far as this is concerned. We have naturally to depend upon the replies of the States and the House would see that there are some very important States that have not yet replied. Therefore, we shall place before the House a comprehensive Bill which will deal with all the points which the hon. Mover has in view. With this assurance....

Shrimati Kamleedu Mati Shah (Garhwal Distt.—West cum Tehri Garhwal Distt. cum Bijnor Distt.—North): May I ask if we cannot do for other States, cannot we pass an Act for Part C States?

Shri Datar: It is open to Parliament to pass a law for Part C States. There are legislatures in those States and, even though not in regard to legality,

it would be proper to consult those States also. Therefore, it is our desire to have a Bill not only for Part C States but, if all the States agree, for the whole of India including all the States. That would mean a uniform law and it would be useful for all the States. With this assurance, I would request the hon. Mover to withdraw the Bill.

Shrimati Renu Chakravartty: Sir, you have given the hon. Minister an opportunity to clear certain doubts. He has said that there are many things contained in the Bill which go beyond article 253. Can he give specific instances of those things which go beyond the article. We have not got the treaty which has been ratified, so that we may see how the provisions go beyond the article mentioned by him..

The Minister of Home Affairs and States (Dr. Katju): A question was asked as to when the Government propose to bring in the new Bill. I shall endeavour, to the best of my ability, to introduce the new Bill some time next Session. This session is practically over and the next session will be in July or August. We will bring in a comprehensive Bill covering the whole subject for the whole of India. I think this would meet the wishes of everybody. Whether there is a convention or no convention, I shall see to it that we deal with this mischief according to our traditions, and this mischief is curbed. Whether we go beyond the international convention or limit ourselves to the international convention is a matter of little importance.

Shri Datar: I would answer the question. The hon. Member wanted to know.....

Pandit Thakur Das Bhargava (Gurgaon): Before he answers that question I will put another question. The hon. lady Member has put on question about convention. I want to know what is the legal obstacle to bring a Bill here in Parliament; so far as the States and the Central Government are concerned, this is a concurrent

subject. There is no question of the States concurring. Only in so far as you have to set up vigilance committees, Homes, Resthouses and shelters they have to incur expenditure. But, so far as the main subject is concerned, I want to know from the hon. Minister what is the legal obstacle in our bringing a Bill here.

Shri Datar: So far as the last question is concerned, we are advised that inasmuch as the present Bill is of a penal nature, making reference to imprisonment and detention in jails etc., therefore it comes under item 4 of List II of schedule seven, which is naturally a State subject. We are advised that it would be better to act with the concurrence of the States.

Pandit Thakur Das Bhargava: I am interested to know whose advice it is because in the Concurrent List all criminal matters come under the purview of both. There have been cases in which you have been making laws providing for imprisonment also.

Shri Datar: Anyway that is not very difficult. The Government of India have their legal advisers in the Law Ministry.

So far as the other question is concerned, the hon. lady Member wanted to know which were the matters that went beyond the purview of the international agreement or convention. In the Bill here and in the other House, there are certain provisions which go beyond the purview of the international convention. I shall point them out. We are advised that the Bill contains some provisions, for example, a provision for punishment of adults living on the earnings of prostitution, and possibly also a provision for rescue of girls from brothels, etc., which are not strictly within the terms of the Convention. Anyway, I am not raising any constitutional objection at all, because the question is very important from the point of view of the interest of the nation. We are anxious to bring a bill and we are not going to depend upon legal subtleties or legal difficulties. With

a view to enable the Government of India to bring a comprehensive measure on the subject, I would request the hon. Mover to withdraw the Bill.

Mr. Deputy-Speaker: Let me ascertain the views of the hon. Member who moved the Bill. If she is willing to withdraw, there is no point in pursuing the matter.

श्रीमती मणिबेन पटेल: अगर सरकार अगले सेशन में लाने के लिये पक्की तरह से कहे तब तो मैं विद्वान कर सकती हूँ। लेकिन अगर अगले सेशन में कहे कि हम को टाइम नहीं है, इस लिये हम इस को नहीं ले सकते, तब मैं इस को विद्वान नहीं कर सकती।

Mr. Deputy-Speaker: The hon. Member need not withdraw if she has any doubts. It may stand adjourned to some other day. The only procedure is that, if it stands adjourned, the hon. Member may give notice at the next earliest opportunity if by then nothing is done in the matter, and it shall again come up. Now if the motion for adjournment is made, I shall put it to the House.

Shrimati Renu Chakravartty: What is the next possible date on which it may be taken up again?

Mr. Deputy-Speaker: Any day.

Shrimati Renu Chakravartty: Can we apply for it to be taken on a particular day that we like?

Pandit Thakur Das Bhargava: May I suggest a course? There is no harm if this Bill is adjourned provided it is given precedence on some other day. Let the Government give an undertaking that they will agree to the Bill coming up again, if they do not bring in their measure in the next session, as soon as possible on some official day so that it may not compete for the ballot.

Dr. Katju: Why should there be all this distrust? I have given a definite assurance that this matter will be dealt with and I shall see to it that all the preliminaries are completed during the next two or three months,

[Dr. Katju]

and we shall bring in a Bill in the next session, as soon as it begins.

Shri B. S. Murthy: What is the harm in keeping it alive?

Mr. Deputy-Speaker: There is no harm.

Shri B. S. Murthy: We want an assurance from Government that in case Government is not able to bring their Bill, this Bill may be given preference.

Mr. Deputy-Speaker: It is not in the hands of Government to give it preference. I do not want hon. Members to surrender their rights to any section of the House, even if it be Government. The priority or otherwise is not in the hands of the Home Minister. The procedure in such cases is this. Whatever Bill is part-heard, it will be taken up on the next non-official day. If such Bills are adjourned to some other day, they will have to come for ballot for purposes of consideration of priority. If priority is given to another Bills, they will be taken up first, and amongst the rest, —if there are other similar part-heard Bills—there may be a ballot. If notice is given for the purpose of bringing it up again, it will come in the usual course after a Bill, which is part-heard in the previous day, is finished.

Shrimati Renu Chakravartty: Already in this House there is another part-heard Bill.

Mr. Deputy-Speaker: There are some, perhaps three or four.

Shrimati Renu Chakravartty: That means, we will have to ballot these three or four part-heard Bills and it will come in the order of priority, and all these will come up before the others are going to be introduced.

Mr. Deputy-Speaker: All that I can say is that motions for consideration are balloted now. I am trying to find out whether, if it is adjourned, along-with some other Bills, they

should go along in a ballot with the other motions for consideration, or whether they may be given any precedence. This point we will consider later. Here is a rule which says:

“When the debate on a private Member’s Bill or resolution is adjourned *sine die*, the member-in-charge of the Bill or the mover of the resolution, as the case may be, may, if he wishes to proceed with such Bill or resolution on a subsequent day allotted for private members’ business, give notice for resumption of the adjourned debate and on receipt of such notice the relative precedence of such Bill or resolution shall be determined by ballot.”

Shri K. K. Basu (Diamond Harbour): There is a provision by which we can suspend this rule by passing a resolution to that effect here, namely, that this Bill should come up again on the first or second or the third non-official day. If the other Bills are also balloted with this, we do not know where we stand.

Mr. Deputy-Speaker: We are proceeding as if the whole world is hanging on this single Bill, and to suspend a rule for this purpose is too much. It is open to the House to accept it or not accept it, but let their be a formal motion for adjournment.

Shri S. S. More (Sholapur): Can we not, by a resolution of the House, see that this particular Bill be adjourned to a particular day we like, say, the first non-official day in the next session?

Mr. Deputy-Speaker: There are no rules to that effect (*Interruptions*). It can only be adjourned *sine die*, and if a motion for adjournment is made, I shall put it to vote.

Shrimati Kamalendu Mati Shah: Why is it that a Bill sponsored by a woman is to be withdrawn every time in the House?

Mr. Deputy-Speaker: The rules of procedure do not make any distinction between man and woman in the House. What is the wish of the hon. Mover about her Bill?

Shri D. C. Sharma: May I submit that the Minister should take part in the discussion after the Members have taken part in it? What was the necessity for the Deputy-Speaker intervening in the discussion when the Bill has not been discussed at all by the Members? This looks like putting down the discussion on a very vital matter.

श्री अलगूराब शास्त्री (जिला आजमगढ़—पूर्व व जिला बलिया-पश्चिम): मैं यह कह रहा हूँ कि एक महिला की तरफ से यह बिल आया और उस पर उनका जो भाषण हुआ, या जो यहां पर हाउस का सेंस था, उसको देख कर हमारे मंत्री महोदय को यह प्रेरणा हुई कि वह एक बड़ा सा बिल इस सारे विषय पर थोड़े दिनों के बाद ले आवें। इतना आश्वासन देने के बाद कोई कारण प्रतीत नहीं होता कि हम उनकी बातों का विश्वास न करें। हमको यह नहीं मान लेना चाहिये कि वह जिस उद्देश्य को पूरा करना चाहती हैं इस बिल के द्वारा, उस उद्देश्य को पूरा करने की भावना मंत्री महोदय में जरा कम है। अगर ऐसा होता तो वह इस मामले में जरा टालमटोल करते। जो सम्मितियां उनको प्राप्त हुई हैं, उन सम्मितियों के आधार पर उन्होंने कुछ बातें आपके सामने कहीं, लेकिन उन्होंने इसका भी विश्वास दिलाया कि जुलाई या अगस्त तक जब दूसरा सेशन होगा तब एक काम्प्रोमीसिव बिल इस सम्बन्ध में आवेगा। ऐसी अवस्था में मैं नहीं समझता कि हमें उन पर विश्वास नहीं करना चाहिये और इस बिल को स्थगित करने की मांग स्वयम् अपनी ओर से नहीं लानी चाहिये। अवश्यमेव इसको स्थगित करना चाहिये और यहां उन पर विश्वास करना चाहिये।

Mr. Deputy-Speaker: Any hon. Member can make a motion for ad-

jourment of this and I will put it to the vote of the House.

श्री अलगूराब शास्त्री: मैं कहता हूँ कि इस बिल पर विचार स्थगित किया जाय, उस आश्वासन को सामने रखते हुए जो कि मंत्री महोदय की ओर से दिया गया है।

Mr. Deputy-Speaker: Order, order. Hon. Members may kindly resume their seats. Hon. Members do not seem to know what is passing on in this House. An hon. Member has made a motion. Let some body suggest an amendment; I cannot move it myself.

