

Friday,
27th July, 1956

LOK SABHA DEBATES

VOLUME V, 1956

(16th July to 10th August 1956)



सत्यमेव जयते



THIRTEENTH SESSION, 1956

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

ALPHABETICAL LIST OF MEMBERS

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 Abdus Sattar, Shri (Kalna-Karwa).
 Achal Singh, Seth [Agra Distt. (West)].
 Achalu, Shri Sunkam (Nalgonda—Reserved—Sch. Castes).
 Achint Ram, Lala (Hissar).
 Achuthan, Shri K. T. (Cranganur).
 Agarawal, Shri Hoti Lal [Jalaun Distt. *cum* Etawah Distt.—(West) *cum* Jhansi Distt.—(North)].
 Agrawal, Shri Mukund Lal [Pilibhit Distt. *cum* Bareilly Distt.—(East)].
 Ajit Singh, Shri (Kapurthala-Bhatinda—Reserved—Sch. Castes).
 Ajit Singhji, General (Sirohi-Pali).
 Akarpuri, Sardar Teja Singh (Gurdaspur).
 Alagesan, Shri O. V. (Chingleput).
 Altekar, Shri Ganesh Sadashiv (North Satara).
 Alva, Shri Joachim (Kanara).
 Amin, Dr. Indubhai B. (Baroda West).
 Amjad Ali, Shri (Goalpara-Garo Hills).
 Amrit Kaur, Rajkumari (Mandi-Mahasu).
 Anandchand, Shri (Bilaspur).
 Ansari, Dr. Shaukatullah Shah (Bidar).
 Anthony, Shri Frank (Nominated—Anglo-Indians).
 Asthana, Shri Sita Rama (Azamgarh Distt.—West).
 Ayyangar, Shri M. Ananthasayanam (Tirupati).
 Azad, Maulana Abul Kalam (Rampur Distt. *cum* Bareilly Distt.—West).
 Azad, Shri Bhagwat Jha (Purnea *cum* Santhal Parganas).

B

- Babunath Singh, Shri (Surguja-Raigarh—Reserved—Sch. Tribes).
 Badam Singh, Chowdhary (Budaun Distt.—West).
 Bagdi, Shri Magan Lal (Mahasamund).
 Bahadur Singh, Shri (Ferozepore-Ludhiana—Reserved—Sch. Castes).
 Balakrishnan, Shri S. C. (Erode—Reserved—Sch. Castes).
 Balasubramaniam, Shri S. (Madurai).
 Baldev Singh, Sardar (Nawan Shahr).
 Balmiki, Shri Kanhaiya Lal (Bulandshah Distt.—Reserved—Sch. Castes).
 Banerjee, Shri Durga Charan (Midnapore-Jhargram).
 Bansal, Shri Ghamandi Lal (Jhajjar-Rewari).
 Bansilal, Shri (Jaipur).
 Barman, Shri Upendranath (North Bengal—Reserved—Sch. Castes).
 Barrow, Shri A. E. T. (Nominated—Anglo-Indians).
 Barupal, Shri Panna Lal (Ganganagar-Jhunjhunu—Reserved—Sch. Castes).
 Besappa, Shri C. R. (Tumkur).
 Basu, Shri A. K. (North Bengal).
 Basu, Shri Kamal Kumar (Diamond Harbour).
 Bhagat, Shri B. R. (Patna *cum* Shahabad).
 Bhakt Darshan, Shri [Garhwal Distt.—(East) *cum* Moradabad Distt.—(North-East)].
 Bharati, Shri Goswamiraja Sahdeo (Yeotmal).
 Bhargava, Pandit Mukat Behari Lal (Ajmer South).
 Bhargava, Pandit Thakur Das (Gurgaon).
 Bhartiya, Shri Shaligram Ramchandra (West Khandesh).
 Bhatkar, Shri Laxman Shrawan (Buldana-Akola—Reserved—Sch. Castes).

B—contd.