Dr. Katju: I beg to move:

“That the debate on the Bill be adjourned to some non-official day during the next session.”

Mr. Deputy-Speaker: The question is:

“That the debate on the Bill be adjourned to some non-official day during the next session”.

The motion was adopted.

Mr. Deputy-Speaker: The House will now proceed with the next business. (Interruptions). It will get into the ballot; notice must be given; even if it is non-official day, notice must be given.

An Hon. Member: Any non-official day—the first or the second day.

Shrimati Kamalendu Mati Shah rose.—

Mr. Deputy-Speaker: Order, order. I am calling on Mr. Jhulan Sinha to speak.

An Hon. Member: He is not in his seat.

Mr. Deputy-Speaker: Then, Mr. Dabhi. (Interruptions).

This will stand adjourned and notice will be given and then this will be taken up.

An Hon. Member: If that is so, we do not know whether it will come up.

Mr. Deputy-Speaker: What is this? I must be allowed to go on with the proceedings of this House. One section is seemingly taking charge of the entire House and there is no end to this. (*Interruptions*). Order, order. All that has happened is this. Under rule No. 30 a Bill can be adjourned to the next day in the same session or to some other day; that is the earlier sub-clause (1).

Hon. Members in the front benches cannot go on interrupting the proceedings like this; let there be no talk while I am standing and addressing the House. Sub-clause (1) says that if a Bill is adjourned to the next non-official day in the next session or the same session, even then it has to be balloted and along with it the second sub-clause says that if a discussion on a Bill is adjourned *sine die* without its being fully discussed, the resumption has to be by ballot. All that we have done by way of amendment is that this stands adjourned to some day in the next session. The hon. Mover of the Bill can give notice even on the first day to be sure that her Bill will be included in the first ballot for the next session. If in the meanwhile Government does not come forward with its own Bill then it is open for the Hon. Member not to withdraw and she may push the Bill through. That is all that can be done. (*Interruptions*) Why cannot the hon. Members look into the rules?

Shri K. K. Basu: We object to the way in which the proceedings are hustled through.....

Mr. Deputy-Speaker: Order, order. Hon. Member's statement is absolutely improper. I have never hustled. I have spent twenty minutes and I cannot stand such talk on the propriety of the proceedings conducted by the Chair. It is not the first time; I have been noticing it again and again; this has been going on for nearly 20 to 25 minutes. I allowed them to suggest amendments. There is not only one opinion and a few people here cannot control the House, much less control me, here. (*Interruptions*).

Order, order. I will have to ask him to withdraw.

Shri K. K. Basu: I will rather do it.

Mr. Deputy-Speaker: He will withdraw from the House for the rest of the day.

Shri K. K. Basu: We have had enough of this.

श्री अलगूराब शास्त्री : उपाध्यक्ष महोदय, श्री बसु यहां से जाते समय ऐसे अपशब्दों का प्रयोग इन तमाम बेंच के मेम्बर्स के लिये करते हुए गए हैं कि जो हमारी शान के बिल्कुल खिलाफ हैं। इस तरह का जो टम्पर जाहिर करते हैं। उनके लिये एडीक्वेट पिनशमेंट जो पार्लियामेंटरी प्रोसीद्च्योर में हो वह उनको दिया जाना चाहिये। इस तरह की चीज को बर्दाश्त करते २ हम लोगों ने इस हाउस की डिगनिटी को धक्का पहुंचाया है। इस तरह की बातें कह करके चले जाते हैं जो इस हाउस की शान के बिल्कुल खिलाफ हैं। ये कभी पार्लियामेंट के मेम्बर नहीं रहे हैं, कभी पार्लियामेंटरी एक्टिविटीज में हिस्सा नहीं लिया है और इत्तिफाक से यहां आ गए हैं, ऐसे मेम्बर जो इस हाउस की शान को बट्टा लगाते हैं, उनका आना यहां बन्द होना चाहिये और सख्त से सख्त सजा इसके लिए उनको मिलनी चाहिए, भूँ इसका प्रस्ताव करता हूँ।

Sardar A. S. Saigal (Bilaspur): I support it.

Mr. Deputy-Speaker: I will go on with the next business. I will consider. I have not heard the statements while they were proceeding. I will see what all statements they have made.

Shrimati Sucheta Kripalani (New Delhi): May I make a submission? I have nothing to do with the incident that has happened. But Shri Algu Rai Shastri said just now "इत्तिफाक से आ गए हैं।" I would like to understand what he means by that. Every Member has a right to be here, he comes by the votes he got and is a lawful member. "इत्तिफाक से आ गये हैं"

means by chance. They have not come by chance. They have a right to be here.

An Hon. Member: They have come by chance. (*Interruption*).

Shri B. S. Murthy: We protest against that. Withdraw that. (*Interruption*).

Mr. Deputy-Speaker: Shall I adjourn the whole House?

Some Hon. Members: Yes.

Mr. Deputy-Speaker: No, no. Hon. Members will maintain order in the House. Let there be no exchange of hot words. I do not think he said anything that was unparliamentary, though it was unnecessary. One hon. Member need not say that another came by chance. He comes through the same door as the other hon. Member.

श्री अलगूराय शास्त्री : अगर आप आज्ञा दें तो मैं अपनी परिस्थिति साफ कर दूँ। श्रीमती सुचंता जी को मेरे कथन पर भ्रम हो गया है। मेरे कहने का तात्पर्य सिर्फ यह था कि जो लोग पार्लियामेंटरी लाइफ से बाकिफ हैं और पहले से मम्बरी करते रहे हैं उनके व्यवहार में और जो पहले पहल यहाँ पर चले आए हैं, उनके व्यवहार में अन्तर होता है और उनको ट्रेनिंग लेनी चाहिये। अगर वे लोग कड़ु मिस्बहेव करते हैं तो उनको पब्लिशमेंट मिलना चाहिये। इतना ही मेरे कहने का मतलब है। इसमें कोई सन्देह नहीं है कि वह बोट से चुन कर यहाँ पर आए हैं और चुनाव में अपने विरोधी को हरा कर आए हैं, ऐसे ही यहाँ पर और लोग भी चुन कर आए हैं।

Mr. Deputy-Speaker: Very well. Mr. Dabhi.

Shri Thanu Pillai (Tirunelveli): Are we to sit here and not know anything? I would like to know what happened here.

Mr. Deputy-Speaker: Mr. Dabhi.

Shri Dabhi (Kaira North): A Bill dealing with the same subject was

discussed on the floor of the House during the last session and the Government stated that they would themselves bring forward a Bill. In the circumstances I do not want to move my motion.

Mr. Deputy-Speaker: Very well. Shri Pataskar. I find the hon. Member is absent.

PUNISHMENT FOR ADULTERATION OF FOOD STUFFS BILL

Shri Jhunjunwala (Bhagalpur Central): I beg to move:

“That the Bill to provide for punishment of those found guilty of adulteration of food stuffs, be taken into consideration.”

उपाध्यक्ष महोदय, मेरा यह जो बिल है यह खाद्य वस्तुओं में जो मिलावट की जाती है उसके लिए मेरा सुझाव है कि पार्लियामेंट का एक ऐसा बिल पास करना चाहिये जिससे इस तरह के अपराध करने वाले लोगों को हम अधिक से अधिक सजा दे सकें। मेरे इस बिल के पेश करने का अभिप्राय: यही है।

श्री भुनभुनवाला : जरा थोड़ी देर सबू कीजिये, बिल का नाम क्या है ?

श्री झुनझुनवाला : जरा थोड़ी देर सबर कीजिये, आपको मालूम हो जायेगा।

Mr. Deputy-Speaker: Shall I give five minutes to hon. Members to exhaust all that they have to talk?

Shri Syed Ahmed (Hoshangabad): We ought to know what we are discussing.

Mr. Deputy-Speaker: Why should he not wait in patience? He is talking in Hindi.

श्री झुनझुनवाला : तो मैं यह कह रहा था कि खास करके खाद्य पदार्थों में आज जो मिलावट होती है, उसको रोकने के लिये यहाँ से यह बिल पास होना चाहिये कि जो ऐसा काम करे उनको अधिक से अधिक सजा दी जाय। पहले

[श्री भुनभुनवाला]

यह कानून था कि इस तरह का कानून केवल स्टैंड गवर्नमेंट ही पास कर सकती थी, परन्तु इस विषय पर विधान परिषद् में काफी बहस हुई और उसके बाद यह तय पाया गया कि यह चीज ऐसी है कि जिसको एक सेंट्रल सब्जेक्ट बना दिया जाय और फिर यह सेंट्रल सब्जेक्ट बना दिया गया। उसी समय जब यह सेंट्रल सब्जेक्ट बना दिया गया, उसी समय मैंने यह बिल यहां पर पेश किया था। इस बिल को आज पेश किए हुए कम से कम ६ वर्ष हो गए और जब मैंने इस बिल को पेश किया तो हमारी स्वास्थ्य मंत्री जी ने हृषको पत्र लिखा कि आपने जो यह बिल पेश किया है इसको कृपा करके विद्वद्धा कर लें क्योंकि हमारी गवर्नमेंट इस किस्म का एक कम्प्रीहेन्सिव बिल लाने वाली है। उन्होंने यह भी लिखा कि इस प्रकार का कानून यद्यपि बहुत सी स्टेटों में है, परन्तु उनके ऊपर कोई काररवाई नहीं होती, केवल वह कानून ही बना कर रख दिये गए हैं, अतएव यदि इस प्रकार का यह बिल पास भी हो जाय तो भी जब तक कि स्टैंड गवर्नमेंट्स उन सब कानूनों को कार्य रूप में परिणत नहीं करेंगी, तब तक उससे कोई लाभ नहीं होगा। उस पत्र के जवाब में मैंने स्वास्थ्य मंत्री जी को लिखा कि आपका कहना बहुत ठीक है, मैं इस बिल को विद्वद्धा कर लूंगा। मैं जो बिल लाया हूं, वह बहुत छोटा सा है, परन्तु मैं पार्लियामेंट का ध्यान इस ओर आकर्षित करना चाहता हूं कि जितने भी आप स्वास्थ्य सुधार के काम करते हैं वह सार आपके काम बंकार हो जाते हैं जब तक कि लोगों को खाद्य पदार्थ शुद्ध नहीं मिलते और यदि खाद्य पदार्थ आपको मिलावटी मिलते हैं तो मैं कहूंगा कि आप जितने भी हस्पताल बनाते हैं, आयुर्वेद के हस्पताल स्थापित करते हैं अथवा और जो भी अन्य २ कामों में पैसा खर्चते हैं, वह सब पैसा बंकार जाता है, और उनसे कोई लाभ नहीं होता। आज हालत यह है कि दिल्ली शहर में आप कहीं भी चले जाइयें, आपको कोई भी चीज बगैर मिलावट के मिलना मुश्किल है।

हमारे मित्र पीडित ठाकुर दास जी भार्गव बहुत दिनों से इस चीज के ऊपर कह रहे हैं कि वेंजेटबुल घी, जो कि घी के मिलावट में काम आता है, उससे कितना भारी नुकसान हो रहा है हम लोगों के स्वास्थ्य पर कितना भयानक असर होता है, इसका अनुभव कोई नहीं कर सकता। इसका अनुभव विशेषकर वही लोग कर सकते हैं जो कि केवल वेंजेटरीयन हैं। जब भी इस बात को कहा जाता है कि यह चीज जो है वह बहुत बुरी है तो उसके जवाब में यह कहा जाता है कि नहीं, हम लोग तो इस चीज का व्यवहार बहुत दिन से कर रहे हैं और इससे कोई नुकसान नहीं हुआ। परन्तु वें इस बात को नहीं देखते कि वें इस चीज को कितनी मात्रा में व्यवहार करते हैं और वें कौन कौन से दूसरे पदार्थ खाते हैं जिन पदार्थों के साथ इस चीज का नुकसान उतना नहीं हो सकता है। शायद न भी हो। लेकिन जो लोग प्योर वेंजेटरीयन हैं, केवल निरामिषाहारी हैं, अगर देखा जाय तो उन लोगों के स्वास्थ्य के ऊपर बड़ा भारी नुकसान हुआ है।

इसी तरह से आप देखिये कि आटा है, आर्ट में हर प्रकार की बदमाशी करके जो लोग मिलावट करते हैं उसका क्या असर पड़ता है। चूना भी मिलावट है और भी चीजें मिलती हैं। जब वह चीजें बाजार में जाती हैं और वही चीजें जब लोगों को खाने को दी जाती हैं, वही चीजें बीमार आदीमियों को खाने को दी जाती हैं। ऐसी हालत में मैं स्वास्थ्य मंत्री जी से पूछूंगा कि

एक माननीय सदस्य: कहां हैं मंत्री जी ?

श्री भुनभुनवाला : स्वास्थ्य मंत्री जी तो नहीं हैं मगर पार्लियामेंट्री एफेअर्स के मंत्री जी हैं, मैं उनसे पूछूंगा कि वें तो दवा देते हैं बीमारों को और आटा के बदले में चूना खाने को देते हैं तो क्या उससे नुकसान नहीं पहुंचता ? आप इसके लिये क्या कर रहे हैं ? आप कृपा करके खड़े हो कर जवाब दें दीजिये, तो फिर मैं आगे चलूंगा।

संसद कार्ब मंत्री (श्री सत्त्व नारायण सिन्हा) : सारी बात पूछिये । बहुत उचित प्रबन्ध हैं । गवर्नमेंट हमेशा उचित प्रबन्ध करती हैं, आप इसको समझ लीजिये । जो भी सजेशन आते हैं मेम्बर्स की तरफ से, उन पर गवर्नमेंट काफी गौर करती हैं । और जो भी ऐसी बात हांती हैं जो कि गौर करने के लायक होती हैं, उस पर गवर्नमेंट पूरा ध्यान देती हैं ।

Mr. Deputy-Speaker: Hon. Members should look at me and talk.

श्री झुनझुनवाला : माननीय मंत्री जी ने कहा कि जो भी बातें कही जाती हैं, गवर्नमेंट उन पर ध्यान देती हैं ।

Mr. Deputy-Speaker: Hon. Members talk so loud that they do not hear what I say. They should address the Chair.

Shri Jhunjunwala: I am addressing the Minister for Parliamentary Affairs through the Chair as to what he has done. We have been asking for the last seven years. कि इन चीजों में मिलावट हो रही है

एक माननीय सदस्य : कौन मिलाता है?

श्री झुनझुनवाला : आप भी याने जिन सदस्य ने पूछा शायद वे भी मिलाते होंगे । बाजार में मिलाता है, और बाजार में वह चीज खाने को मिलती है, कौन मिलाता है इसके नाम तो हमारे पार्लियामेंटी एफेअर्स के मंत्री जो कहते हैं कि गवर्नमेंट को सब मालूम है, वह इसको देखेंगे । आप इसको बड़ा दीजिये, शिकायत कीजिये, उस शिकायत को दूर करने का काम वह करेंगे । तो कौन मिलाता है यह काम तो उनके देखने का है । उनसे पूछिये कि कौन मिलाता है । जो भी मिलाता है उनके ऊपर सरकार ने क्या कार्रवाई की । इसकी बात आप मुझ से क्यों पूछते हैं । मैं तो जब खाने के लिये कोई चीज खाने जाता हूँ तो वहाँ पर ऐसी ही मिलावटी चीजें मिलती हैं । मैं यह कहना चाहता हूँ ।

जैसा मैं कह रहा था, आटा लीजिये, घी लीजिये, इन्दी लीजिये । इन्दी खाने के लिये यदि आप बाजार में जायेंगे तो वहाँ पर उसके साथ में पीला रंग मिला हुआ मिलता है । इसी तरह से मिर्चा लीजिये । मैं आपको चाँकी चाँक में दिखला दूंगा कि वहाँ पर पिसा हुआ मिर्चा मिलता है । उसमें लाल रंग मिला हुआ रहता है ।

श्री अलगू राव शस्त्री (जिला आजमगढ़पूर्व व जिला बलिया—पश्चिम) : धन्य हैं बर्नियर समाज और क्या कहें ?

श्री झुनझुनवाला : इसके बारे में मंत्री महोदय कुछ बतलायेंगे ?

श्री सत्त्व नारायण सिन्हा : मंत्री की बात तो सुन लीजिये । मेम्बर साहब को मालूम होगा कि फूड एडल्टरेशन बिल हाउस में लाया गया गवर्नमेंट की तरफ से । वह सेलेक्ट कमेटी को रफर हुआ । सेलेक्ट कमेटी की रिपोर्ट हाउस में आई हुई है । दिक्कत यह हुई कि पिछले सेशन में वह समय के अभाव से नहीं आ सका । इस बार भी हमने बहुत कोशिश की, बिजनेस एडवाइजरी कमेटी के सामने भी वह आया, लेकिन हाउस के सामने नहीं आ सका । इन सब बातों का ध्यान करते हुए अगर मेम्बर साहब थोड़ा धीरज रखें तो अगले सेशन में वह बिल इस हाउस में आयेंगा । वह सेलेक्ट कमेटी के सामने गया, सेलेक्ट कमेटी का फंसला भी हो चुका है । आइन्दा अधिसेशन में वह अवश्य आएगा ।

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श्री झुनझुनवाला : गवर्नमेंट ने इस सम्बन्ध बिल को अच्छी तरह से तैयार कर लिया है, लेकिन मैं आपके जरिये से मंत्री महोदय से पूछना चाहता हूँ कि जैसा कि हमारी स्वास्थ्य मंत्रिणी जी ने कहा था

Mr. Deputy-Speaker: Order, order. What I wanted to say is—I am glad that the hon. Minister has come here in time—that hon. Members and Ministers must be here in their seats. It is no good entrusting the entire

work of the Cabinet to the Minister for Parliamentary Affairs. How can he be expected to answer everything. It is a very embarrassing situation. I have been noticing almost every day that the Ministers are not there—not all, but some of them. They should anticipate the type of work in the House, be in their seats, either themselves or through their Deputy Ministers and be ready to answer. Otherwise, all the proceedings here will become useless.

श्री इन्द्रगुप्तबाला : तो मैं यह कह रहा था कि यह बात ठीक है कि गवर्नमेंट की तरफ से बिल लाया गया है और उस बिल को हमने देखा भी है। परन्तु स्वास्थ्य मंत्री जी ने यह कहा था कि कानून बना देना ठीक है और बन भी जायेगा। स्टैंडर्स में कानून बने हुए हैं और जिस वक्त मैंने इस बिल को पेश किया था उस वक्त दिल्ली स्टैंडर्स सेंद्रल गवर्नमेंट के द्वारा एंडीमिनस्टर होती थी, तब मैंने स्वास्थ्य मंत्री जी से पूछा था कि खैर, अन्य स्टैंडर्स तो करती हैं, यह दूसरी बात है, लेकिन दिल्ली में इसके बारे में क्या हो रहा है वहाँ तो सब यहाँ की मंत्रीजी की के हाथ में है ? क्या बातें हो रही हैं, क्यों नहीं यहाँ पर इस बुराई को दूर किया जाता है ? आज हम लोग दौड़ते हैं चाइना की तरफ, हम लोग दौड़ते हैं रीशिया की तरफ, वर्ल्ड कान्फरन्स करते हैं इन सब में हमारी स्वास्थ्य मंत्री जी बेहद व्यस्त रहती हैं इसके लिये वे हमारी धन्यवाद की पात्रणी हैं। परन्तु मेरा यह सुझाव है कि जितना कि इन सब की दौड़प में समय और धन खर्च करती हैं यह सब छोड़ कर यदि सप्ताह में एक बार एक घंटे के लिये इन दुकानों पर चली जाय तो बहुत कुछ बुराई दूर होगी और अधिक लाभ होगा। परन्तु जितना भी काम यहाँ पर होता है, जितनी भी रकम आज यहाँ पर स्वास्थ्य सुधार और दवाओं में लगती है, यदि जो चीज बाजार से लाई जाय और जो हस्पताल में खाने के पदार्थ पहुँचाए जाते हैं, अगर वही इस्तेमाल होते रहें तो मैं माननीय स्वास्थ्य मंत्री जी से पूछूँगा कि उनकी दवाओं का क्या असर होगा मैं उनसे पूछना चाहता हूँ कि यहाँ पर

बनावटी चीजें न मिलें इसके लिये उन्होंने क्या किया है ? यह तो सेंद्रल सब्जेक्ट था सेंद्रल एंडीमिनस्ट्रेशन के हाथ में था, उपाध्यक्ष महोदय ? वेंजीटबुल घी को प्रोत्साहन देकर तो हमारी सरकार मिलावटी घी विक्रान में सहायता करती है।

[PANDIT THAKUR DAS BHARGAVA in the Chair]