- Bhatt, Shri Chandrashanker (Broach).
 Bhawani Singh, Shri (Barmer-Jalore).
 Bhawanji, Shri (Kutch West).
 Bheekha Bhai, Shri (Banswara—Dungarpur—
 Reserved—Sch. Tribes).
 Bhonsle, Shri Jagannathrao Krishna Rao
 (Rajnagiri North).
 Bidari, Shri Ramappa Balappa (Bijapur
 South).
 Birbal Singh, Shri [Jaunpur Distt.—(East)].
 Biren Dutt, Shri (Tripura West).
 Bogawat, Shri U. R. (Ahmednagar South).
 Boovaraghasamy, Shri V. (Perambalur).
 Borkar, Shrimati Anusayabai (Bhandara—
 Reserved—Sch. Castes).
 Borooah, Shri Dev Kanta (Nowgong).
 Bose, Shri P. C. (Manbhum North).
 Brajeshwar Prasad, Shri (Gaya East).
 Brohmo-Chaudhury, Shri Sitanath (Goalpara-
 Garo Hills—Reserved—Sch. Tribes).
 Buchhikotaiyah, Shri Sanaka (Masulipatnam).

C

- Chakravartty, Shrimati Renu (Basirhat).
 Chaliha, Shri Bimalaprosad (Sibsagar—
 North-Lakhimpur).
 Chanda, Shri Anil Kumar (Birbhum).
 Chandak, Shri B. L. (Betul).
 Chandrasekhar, Shrimati M. (Tiruvallur—
 Reserved—Sch. Castes).
 Charak, Th. Lakshman Singh (Jammu and
 Kashmir).
 Chatterjea, Shri Tushar (Serampore).
 Chatterjee, Dr. Susilranjan (West Dinajpur).
 Chatterjee, Shri N. C. (Hooghly).
 Chattopadhyaya, Shri Harindranath (Vijaya-
 vada).
 Charurvedi, Shri Rohanlal [Etah Distt.—
 (Central)].
 Chaudhary, Shri Ganeshi Lal [Shahjahanpur
 Distt.—(North) cum Kheri—(East)—
 Reserved—Sch. Castes].

- Chaudhuri, Shri Tridib Kumar (Berham-
 pore).
 Chavda, Shri Akbar (Banaskantha).
 Chettiar, Shri N. Vr. N. Ar. Nagappa
 (Ramanathapuram).
 Chettiar, Shri T. S. Avinashlingam (Tirup-
 pur).
 Chowdary, Shri C. R. (Narasaraopet).
 Chowdhury, Shri Nikunja Behari (Gharal).

D

- Dabhi, Shri Fulsinhji B. (Kaira North).
 Damar, Shri Amar Singh Sabji (Jhabua—
 Reserved—Sch. Tribes).
 Damodaran, Shri G. R. (Pollachi).
 Damodaran, Shri Nettur P. (Tellicherry).
 Das, Dr. Mono Mohon (Burdwan—Reserved
 —Sch. Castes).
 Das, Shri B. (Jaipur-Keonjhar).
 Das, Shri Basanta Kumar (Contai).
 Das, Shri Beli Ram (Barpeta).
 Das, Shri Bijoy Chandra (Ganjam South).
 Das, Shri Kamal Krishna (Birbhum—Re-
 served—Sch. Castes).
 Das, Shri Nayan Tara (Monghyr Sadr cum
 Jamui—Reserved—Sch. Castes).
 Das, Shri Rem Dhani (Gaya East.—Re-
 served—Sch. Castes).
 Das, Shri Ramananda (Barrackpore).
 Das, Shri Sarangadhar (Dhenkanal—
 Cuttack).
 Das, Shri Shree Narayan (Darbhanga Cum...
 Dasartha Deb, Shri (Tripura East).
 Datar, Shri Balwant Nagesh (Belgaum North).
 Deb, Shri Suresh Chandra (Cachar-
 Lushai Hills).
 Deo, H. H. Maharaja Rajendra Narayan.
 Singh (Kalahandi-Bolangir).
 Deogam, Shri Kanhu Ram (Chajbassa—
 Reserved—Sch. Tribes).
 Desai, Shri Kanayalal Nanabhai (Surat).
 Desai, Shri Khandut hai Kasanji (Halsar).
 Deshmukh, Dr. Panjabrao S. (Amravati
 East).

D—contd.

- Deshmukh, Shri Chintaman Dwarakanath
(Kola's).
 Deshmukh, Shri K. G. (Amravati West).
 Deshpande, Shri Govind Hari (Nasik Central).
 Deshpande, Shri Vishnu Ghanashyam
(Guna).
 Dholakia, Shri Gulab Shankar Amritlal
(Kutch East).
 Dhulekar, Shri R. V. [Jhansi Distt.—(South)].
 Dhusiya, Shri Sohan Lal (Basti Distt.—
(Central-East) cum Gorakhpur Distt.—
(West)—Reserved—Sch. Caste].
 Digambar Singh, Shri (Etah Distt.—(West
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Distt.—(East)].
 Diwan, Shri Raghavendrasao Srinivasao
(Osmanabad).
 Dube, Shri Mulchand [Farrukhabad Distt.
(North)].
 Dube, Shri Udai Shankar [Basti Distt.
(North)].
 Dubey, Shri Rajaram Giridharlal (Bijapur
North).
 Dutt, Shri Asim Krishna (Calcutta South-
West).
 Dutta, Shri Santosh Kumar (Howrah).
 Dwivedi, Shri Daashrath Prasad (Gorakhpur
Distt.—Central).
 Dwivedi, Shri M. L. (Hamirpur Distt.).
- E**
- Echaran, Shri Iyyanni (Ponnani—Reser-
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 El'enezer, Dr. S. A. (Vikarabad).
 Elayaperumal, Shri L. (Cuddalore—Reserved
—Sch. Castes).
- F**
- Fotedar, Pandit Sheo Narayan (Jammu and
Kashmir).
- G**
- Gadgil, Shri Narhar Vishnu (Poona Central)
 Gadilingana Gowd, Shri (Kurnool).
 Gami Malludora, Shri (Visakhapatnam—
Reserved—Sch. Tribes).
 Gandhi, Shri Feroze [Pratapgarh Distt.
(West) cum Rae Bareli Distt. (East)].
 Gandhi, Shri Maneklal Maganlal (Panch
Mahals cum Baroda East).
 Gandhi, Shri V. B. (Bombay City—North).
 Ganga Devi, Shrimati (Lucknow Distt.
cum Bara Banki Distt.—Reserved—Sch.
Castes).
 Ganpati Ram, Shri [Jaunpur Distt. (East)—
Reserved—Sch. Castes)].
 Garg, Shri Ram Pratap (Patiala).
 Gautam, Shri C. D. (Balaghat).
 Ghose, Shri Surendra Mohan (Malda).
 Ghosh, Shri Atulya (Burdwan).
 Ghulam Qader, Shri (Jammu and Kashmir).
 Gidwani, Shri Choithram Partabrai (Thana)
 Giri, Shri V. V. (Pathapatnam).
 Giridhari Bhoi, Shri (Kalahandi-Bolangir)
 Reserved—Sch. Tribes).
 Gohain, Shri Chowkhamoon (Nominated—
Assam Tribal Areas).
 Gopalan, Shri A. K. (Cannanore).
 Gopi Ram, Shri (Mandi-Mahasu—Reserved—
Sch. Castes).
 Gounder, Shri K. Periaswami (Erode).
 Gounder, Shri K. [Sakthivadivel
(Periyakulam).
 Govind Das, Seth (Mandla-Jabalpur South).
 Guha, Shri Arun Chandra (Santipur).
 Gupta, Shri Badshah (Mainpuri Distt.—
East).
 Gupta, Shri Sadhan Chandra (Calcutta—
South—East).
 Gurupadaswamy, Shri M. S. (Mysore).
- H**
- Hansda, Shri Benjamin (Purnea cum Santa
Parganas—Reserved—Sch. Tribes).
 Hari Mohan, Dr. (Manbhum North—
Reserved—Sch. Castes).
 Hasda, Shri Subodh (Midnapore-Jhargram—
Reserved—Sch. Tribes).

H—contd.

- Hazarika, Shri Jogendra Nath (Dibrugarh).
 Heda, Shri H. C. (Nizamabad).
 Hembrom, Shri Lal (Santal Parganas *cum*
 Hazaribagh—Reserved—Sch. Tribes).
 Hem Raj, Shri (Kangra).
 Hukam Singh, Sardar (Kapurthala—
 Bhatinda).
 Hyder Husein, Chaudhri (Gonda Distt.—
 North).

I

- Ibrahim, Shri A. (Ranchi North-East).
 Iqbal Singh, Sardar (Fazilka-Sirsa).
 Islamuddin, Shri Muhammad (Purnea—
 North-East).
 Iyyunni, Shri C. R. (Trichur).