यदि आप यह कह दें कि नहीं, जितना भी हो सकता था, हम लोगों ने पूरा प्रयत्न कर लिया, तो मैं आप से कहना चाहता हूँ कि मेरा यह बिल लाना ही व्यर्थ हुआ और आप जो बिल यहाँ पर लाए हैं वह बिल भी, जिस पर पांच, सात दिन पार्लियामेंट का समय लेंगे, बिल्कुल बंकार हुआ। आप यह कह दीजिये कि अभी तो जो कुछ हुआ है, जिस तरह की चीजें मिलाई जा रही हैं, उनको दूर करने के लिये, इस दोष को दूर करने के लिये हम लोगों ने बहुत चेष्टा कर ली, कानून तथा सत्ता के द्वारा जो हो सकता था, सब कर लिया, इससे अधिक नहीं हो सकता है, तब फिर आप यह बिल क्यों लाते हैं ? मैं यह पूछना चाहता हूँ कि बिल तो हमारे यहाँ बहुत आते हैं। एक्ट भी पास हो जाते हैं परन्तु आप ने उसका इम्प्लमेटेशन क्या किया ? और यदि यह इम्प्लमेटेशन नहीं होते हैं तो यह सब चीजें जो कि आप कर रहे हैं, दवाओं का प्रबन्ध कर रहे हैं, उससे आखिर क्या लाभ होता है।

मैं इसके ऊपर विशेष नहीं कहना चाहता। जब पहले मैंने यह बिल पेश किया था उस समय स्वास्थ्य मंत्री ने मुझे एक पत्र लिखा था कि तुम यह बिल क्यों पेश करते हो, वे खुद इस दोष को जल्दी से जल्दी दूर करना चाहती हैं। मैंने उस समय उस पत्र के जवाब में लिखा था कि उनका यह कहना ठीक है परन्तु उन्होंने दिल्ली शहर में क्या किया। तो मैं मंत्री जी से सीधा सवाल यह पूछता हूँ कि वे तो अधिकार में थी आज तक उन्होंने क्या किया और यदि उन्होंने इस दोष को दूर करने के

लिये कोई कार्रवाई नहीं की तो क्यों नहीं की और अगर आप करके थक गई हों तो कह दीजिये कि वे करके थक गईं। अगर ऐसी बात है तो किसी बिल का लाना और इस हाउस का पांच सात दिन का समय बेकार खर्च करने से क्या लाभ है, और इस पर रूपया खर्च करना बेकार होगा।

Mr. Chairman: I do not know what the position is. Has the hon. Member moved his motion or not? I am afraid he has not.

श्री झनझुनवाला : मैं इस बिल को पेश करता हूँ।

The Minister of Health: (Rajkumari Amrit Kaur): I would like to intervene, if I may, at this stage.

Mr. Chairman: Certainly. Let me first place the motion before the House. The motion has been moved. Motion moved:

“That the Bill to provide for punishment of those found guilty of adulteration of foodstuffs, be taken into consideration.”

स्वास्थ्य मंत्री (राजकुमारी अमृतकौर) : जनाब, आनरबल मम्बर ने जो कुछ इस मसले के बारे में कहा मैं उससे बिल्कुल सहमत हूँ। यह एक ऐसी बात है कि जिससे लोगों की सेहत को बहुत नुकसान पहुँचता है क्योंकि अगर हमको खुराक की शुद्ध चीजें नहीं मिलेंगी तो हम चाहे कितनी भी दवाएँ काम में लायें हमारा काम कभी नहीं बन सकता। तो इससे तो मैं बिल्कुल सहमत हूँ। लेकिन जब तक मेरे हाथ में सेंट्रल कानून बनाने की शक्ति नहीं थी, तब तक इस चीज को मैं हाउस के सामने नहीं ला सकी। लेकिन मैं हमेशा दो दो तीन तीन महीने बाद स्टैंट मिनिस्टर्स को लिखा करती थी कि आप कुछ ऐसी मैशिनरी बनाएँ कि जिससे फूड एडल्टरेशन बन्द हो और जो बद्दयानतदार लोग मिलावट करते हैं उसकी रोकथाम हो। इससे ज्यादा और मैं कुछ नहीं कर सकती थी। जब मैं यहाँ आई थी तो दिल्ली में सिर्फ एक अफसर था जो इस काम

के पीछे लगा रहा करता था। मैंने इन अफसरों की तादाद काफी बढ़ायी ताकि इस काम पर ज्यादा तवज्जह दी जाय। लोगों से मैंने मिन्नत भी की, मैंने मीटिंग्स भी की, लेकिन बद्दयानतदारी को दूर करना कोई आसान काम नहीं। उसके बाद जब भी मेरे हाथों में यह ताकत आई कि मैं एक बिल इस हाउस के सामने रखूँ तो मैंने फूड एडल्टरेशन बिल इस घर के सामने रखा। वह इस हाउस के सामने आया। उसके लिये एक सिलेक्ट कमेटी बैठी और अब वह बिल आप लोगों की तवज्जह के लिये तैयार है। यह मेरी बदीकस्मती है कि चूँकि इतने काम और यहाँ रहते हैं इसलिये यह बिल हाउस के सामने नहीं आ सका। मैं इस बार में लड़ती हूँ और मैंने आप लोगों से भी विनती की कि आप मेरा साथ दें इस बात में कि यह बिल जल्दी से जल्दी घर के सामने आये और पास हो जाये। लेकिन आज तक यह बिल आ नहीं सका। इस बार भी मैंने पार्लियामेंटरी एफेअर्स के मिनिस्टर साहब से कहा तो उन्होंने बतलाया कि चूँकि बिजनेस ज्यादा है और लोग इस पर बोलने के लिये तीन रोज चाहते हैं इसलिये इसको अगले सेशन के शुरू में ही घर के सामने पेश कर दिया जायेगा।

श्री बी० डी० शास्त्री (शाहडोल-नीसिद्धि): यह बिल ज्यादा जरूरी नहीं समझा जाता।

राजकुमारी अमृतकौर : मैं इसको बहुत जरूरी समझती हूँ। मैंने सुबह से लेकर शाम तक बैठ बैठ कर इस बिल को सिलेक्ट कमेटी में पांच रोज में पास करवाया इसलिये कि यह जल्द से जल्द पास हो जाय। लेकिन यह हाउस के सामने नहीं आ सका इसका कसूर मैं अपने ऊपर नहीं लेती हूँ। आप को भी इसके बारे में मालूम था और अगर आप लोग दिलचस्पी लेते और आन्दोलन करते कि सरकार इसको जल्दी से जल्दी हाउस के सामने लाये तो यह जरूर आता। लेकिन अब आप लोग मेरे ऊपर कसूर डालते हैं, तो मैं कहती हूँ कि इसमें मेरा कोई कसूर नहीं है। साल भर से यह बिल तैयार है कि यह घर इस पर गौर करे।

[राजकुमारी अमृतकांठ]

मैं आप से कहना चाहती हूँ कि जो बिल आनरबल मंत्री ने पेश किया है वह काफी नहीं है। जिस मकसद पर वह पहुँचना चाहते हैं और जिस मकसद पर मैं भी पहुँचना चाहती हूँ उसके लिये उनका बिल काफी नहीं। तो मैं उनसे निवेदन करूँगी कि जो उन्होंने इस मसले पर इस घर की तबज्जह दिखाई है उसमें मैं उनके साथ बिल्कुल सहमत हूँ। मैं मानती हूँ कि सरकार को इसके लिये कुछ न कुछ करना चाहिये और जल्दी से जल्दी करना चाहिये। मैं फिर उनसे कहूँगी कि जो उनका बिल है उसको मैं बहुत "इनएडीक्वेट" समझती हूँ। मसलन उसमें फुड और एडल्टरेशन के स्टैंडर्ड्स रखे नहीं हैं। मेरा बिल काफी डिटेल्ड में गया हुआ है और बहुत मुफीद होगा। अगर यह जल्दी से जल्दी हाउस के सामने आ जाय और पास हो जाय तो मैं बहुत खुश होऊँगी। मैं कहना चाहती हूँ कि मैं हमेशा स्टेट गवर्नमेंट्स को और दिल्ली गवर्नमेंट को जिस के बार में आनरबल मंत्री ने बहुत कुछ कहा, कहती रहती हूँ कि वह इस बार में सावधान हूँ और जहाँ तक हो सके एडल्टरेशन बन्द करने की कोशिश करें। इसीलिये मैं आनरबल मंत्री से निवेदन करूँगी कि वह अपने बिल को वापस ले लें और जल्दी से जल्दी मैं अपने बिल को इस घर के सामने लाने की कोशिश करूँगी।

Mr. Chairman: There are two courses open. As the hon. Minister has just suggested, the hon. Member may withdraw his Bill. Or, there may be a motion before the House that a debate on this Bill be adjourned to the next session, because in the next session, the other Bill is likely to come up. A Select Committee was constituted for the other Bill and had...

Rajkumari Amrit Kaur: The Select Committee has already reported.

Mr. Chairman: I know that. As I said, there are two courses open. As the hon. Minister has just now suggested, the hon. Member may with-

draw the Bill. Or if he wants to get on with his Bill because in case the Government Bill does not come up in the next session, he may proceed with his Bill. Either course is open to him. A desire has been expressed on behalf of the Minister to the effect that the consideration of the Bill be postponed to the next session. I do not know if the hon. Minister would like to move that.

Rajkumari Amrit Kaur: I have pleaded with the hon. Member to withdraw his Bill in view of the fact that the Select Committee has reported and a comprehensive measure is before the House ready to come up.

Sardar A. S. Saigal (Bilaspur): I think it will be best if this Bill be adjourned to the next session. I beg to move:

"That the debate on the Bill be adjourned to some non-official day during the next session."

Shri Heda (Nizamabad): My humble submission is this. This Bill has come before the House and there are several other aspects of the problem that need to be discussed. It is not only a question of health; there are questions of marketing, production, and all round development of the country. It is good that we discuss this Bill for some time more and then, it may be adjourned to the next session.

Mr. Chairman: Since there is a motion for adjournment of the Bill, I will put the motion to the House. The question is:

"The debate on the Bill be adjourned to some non-official day during the next session."

The motion was adopted.

Mr. Chairman: It is the same Bill on which the discussion has been adjourned.

Shrimati Uma Nehru (Sitapur Distt. cum Kheri Distt. West): Yes.

श्री सिंहासन सिंह : (जिला गोरखपुर—
द्विद्वण) : सभापति जी, इस सदन में कोई
मंत्रिगण मौजूद नहीं हैं। गवर्नमेंट बेंच पर
कोई नहीं हैं।

Some Hon. Members: Government
Benches are empty.

Mr. Chairman: If the Government
Benches are empty, we cannot help it,
but at the same time we are all res-
ponsible Members of Parliament. It
is our duty and business to go on
with the work of Parliament.

**The Minister of Parliamentary
Affairs (Shri Satya Narayan Sinha):**
I am back in my seat.

Mr. Chairman: Mr. C. R. Narasi-
mhan. Absent. Shrimati Maniben
Patel.

WOMEN'S AND CHILDREN'S INSTI-
TUTIONS LICENSING BILL

**Shrimati Maniben Patel (Kaira
South):** I beg to move:

"That the Bill to regulate and
licence institutions caring for
women and children, be taken into
consideration."

चेयरमैन साहब, अभी थोड़ी दूर पहले जो एक
बिल एडजॉर्न किया गया था उसके साथ इस
बिल का भी काफी सम्बन्ध है। उसमें बतलाया
गया था कि किस तरह से स्त्रियों और बच्चों
से नाजायज काम करा रहे हैं और मेरा बिल जो
है वह उन संस्थाओं को ठीक से रंगुलेंट करना
चाहता है और लाइसेंस करना चाहता है जो
बच्चों और स्त्रियों की देखभाल करते हैं।
मैं जानती हूँ कि आज यह संस्थाएँ अनाथालय
और विधवा आश्रम किस प्रकार चल रहे हैं और
मैं आपको बतलाऊँ कि कुछ अनाथालयों में
बच्चों को बचने का पेशा चलता है। विधवा
आश्रमों में भी यह गड़बड़ चलती है। किसी
बच्चे भले आदमी ने विधवा आश्रम के हेतु
साकि बाल विधवाओं की रक्षा भली प्रकार की
जाय इस अच्छे काम के लिये रूपया दान में
दिया, परन्तु उस संस्था के संचालक महाराज
बड़े उस्ताद थे उन्होंने बाल विधवा की ज़ादी

जिससे करकाई उससे पैसा ले लिया और थोड़े
दिन बाद उस लड़की को उस आदमी के पास से
भगा कर ले आए, तो मेरे कहने का मतलब यह
है कि इस तरह की जो सामाजिक संस्थाएँ
चलती हैं उन पर सरकार की निगाह रहनी
चाहिये और हर कोई आदमी इस तरह से इन
संस्थाओं को मनमाने ढंग से न चला सके, जो
संस्था इस तरह की चलावे, उसको सरकार से
कुछ लाइसेंस लेना पड़े और उसके ऊपर कुछ
रूकावट हो और जो संस्थाएँ ठीक से नहीं काम
करती हैं उन पर सरकार इस कानून के मातहत
कुछ रोक लगा सके। आज के दिन इन बाल
अनाथालय और विधवा आश्रमों की दशा बड़ी
दयाजनक है और बजाय उनकी रक्षा करने
और ठीक से देखभाल करने के ये संस्थाएँ
उनका अनुचित लाभ उठा रही हैं और उनको
एक व्यापार का साधन बना रक्खा है। इसीलिये
हम लोग इसे बहुत आवश्यक समझते हैं कि
सरकार इन संस्थाओं पर कुछ नियंत्रण रखे
और लाइसेंस आदि देने की व्यवस्था करे तो हम
आज जो यह बच्चों और स्त्रियों को लेकर ये
संस्थाएँ व्यापार कर रही हैं और लाभ उठा रही
हैं उसको रोकने में कामयाब हो सकेंगे।
इसी मंशा से मैं यह बिल इस हाउस के सामने
पेश करती हूँ और आशा करती हूँ कि सरकार
इस पर सांचगी और अगर उसके द्वारा एक
केन्द्रीय लीजस्लेशन आता है तो यह जो एक
स्टेट से दूसरी स्टेट में बच्चों और हमारी बहिनों
को उठा कर ले जाते हैं, उसको हम रोक सकने
में समर्थ हो सकेंगे। इसीलिये मैं यह बिल
हाउस के सामने रखती हूँ।

Mr. Chairman: Motion moved:

"That the Bill to regulate and
licence institutions caring for
women and children, be taken
into consideration."

पीठल श्री० एन० जलबीब (रायसेन): सभा-
पति जी, अभी जो बिल इस हाउस के सामने
पेश किया गया है, मुझे हैरत है कि अज्ञादी
के इतने दिन गुजर जाने के बाद भी आज हमारी
बहिनों को इस बात का ख्याल करना पड़
रहा है कि लीजस्लेशन से इसकी रोक-टोक की जान

[पंडित सी० एन० मालवीय]

को खत्म किया जाय। इससे हम क्या वाकिफ नहीं हैं और हमारे लिये क्या यह शर्म की बात नहीं है कि आजादी के इतने दिन गुजर जाने के बाद आज तक हम हिन्दुस्तान में न तो इस किस्म का कानून बना सके और न जो कानून आज तक मौजूद है उन कानूनों का हम इस तरीके से इस्तेमाल कर सकें कि जिससे हम इस लानत को अपने दंश से खत्म कर सकें। मुझे मालूम है कि आज भी हमारे पास ऐसे कानून मौजूद हैं कि जिनसे हम इन चीजों को खत्म कर सकते हैं, लेकिन मुश्किल यह है कि हमारी समाज के अन्दर जिस तबके जिस वर्ग और जिस किस्म के लोगों का असर है खुद वह लोग इस चीज में सने हैं और उन का दिल इसके साथ हमदर्दी रखता है और वह इसमें खुशी मनाते हैं और इस वजह से हम समाज में से उस बुराई को नहीं निकाल पाते। मैं सिर्फ इसी चीज को उचित और काफी नहीं समझता कि इस किस्म की जो संस्थाएं चल रही हैं उनको लाइसेंस दिया जाय और बिना लाइसेंस उन को न चलने दिया जाय, बल्कि मैं तो यह चाहता हूँ कि इस बिल में अमेंडमेंट करने के बाद इस बिल को इतना सख्त बनाया जाय या फिर गवर्नमेंट खुद इस मकसद का कोई बिल लाये कि जिसमें इस बुराई को त्रिक्कुल खत्म कर दिया जाय और इसको गैरकानूनी करार दिया जाय। गवर्नमेंट इस बात की जिम्मेदारी ले कि जितने भी इस किस्म के अनाथ बच्चे हैं, जितने भी इस किस्म के हमारे भाई बहिन हैं उनके लिये खुद गवर्नमेंट इंस्टीट्यूशन्स चलाये, और एंसी बहिनों और बच्चों की जिम्मेदारी गवर्नमेंट पर हो ताकि वह उनकी रोजी का इन्तजाम कर सके, उनकी शिक्षा का समुचित प्रबन्ध कर सके और पूरे तरीके से उनके जीवन यापन का इन्तजाम कर सके। हम अपने दंश और समाज को जिस ऊंचे दर्जे पर ले जाना चाहते हैं, हमने अपने दंश का जो नकशा अपने सामने रक्खा है, हम उस तक पहुंचने में समर्थ नहीं हो सकेंगे जब तक यह धुन और बवा हमारे बीच में से हमेशा के लिये नष्ट नहीं

कर दी जाती। इस बुराई के जारी रहते हम हरिगज आगे नहीं बढ़ सकते। आज कई तरह की बुराइयां हमारी माताओं और बहिनों के साथ लगी हुई हैं और जब तक ये बुराइयां हमारे मातृ जगत में रहती हैं तो हम अपने आगे आने वाले बच्चों को भी उस बुराई से सुरक्षित नहीं रख सकेंगे और उस हालत में हम जो नकशा बनाना चाहते हैं उसको पूरी तरह नहीं बना पायेंगे। मुझे तो हैरत होती है कि हमारी स्त्रियां और बच्चों की यह दशा होते हुए भी हमारे अधिकारियों तक उनकी आवाज नहीं पहुंचती और वे इस दिशा में अभी तक सोचें नहीं हैं। हमारे अधिकारी लोग आज दूसरी समस्याओं में उलभूत हैं और इधर उनका ध्यान नहीं जाता। इसीलिये मेरा सुझाव यह है कि अब इस मामले में और आगे पीछे और टालमटोल नहीं करनी चाहिये और सरकार को इस मामले को अपने हाथ में ले लेना चाहिये। मैं श्रीमती मणिबेन पटेल का पूर्णतया समर्थन करता हूँ कि आज धर्म के नाम पर और समाज सुधार के नाम पर स्त्रियां और बच्चों की रक्षा के नाम पर बहुत सी संस्थाएं जो काम कर रही हैं, वे बड़ा ही अनुचित काम कर रही हैं और स्त्रियां और बच्चों का व्यापार कर रही हैं और पैसा कमा रही हैं और मैं तो यहां तक कहूंगा कि इस किस्म की सोसाइटीयां अधिकारियों की छत्रछाया में चलती हैं और वह अधिकारियों को मिला कर इस तरह का व्यापार करती रहती हैं।

इस लिये मेरा सुझाव यह है, हाउस से मेरी अपील है कि इस मामले को टालने की इजाजत न दें, बल्कि इस के ऊपर सख्ती से कदम उठायें। हम को इसी वक्त चाहिये कि इस बिल के सिलसिले में जो कुछ सराबी हो, उस को सुधार कर इस बिल को पूरी तौर से स्वीकार करें इस बिल को पास कर के, इस के मार्ग में जो बाधाएँ हों, उन को दूर करने के बाद इस को अमल में लायें।

इस के साथ साथ में गवर्नमेंट से यह अपील करना चाहता हूँ कि वह इस किस्म का कानून लाये जिस के जरिये से वह एसी माओं, बहनों और बच्चों की जिम्मेदारी खुद अपने ऊपर ले ताकि भविष्य में उन का जीवन सुखमय हो सके ।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ ।

Shri Tek Chand (Ambala-Simla):
Mr. Chairman, if I offer my felicitations to the Mover of the Bill, I feel that this Bill has not come even one day too late. As a matter of fact, a measure within the contemplation of this Bill has been long overdue. It is a notorious and painful fact that there are a very large number of institutions masquerading under the names of Orphanages, schools, widows homes, *Abala* homes and so on. Their real objective is either to employ child labour to their own advantage or to pander to their base tastes and of the likes of those who are the worst pests of society whereby innocent children, boys and girls are being taken away from their homes and the worst types of crimes are being perpetrated not only on those children but also on society. So far as I have been able to notice, apart from the serious immorality they lead to, they also lead to very violent crimes. In order that the boys may be able to go about and evoke pity, it is a fact that sometimes they have been maimed and their limbs mutilated; this is done so that they may be able to induce charitably-minded people to part with some coins for those who employ them. Maiming and mutilation and other physical damage is practised underground and yet those children are helpless and they have no voice in the matter.