J

- Jagjivan Ram, Shri (Shahabad South—Re-
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 Jain, Shri Ajit Prasad (Saharanpur Distt.—
 West *cum* Muzaffarnagar Distt.—North).
 Jain, Shri Nemi Saran (Bijnor Distt.—
 South).
 Jaipal Singh, Shri (Ranchi West—Reserve d
 —Sch. Tribes).
 Jaisoorya, Dr. N. M. (Medak).
 Jajware, Shri Ramraj (Santal Parganas *cum*
 Hazaribagh).
 Jangde, Shri Resham Lal (Bilaspur—
 Reserved—Sch. Castes).
 Jatav-vir, Dr. Manik Chand (Bharatpur-Sawai
 Madhopur—Reserved—Sch. Castes).
 Jayaraman, Shri A. (Tindivanam—Reserved—
 Sch. Castes).
 Jayashri, Shrimati (Bombay-Suburban).
 Jena, Shri Kanhu Charan (Balasore—Re-
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 Jena, Shri Lakshmidhar (Jaipur-Keonjhar—
 Reserved—Sch. Castes).
 Jena, Shri Niranjan (Dhenkanal-West
 Cuttack—Reserved—Sch. Castes).
 ethan, Shri Kherwar (Palamau *cum* Hazari-
 bagh *cum* Ranchi—Reserved—Sch.
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- Jhunjhunwala, Shri Banarsi Prasad (Bhagal-
 pur Central).
 Jogendra Singh, Sardar (Bahraich Distt.—
 West).
 Joshi, Shri Anand Chandra (Shahdol-
 Sidhi).
 Joshi, Shri Jethalal Harikrishna (Madhya
 Saurashtra).
 Joshi, Shri Krishnacharya (Yadgir).
 Joshi, Shri Liladhar (Shajapur-Rajgarh).
 Joshi, Shri Moreshwar Dinkar (Ratnagiri
 South).
 Joshi, Shri Nandlal (Indore).
 Joshi, Shrimati Subhadra (Karnal).
 Jwala Prashad, Shri (Ajmer North).

K

- Kachiroyar, Shri N. D. Govindaswami
 (Cuddalore).
 Kajrolkar, Shri Nerayan Sadoba (Bombay
 City—North—Reserved—Sch. Castes).
 Kakkam, Shri P. (Madurai—Reserved—Sch.
 Castes).
 Kale, Shrimati Anasuyabai (Nagpur).
 Kamal Singh, Shri (Shahabad—North-West).
 Kamath, Shri Hari Vishnu (Hooshangabad).
 Kamble, Dr. Devrao Nambevrao (Nanded—
 Reserved—Sch. Castes).
 Kandasamy, Shri S. K. Babie (Tiruchengode).
 Kanungo, Shri Nityanand (Kendrapara).
 Karmarkar, Shri D. P. (Dharwar North).
 Karni Singhji, His Highness Maharaja Shri
 Bahadur of Bikaner (Bikaner-Churu).
 Kasliwal, Shri Nemi Chandra (Kotah-Jhala-
 war).
 Katham, Shri Birendranath (North Bengal—
 Reserved—Sch. Tribes).
 Katju, Dr. Kailas Nath (Mandsaur).
 Kayal, Shri Paresah Nath (Baairhat—Re-
 served—Sch. Castes).
 Kazmi, Shri Syed Mohammad Ahmad
 (Sultanpur Distt.—North *cum* Faizabad
 Distt.—South-West).
 Kelappan, Shri K. (Ponnani).
 Keshavaiengar, Shri N. (Bangalore North).

K—contd.

- Keskar, Dr. B. V. (Sultanpur Distt.—South).
 Khan, Shri Sadath Ali (Ibrahimpattam).
 Khardekar, Shri B. H. (Kolhapur *cum* Satara).
 Khare, Dr. N. B. (Gwalior).
 Khedkar, Shri Gopalrao Bajirao (Buldana Akola).
 Khongmen, Shrimati B. (Autonomous Distt.—Reserved—Sch. Tribes).
 Khuda Baksh, Shri Muhammed (Murahidabad).
 Kirolkar, Shri Wasudeo Shridhar (Durg).
 Kolay, Shri Jagannath (Bankura).
 Kottukappally, Shri George Thomas (Meenachil).
 Kripalani, Acharya J. B. (Bhagalpur *cum* Purnea).
 Krishna, Shri M. R. (Karimnagar—Reserved—Sch. Castes).
 Krishna Chandra, Shri (Mathura Distt.—West).
 Krishnamachari, Shri T. T. (Madras).
 Krishnappa, Shri M. V. (Kolar).
 Krishnaswami, Dr. A. (Kancheepuram).
 Kureel, Shri Baij Nath (Pratapgarh Distt.—West *cum* Rae Bareilly Distt.—East—Reserved—Sch. Castes).
 Kureel, Shri Piere Lal (Banda Distt. *cum* Fatehpur Distt.—Reserved—Sch. Castes).