Ordinarily the recruiting ground are the orphan children, waifs and strays or those grown-up children who have run away from their homes and whose traces cannot be found. There are cases where children of well-placed families are stolen either

in connivance with the servants or in league with others and they are spirited away. The hopeless and helpless parents are left behind wringing their hands in helplessness, never to see the faces of their children.

The lot of the children is much worse. They are either schooled in crime or brought up on drugs or otherwise mishandled. Their education is neglected, their health is neglected and they become a tremendous drain and a burden on society.

One thing which I have noticed in my part of the country—and I dare say similar must have been the experience of other friends also—is that somebody comes along with a story that there is a school, there is a *goshala*, there is a orphanage or other in some remote part, thousands of miles away, hundreds of miles away and he expects that somebody should give him something in charity. The usual excuse is that he wants to have a trip to the hills, he wants to make a little money, there are a couple of children and there are some subscription books and there are one or two printed papers. So far as the kind-hearted and gullible members of the public are concerned, they usually manage to get a letter or two saying, please help this organisation, please assist that institution. They thrive on the credulous nature of the people; they thrive on the charitable-mindedness of others but they who pay hardly realise that the money they are giving away in contributions, in charity is being utilised for crimes and sins. This is an aspect which I have had occasion to notice about those institutions styling themselves as orphanages.

There are other institutions called widows' home or *abala* homes. I regret to say that they are the plague spots where immorality of the worst type is indulged in and where women are trafficked and they become a transferable commodity. Either they have to sell their chastity and become for the rest of their days slaves to those people and society will not

[Shri Tek Chand]

revive them back or they have got no relations living or, if living, they are too remote to be interested in them. In a country whose population is tremendous, it is very difficult to get trace of the persons who have been abducted or who have been kidnapped, and who are being exploited for nefarious purposes. Therefore, it is a matter of imperative urgency that steps should be taken to license all institutions where people are kept for seemingly philanthropic purposes, either of education or of culture or of protection and it is extremely desirable that stringent laws should be passed for their protection. As a matter of fact, the burden of proof should be on the other person to show why he has kept under his supervision or control a minor who is related to him. Therefore, if you have the example of Dr. Bernado's Homes in England, you will find that unwanted children are being nourished, being brought up, being educated, all under the supervision of the Government. Female children cannot be married away; male and female children cannot be adopted away unless a rigorous and strict procedure is gone into and the adoptive parents offer certain guarantees that the children to be adopted are going to be looked after. I wish we had in our country a composite piece of legislation whereby such crimes could not be committed and unwanted children could be protected. It is high time that the Government should devote its attention to bringing on the statute-book a comprehensive measure.

However, I do not agree fully with the remarks of the hon. Member who has just preceded me. My reason is that if it becomes the exclusive headache of the Government that all such institutions must exclusively be controlled and managed by the Government, I am afraid it will be a too big a task. There are people genuinely philanthropic, honestly charitable-minded.....

श्रीमती मनिमोन बटल : मैं ने तो ऐसा कहा था ।

Shri Tek Chand: I said the last speaker, the speaker who preceded me and not the Mover—I meant my friend sitting behind me. The suggestion to which I cannot subscribe is this. All private charitable institutions of such a nature should be under the exclusive control of the Government; if not so, they should be declared to be unlawful institutions. It is only that aspect of the suggestion with which I do not see eye to eye. People are philanthropic; they are charitably-minded, and it should also be the desire of the State to see that people of their own should take the initiative, but those who do so, it should be assured, are really charitably-minded. Therefore, it is necessary that such institutions ought to be encourage, but so far as their working is concerned, it should be supervised under the vigilant control of the governmental authorities.

With these words, I offer my whole-hearted support to the measure.

श्रीमती उमा नेहरू (जिला सीतापुर व जिला खेरी-पश्चिम) : जनाब चंयरमैन साहब, देश की आजादी के बाद, राजनीतिक आजादी के बाद, सामाजिक और आर्थिक आजादी की जरूरत होती है । जबतक सामाजिक और आर्थिक आजादी नहीं होती तबतक देश की आजादी भी पूरी नहीं होती है । हम स्त्रियां इस समय सामाजिक आजादी की फिक्र में लगी हुई हैं । और जब से हम यहाँ आयी हैं तब से हमने तरह तरह के सामाजिक बिल इस हाउस के सामने पेश किये हैं । लेकिन हमारा ऊपर जो असर पड़ता है वह बड़ा दुःखदायी असर है और वह यह कि उनसे कुछ लाभ नहीं होता । मैं खुद दहेज का बिल लायी थी । उस पर बहस के बाद खुद हमारी सरकार ने कहा कि हम इस बिल को लायेंगे और मरें आगे पीछे मिनिस्टर साहब खड़े हो गये और यह यकीन दिलाना कि यह बिल बहुत जल्द आयेगा ।

हमारी हालत यह है कि हम बहुमत में हैं। जब हमारे आगे पीछे मंत्री आते हैं तो हमको आपसे आप उनकी बात मानकर कहना पड़ता है कि बहुत अच्छा जो आप चाहते हैं वही ही जायगा। लेकिन मुझे दुःख होता है कि न मालूम हमारे मंत्रियों के रास्ते में क्या अड़चनें आ जाती हैं कि इस तरह के जो बिल आते हैं वह ऐसा मालूम होता है कि खटाई में पड़ जाते हैं और उनका नामानिशन बाद को नहीं दिखायी पड़ता जब से बिल मंत्र हाथ से गया है न मालूम कितनी दफा में नेला मिनिस्टर की सलामी की है और उस सलामी में हज़र से यही कहा कि हज़र उस बिल का क्या हुआ और वह बिल कब तक आयेगा तो हर दफा हज़र कह देते हैं कि "आई एम टर्किंग परसनल इंटरस्ट इन इट"। तो इस दवा से हमारा इलाज नहीं हो सकता। आज भी मैंने देखा कि एक सोशल बिल आया। उसका भी वही हथ हुआ। उसमें इतनी गड़बड़ी हुई कि मेरी समझ में ही नहीं आ रहा था कि हम किधर जा रहे हैं। हमारे होम मिनिस्टर साहब इधर आये और न मालूम उन्होंने मुझ से क्या क्या कहा मेरी समझ में नहीं आया। मैं कहती हूँ कि जब हम को यह निश्चय हो गया है कि जबतक हमारी सामाजिक उन्नति नहीं हो सकती हमारी गाड़ी आगे नहीं बढ़ेगी, तो हमारी सरकार का यह फर्ज होना चाहिए कि वह इस तरह के बिल खुद लाये। हम तो यह बिल लाते हैं लेकिन सरकार का यह फर्ज है वह ऐसे बिल लावे जिनसे समाज की वह कमजोरियां दूर हों जिनकी वजह से देश की गाड़ी आगे नहीं जा सकती। मैं देखती हूँ कि खास काम हम ही करते हैं जब कि नान आफिशियल ड आता है। लेकिन जब नान आफिशियल ड आता है तो मुझे ऐसा मालूम होता है कि हमारा कोई सिरधरा नहीं है और इससे मुझे बड़ा दुःख होता है। नान आफिशियल ड को हम बिल लाते हैं लेकिन वह बेकार जाते हैं और उनका कोई नतीजा नहीं निकलता है। तो उस वक्त मुझे याद आता है कि यूनीवर्सिटी में भी एक इसी तरह की यूनिशन हुआ करती थी और

उसमें हम "मिस्टर प्रेसिडेंट" कह कर बोलते थे लेकिन वहां जो डिबेट होती थी उसका कोई नतीजा नहीं हुआ करता था।

आज हमने यह निश्चय किया है कि देश में जो सामाजिक कमजोरियां हैं उनको हमें कानून बनाकर हटाना लाजमी है।

पहले तो मेरा यह कहना है कि जब कोई स्त्रियों का ऐसा मामला आवे तो चूंकि यहां मुंद्दी भर स्त्रियां हैं, हर स्त्री को बोलने का मौका मिलना चाहिए क्योंकि उसको इसमें बोलने का हक है।

मैंने विधवा आश्रमों के किस्से सुने हैं। खुद मैं भी कुछ किस्से जानती हूँ। मंत्र जो पुरुष भाई हैं मैंने उनकी मंत्रीजग कमिटियों को देखा है और मैंने उनके अत्याचार देखे हैं और मुझे दुःख से कहना पड़ता है कि हमारी गवर्नमेंट को सबसे पहली चीज . . .

Pandit K. C. Sharma (Meerut Distt.—South): I rise on a point of order. May I request the Chair not to permit the House to be divided into *Sthri* Members and *Purush* Members?

Mr. Chairman: What is the point of order here? It is casting a reflection on the Chair. I have called two or three men and two ladies to speak on the Bill.

Pandit K. C. Sharma: I am extremely sorry that the Chair has misunderstood me. What I meant to say was that the hon. Lady Member, while discussing the Bill, was stating that, in matters such as this concerning women, only Lady Members should be called to speak.

Mr. Chairman: This is no point of order.

Pandit K. C. Sharma: It may or may not be...

Mr. Chairman: I cannot understand why the hon. Member persists in speaking like this.

श्रीमती उमा नेहरू : लेकिन मैं अपने भाई को यकीन दिलाती हूँ कि हम लंदी मंत्री,

[श्रीमती उमा नेहरू]

जिनको मैं विमैन मॅम्बर कहती हूँ, आपको सामने माओं की हींसयत से आती हैं आप हमारे बेटे हैं। हम अपने बेटों से कैसे अपने आपको जुदा कर सकती हैं। यह तो बेटों की कम अवली है कि वह हमको अपने से जुदा समझे हुए हैं; जब हम अपने लड़कों को और भाइयों को, जो कि इन विधवा आश्रमों की मैनेजिंग कर्मियों के मॅम्बर हैं, गलत कदम उठाते देखती हैं, उनके गलत चरित्र देखती हैं और उनको पाप करते देखती हैं तो हम उनको रोकने की कोशिश करती हैं और अपनी सरकार से कहती हैं कि जल्दी से जल्दी इन विधवा आश्रमों को बन्द करे।

मैं अपने उन भाइयों से जो अभी बोले थे बिल्कुल सहमत हूँ। मेरी खुद की यह राय है कि इन विधवा आश्रमों को और बिनता आश्रमों को गवर्नमेंट को खुद चलाना चाहिए और अगर गवर्नमेंट इनको चलायेगी तो उसको इतने आश्रमों की जरूरत नहीं होगी। जो इतने आश्रम खुले हैं इनका मकसद विधवाओं की खरखाही नहीं है बल्कि इनका मकसद कुछ और ही है। लेकिन अगर गवर्नमेंट इस काम को चलायेगी तो वह ठीक तरह से चलेगा।

यह चीज पब्लिक एंटरप्राइज के अन्दर होनी चाहिए लेकिन अभी थोड़े दिन के लिए जबतक हम अपने पैरों पर ठीक तरह से खड़े नहीं हो पाते सरकार को इस जिम्मेदारी को लेना चाहिए और सारं मुल्क की एक दफा शुद्धि करनी चाहिए। जबतक यह नहीं होगा तबतक देश का आगे बढ़ना मुश्किल है।

मैं गवर्नमेंट से यही कहने खड़ी हुई हूँ कि अगर वह मेहरबानी फरमाये और यह पास होजाय तो बहुत अच्छा है लेकिन मुझे तो इस बिल का भी वही हथ्र होता दिखता है जैसे कि अभी एक बिल विद्वद्दा होगया। मुझ-किन है कि सरकार की तरफ से कोई बिल आवे और इस कारण यह बिल विद्वद्दा होजाय। मालूम नहीं कि उसका क्या हथ्र होगा लेकिन मुझे तो इसका भी वही हथ्र होते जान पड़ता

है जैसे पहले बिल का हुआ और वह विद्वद्दा होगया। यह जो हमारे भाई श्री भुनभुन-वाला का खाद्य पदार्थों में मिलावट के सम्बन्ध में प्रस्ताव था तो मैं उसके सम्बन्ध में बतलाऊँ कि मैं खुद उसकी सेलेक्ट कमेटी में थी, उसको एक अर्सा होगया और आप जानिये कि हालत हमारी यह है कि हम जो खाते हैं वह शुद्ध न होने के कारण हम बीमार पड़ते हैं और कितने ही उस कारण मरते हैं। आज न हमें ठीक घी मिलता है, न मसाला मिलता है और न अनाज मिलता है, यह हमारी हालत है और हमारे मुल्क के रहने वालों की सेहत दिन पर दिन खराब होती जा रही है लेकिन सरकार के दरबार में अभी फुरसत नहीं है कि वह हमारे स्वास्थ्य के ऊपर विचार करे और इस बिल को पास करे

Mr. Chairman: May I just enquire how is the Government to blame? The House cannot find time for it?

श्रीमती उमा नेहरू : सरकार तो सभी है, मैं कोई उसके अलग २ टुकड़े नहीं करना चाहती। मैं तो इस बिल के लिये कह रही थी कि इस बिल पर हमने खूब सांच विचार किया और मैं खुद इस बिल की सेलेक्ट कमेटी में थी और यहां इस बिल को अच्छी तरह सांच विचार कर चुके हैं और कम्पलीट कर चुके हैं और तब उसके बाद इस हा उस में मंजूरी के लिये लाये हैं लेकिन पार्लियामेंटरी अफेयर्स के जो मिनिस्टर हैं उन्होंने अभी फरमाया कि कुछ मोस्ट इम्पोर्टेंट बिल्स उनके पास हैं जिनको कि पहले हाउस के सामने लाना है इसीलिये वह उसको आयन्दा सेशन में लायेंगे, यह बात तो समझ में आती है मगर हो सकता है कि अगले सेशन में जो इससे और ज्यादा इम्पोर्टेंट बिल होगा वह पहले आयेंगा और यह फिर आगे के लिये टल सकता है तो इस बार में मेरा कहना यह है कि यह स्वास्थ्य सम्बन्धी बिल मोस्ट इम्पोर्टेंट चीज है, देश के लोगों की सेहत और हेल्थ ठीक रहे, यह सबसे ज्यादा जरूरी है और हमें इसकी तरफ सब से पहले ध्यान देना चाहिये

और उसके बाद हमारा दश में और समाज में ये जितने पापघर फँले हुए हैं उनको मिटाना है। और ज्यादा समय न लेते हुए मैं श्रीमती मणिबेन पटेल का जो बिल है उसका पूर्ण समर्थन करती हूँ और मुझे पूरा विश्वास है कि सरकार उसको कबूल करेगी और उनका बिल एडवॉर्ड नहीं होगा और मेरे बिल का जो नतीजा हुआ वह इसके साथ नहीं होगा और यह आगे जायेगा और मुल्क इससे फायदा उठायेगा।

Shri D. C. Sharma (Hoshiarpur)
rose—

Mr. Chairman: What is the point? What has the hon. Member to say? I have not heard him.

Shri D. C. Sharma: I have stood so many times. How am I not able to catch your eye?

Mr. Chairman: His standing so many times does not entitle him to ask an explanation from the Chair. After all, the Chair has got a discretion in the matter. Every day, I have seen, it happens. Every time, several Members stand up, including myself, but the Chair does not find time to call the names of these Members. The Members should not make a grouse of it after all the rights of all the Members must be equally protected and respected.

Shri D. C. Sharma: I do not make any grouse of it. I thought you had seen me.

Mr. Chairman: I have already seen; the hon. Member is higher than the bench on which he sits; the Chair certainly sees him specially when he is standing.

Shri D. C. Sharma: rose—

Mr. Chairman: Order, order.

Shri Raghuramajiah (Tenali): I have very great pleasure in supporting the present Bill and I think it is one of those Bills which are long overdue. In this country, our experience with some of the institutions which are carried on in the name of women and children is not

really very encouraging. I do not say every institution is not run on sound lines; there are some institutions which are run on very sound lines run by people with very high ideals. They are bringing up destitute children and women in a very commendable manner. But there are, I think, a good number of institutions which are being exploited for the private benefit of the promoters, whose inmates are grossly ill-treated. The institutions are gravely abused. It is within the experience of some of us that the institutions are maintained solely as a means of livelihood for some individual. Sometimes the manager draws rations in the name of the institution which is supposed to have on record so many children and so many women and all the rations are utilised by the person in charge of the institutions. It is only one of the misuses to which it is put to and the most innocent.

There are a hundred others. I do not want to go into any discussion about these in greater detail. Government should step in and take care of the institutions of this nature and see that they are utilised for the purpose for which they have been promoted. I consider it one of the primary duties of the Government. There are ofcourse two ways of doing it: Government taking it over and directly running the institutions or Government taking over the responsibility of supervising the institutions.

Great as this country is, enormous as our problems are with our limited financial resources, it will not be possible for the Government to undertake this work directly and do it. But it should not be difficult for the Government to devise some measure whereby every one of these institutions is properly supervised and to make it a definite certainty that the institutions are utilised for the purpose for which they are being promoted. It is a strange thing that a duty like this which we owe to the destitute women and children of this country is not being taken

[Shri Raghuramaiah]

up with the same amount of seriousness as it deserves and in the event of the Government not coming forward to give an assurance that they will themselves come forward with such a bill, I think we should strain every nerve to see that the present Bill is adopted.

Of course, I do not say that the Bill is absolutely perfect from the drafting point of view. It does require some changes. For instance in the matter of definition of the word 'institution' itself, I am afraid it covers a larger number of institutions than those what the Mover of the Bill has in mind. Probably, the intention, as I conceive, behind the Bill is to confine it to those institutions which are established for the receipt, care and maintenance of women and children till they reach the age of 18 or till they are rehabilitated.

But the definition of the word 'institution', given in the Bill is very much wider. As I read it, I feel it is possible to include in it even hostels attached to recognised girls colleges or again it may include in its scope so many very well known women's educational or other institutions. It is not certainly the intention that the Government inspector should poke his nose into every one of these institutions and in no event it should be the duty of every institution to teach, train, lodge, clothe and feed every woman or child admitted in the institution till she is rehabilitated or the child attains the age of 18 years.

It is not the intention of the Mover and it should not be that every institution irrespective of the scope or purpose for which it is established should support and maintain all the inmates. I, therefore, suggest that the Mover should see that the Bill is confined only to those institutions whose specific object is to receive, to take care, to feed, clothe and maintain women and children

so that the objection that this Bill is too vague may be removed.

I would only say one thing more in general and that is a general request to the Government. I think a time has come when we should take stock of what exactly are the various measures that we should undertake on the social side; it is no use to leave it merely to private legislation. Concerted and definite action must be taken by the Government to re-examine the whole field of our social activity and see in what respect legislation is necessary. It was a different matter in the olden days when we left these to the whims and fancies of the foreign Government; we have our own Government and we have to set our house in order. We have to take care of so many things which are not in the Fundamental Rights of the Constitution; it may be that some of them are in the Directive Principles and some are left to the conscience of the people. I would, therefore, appeal—I shall make a special appeal—that apart from this, Government should undertake the work of reviewing the whole social aspect and say in what directions legislation is necessary. On this particular matter I would again earnestly urge upon the Government to say that they will come forward with a comprehensive legislation, or in the alternative. I would request the Mover to so amend the Bill as to confine it to the purposes for which it is intended.

Shri D. C. Sharma: At the very outset I beg to submit that there was no intention on my part to question your discretion.

Mr. Chairman: Order, order. As a matter of fact I had him in mind. I had seen the hon. Member standing up twice. But at the same time if he insists that he should be called at a particular time or even called at all, it is very difficult for the Chair to satisfy his wishes.

Shri D. C. Sharma: I was submitting that there was no intention on my part to question your discretion.

And now I come to the Bill. On the floor of this House this afternoon three Bills have been presented, two by Shrimati Maniben Patel and one by my friend Shri Jhunjhunwala. After seeing the fate of those Bills and after listening to the speeches made on those Bills I have asked myself one question: Have we developed any social conscience? Have we understood the challenge of the time? Have we seen the writing on the social wall of India? I have asked myself these questions, and I must say that the answer to all these questions has been in the negative.

I entirely agree with my friend Shri Raghuramaiah that our Government should not be only a law and order government, our Government should not only be a government which gathers taxes, but our Government should be a real welfare government. (*An hon. Member:* Hell-fare government). I do not know what my friend is talking about and I do not know what language he is talking. I was going to say we should give primacy to problems of law and order and problems of taxation. All these things are there, because without these we cannot run the government. But I say that the way in which social legislation is neglected in this House is—I do not want to use any hard word—not the right kind of thing. I would have said something hard about it, but I do not want to. What was the fate of the Bill which was brought forward by my sister Shrimati Uma Nehru? What was its fate? Here in this Parliament we were not able to discuss and pass that Bill. But in the neighbouring State of Punjab a similar Bill was passed. We say that our Parliament should be a model for every State Legislature. But I do not think that has been the case. Because, here the Bill was put in cold

storage and there the Bill was passed. I am very sorry to say that in our Ministries there is something like a cold storage policy. And I must say in all humility and with due respect that all the measures which deal with social welfare, almost all the measures which are the real foundation of the national and social prosperity of India, are put in that kind of cold storage. I am of course using the words metaphorically.

1 P.M.

There are four days of dealing with the problem. I think it is a very big, colossal problem. I think the best thing is to deal with this problem on a national scale. It is a problem calling forth the national energies of this great nation. And, unless it is tackled on that scale, I do not think we can do anything. Sir, my friend just now referred to the large number of persons; to be large number of children—boys and girls—who are going about in this country begging for pies, begging for a little farthing. May I ask you one question? Do these things contribute to the good name of our country? The other day I was travelling in the U.P. with a foreigner who happened to be a gentleman from another country. He said to me: "Well, you attained independence about seven years ago and you have been doing well. Why is it that I see so many beggars in your country? Why is it that I see so many children going about begging?" This is something which, I should say, is unexceptional in this country. I should say that this blot on the good name of our country should be removed. We should not see any more children as beggars in our country. We should not see any more children who are inmates of orphanages and *Vanita Ashrams* as beggars. There is a great deal of trafficking going on in this direction and we must put a stop to it. I think there are four ways of dealing with this problem. First of all, there is the national way, and this is,

[Shri D. C. Sharma]

that a census should be taken of all the orphans in the country. If you say, that for this you have to form a machinery which will cost a great deal of money, I would suggest that the *panchayats* should be asked to do this work. We have a net-work of *panchayats* all over India.

Mr. Chairman: I do not want to interrupt the hon. Member's speech, but this Bill has got a very limited scope. It only deals with licensing and regulating certain institutions. The broad question with which the hon. Member is dealing, does not come within its scope. I would, therefore, request the hon. Member to limit his remarks to the scope of the Bill.

Shri D. C. Sharma: Sir, what I was going to say is that,—I come from the general to the particular, with your permission—a census should be taken of all the orphans and I think this can be done by *panchayats*. Let them take a census of all the orphans. I would say that the care and custodianship of bringing up these children should be the duty of the *panchayats*. There was a time in India when the orphans were taken hold of by the people and they were given some kind of good education and training. Why not we get back to that time? If the people of a particular *Ilaka* are not prepared to do that, I do not see any reason why this should not be a very good charge on the *panchayats*. In the same day, so far as towns are concerned, we have (Notified Area Committees, Municipalities, District Boards and so on. Why not they take charge of children who are orphans? This is the national way of dealing with the problem.

The second way is that we should have a man of genius like the late Dr. Bernado. He did it on a voluntary scale in England, but I must tell you that Dr. Bernado made it a great national institution. I do not deny that there are good orphanages in the country. There is one at

Ferozepore. There are good rescue homes in this country; one in Bombay which was opened by Dr. Jaykar or some other Bombay leaders. There are good homes, but I say that the problem is so vast that we must have a man with a very big vision and drive to do that.

Mr. Chairman: This Bill does not relate to the problem. We are only concerned with the institutions. The hon. Member may kindly look into the Preamble given in the Bill. This only deals with the regulation and licensing. The broad problem does not arise.

Shri D. C. Sharma: Therefore, I would say, that if we cannot tackle this problem on a national scale, if we cannot produce a man like Dr. Bernado and if we cannot do this as a State business, then, we must adopt the method which my sister Shrimati Maniben Patel has suggested. And, what is that method? That, we should keep proper check and proper supervision over those institutions which look after the orphans, whether they are boys or girls. I do not want to tell the House how these orphanages and *Vanita Ashrams* are becoming not institutions for the welfare of our nation, but are becoming institutions which are degrading humanity. They are sources of degradation, social degradation and moral degradation. With a very few exceptions, they are festering sores which are trying to corrupt our people. I may tell you one thing. In a town in the Punjab, a little boy was arrested by the police, a little boy of 10 or 12 years of age. The boy was plying the honourable profession of a pick-pocket—I mean honourable in the sense that it was dishonourable. When the magistrate asked him from where he had come, and who he was, it transpired that he belonged to a Home for children: a home where children of his age were receiving training in pickpocketing. I say

that if we want to have these children brought up as potential criminals, if we want to have these children brought up as parasites on our country, if we want to have these children brought up as potential nuisances to our country, we should throw them to the tender mercies of these orphanage and *Vanita Ashram*.

My feeling is this. Of course, all private Bills are inadequate. All private Bills do not go far enough. All private Bills have legal flaws here and there. We are always promised that some Bill would be brought which will go further than that. Of course, that Bill may or may not come. I would say that so far as this Bill is concerned, it is workable, it is practical in its intention and this is not a kind of Bill which will involve the State in a great deal of expenditure. It is an eminently suitable Bill for the times in which we are living, in the sense that we cannot tackle this problem on a big scale. Therefore, I would say that the Minister of Home Affairs should be kind enough to bless this Bill and adopt it, so that when we go back to our constituencies, we may be able to say that there is some measure of social amelioration that we have passed.

An hon. Member said that the definition of certain words is too wide. I do not think so. I think the definitions given in this Bill are admirable. There is no danger of their being misunderstood or being misinterpreted. They are common words, which are well known to every student of English, and they are words about which there is no ambiguity. Therefore, I would say that this Bill is very good as far as it goes and there is no ambiguity about it. At the same time, it does not place any extra or additional responsibility on the State. I request that this Bill may be accepted by the Government so that when we go back at the end of the session, we may tell the people, here is a Bill of social welfare that we have been able to pass in the House of the People.

Shrimati Maydeo (Poona South): I am very glad that so many of the Member friends have taken great interest in these two things and should have spoken in favour of these.

As hon. Member Mr. Sharma said there are so many institutions for children which are run under different names, and they are carrying on differently from what they actually say. In some cases we find that there are *Vidhwa* homes and side by side there is a children's home. My brothers will understand the meaning of that. That means illegitimate children are brought up in the children's homes. So, this way our children's homes are being carried on. As Shrimati Maniben Patel, has said, it is quite proper that Government should have some hand in it, and these should be licensed. The homes should not be allowed to run unless they are registered, and their activities are known to Government.

There are such a large number of children requiring attention that even if more homes are started, we find that they are crowded, and that is why this is, I feel, a very harmful disease of our society. So, we must look to it first and give priority over all other business. That is why I would request the hon. Deputy Minister to look into it and bring a Bill as early as possible before the House.

Dr. Suresh Chandra (Aurangabad) rose—

Mr. Chairman: Now there are only two minutes more. The hon. Member is not likely to finish in two minutes.

Dr. Suresh Chandra: I will finish in two minutes.

सभापति महोदय, इस बिल के बारे में बहुत सी बातें कही गयी हैं और मैं समझता हूँ कि यह बहुत ही आवश्यक बिल है। इस बिल की जितनी आवश्यकता है उसके बारे में बहुत कुछ पहले कहा गया है और मैं समझता हूँ कि किसी भी स्वतंत्र देश के लिए यह हतक की

[डा० सुरेश चन्द्र]

बात है और बड़े दुःख की बात है कि ऐसे बच्चों पर और ऐसी संस्थाओं पर सरकार का किसी भी प्रकार का नियंत्रण न हो। मैं समझता हूँ कि हमारे भाई ने ठीक ही कहा है कि जिधर जाइये उधर ऐसे बच्चे मिलते हैं जिनका सरकार के पास कोई लेखा नहीं है। आप रूल में जाइये या कहीं भी जाइये आपको इस तरह के बच्चे मिलेंगे। इन जगहों से ही यह बच्चे इन संस्थाओं में लाये जाते हैं और यहां उनका नैतिक पतन होता है और यहां से यह बुराई सारे समाज में फैलती है। हम देखते हैं कि जब से यह देश स्वतंत्र हुआ है तब से इस देश का नैतिक पतन बढ़ता ही जा रहा है। और इसका कारण ये संस्थायें हैं। इसलिए मैं इस बात पर सबसे ज्यादा जोर देना चाहता हूँ कि इन संस्थाओं पर गवर्नमेंट का कंट्रोल होना चाहिए। मैं आपसे यह कहना चाहता हूँ कि हम चाहे हिटलर के सिद्धान्तों से सहमत हों या न हों, पर जब से हिटलर की सरकार आयी उसने सबसे पहले जर्मनी के लड़कों और लड़कियों को सुधारने पर जोर दिया और उन बच्चों को अच्छी संस्थाओं में रखा। उन्होंने कानून बनाकर खराब संस्थाओं को बन्द किया। मैं कहना चाहता हूँ कि जबतक हम इस प्रकार के कानून यहां पर नहीं लायेंगे और उनको कार्य रूप में परिणत नहीं करेंगे तबतक जो यह नैतिक पतन हो रहा है यह बढ़ता जायगा और आप चाहे जितना टैंक्स वसूल

कीजिये और कानून बनाइये यह नैतिक पतन नहीं रूक सकता। इसलिए मैं जोर के साथ यह कहना चाहता हूँ कि मणिबेन पटेल और दूसरे लोग जो बिल लाये हैं उनको गवर्नमेंट जल्दी से जल्दी स्वीकार करे और या इस बिल को दूसरे रूप में खुद लाये जिससे कि हम इस नैतिक पतन को रोक सकें क्योंकि इन्हीं बच्चों के जरिये बुराई देश में फैलती है। इसलिए मैं इसका बड़ा जोर से समर्थन करता हूँ और आपको धन्यवाद देता हूँ कि आपने मुझको समय दिया।

Mr. Chairman: The matter has been sufficiently discussed and I call upon the hon. Minister to reply. If he chooses to reply just now he can reply in a few minutes or if he chooses to reply later he may do so on the next non-official day.

Sardar A. S. Saigal: Sir, I think it may be postponed for the next non-official day.

Mr. Chairman: The motion has not been put yet. I have called on the hon. Minister to make a reply. If he chooses he may reply.

Shri Datar: I shall reply next time so that others may also have an opportunity to speak.

The House then adjourned till a Quarter Past Eight of the Clock on Saturday, the 24th April, 1954.