L

- Lakshmayya, Shri Paidi (Anantapur).
 Lal Singh, Sardar (Ferozepur-Ludhiana).
 Lallanji, Shri (Faizabad Distt.—North-West).
 Laskar, Shri Nibaran Chandra (Cachar—Lushai Hills—Reserved—Sch. Castes).
 Lingam, Shri N. M. (Coimbatore).
 Lotan Ram, Shri (Jalaun Distt. *cum* Etawah Distt.—West *cum* Jhansi Distt.—North—Reserved—Sch. Castes).

M

- Madiah Gowda, Shri (Bangalore South).
 Mahapatra, Shri Sibnarayan Singh (Sundargarh—Reserved—Sch. Tribes).

- Mahata, Shri Bhajaharf (Manbhum South *cum* Dhalbhum).
 Mahodaya, Shri Vaijanath (Nimar).
 Maitra, Shri Mohit Kumar (Calcutta—North West).
 Majhi, Shri Chaitan (Manbhum—South *cum* Dhalbhum—Reserved—Sch. Tribes).
 Majhi, Shri Ram Chandra (Mayurbhanj—Reserved—Sch. Tribes).
 Majithia, Sardar Surjit Singh (Taran Taran).
 Malaviya, Shri Keshava Deva (Gonda Distt.—East *cum* Basti Distt.—West).
 Malliah, Shri U. Srinivasa (South Kanara—North).
 Malvia, Shri Bhagu-Nandu (Shajapur-Rajgarh—Reserved—Sch. Castes).
 Malviya, Pandit Chatur Narain (Raisen).
 Malviya, Shri Motilal (Chhatarpur-Datia-Tikamgarh—Reserved—Sch. Castes).
 Mandal, Dr. Pashupati (Bankura—Reserved—Sch. Castes).
 Mascarene, Kumari Annie (Trivandrum).
 Masuodi, Maulana Mohammad Saeed (Jammu and Kashmir).
 Masuriya Din, Shri (Allahabad Distt.—East *cum* Jaunpur Distt.—West—Reserved—Sch. Castes).
 Mathew, Shri C. P. (Kottayam).
 Mathuram, Dr. Edward Paul (Tiruchirappalli).
 Matthen, Shri C. P. (Thiruvellah).
 Mavalankar, Shrimati Sushila (Ahmedabad).
 Maydeo, Shrimati Indira A. (Poona South).
 Mehta, Shri Asoka (Bhandara).
 Mehta, Shri Balvantray Gopaljee (Gohilwad).
 Mehta, Shri Balwant Sinha (Udaipur).
 Mehta, Shri Jaswantraj (Jodhpur).
 Menon, Shri K. A. Damodara (Kozhikode).
 Minimata, Shrimati (Bilaspur-Durg-Raipur—Reserved—Sch. Castes).
 Mishra, Pandit Suresh Chandra (Monghyr North-East).
 Mishra, Shri Bibhuti (Saran *cum* Champaran).
 Mishra, Shri Lalit Narayan (Darbhanga *cum* Bhagalpur).

M₂—*contd.*

- Mishra, Shri Lokenath (Puri).
 Mishra, Shri Mathura Prasad (Monghyr—North-West).
 Mishra, Shri Shyam Nandan (Darbhanga—North).
 Misra, Pandit Lingaraj (Khurda).
 Mishra, Shri Bhupendra Nath (Bilaspur—Durg-Raipur).
 Misra, Shri Raghubar Dayal (Bulandshahr Distt.).
 Misra, Shri Sarju Prasad (Deoria Distt.—South).
 Missir, Shri Vijineshwar (Gaya North).
 Mohd. Akbar, Sofi (Jammu and Kashmir).
 Mohiuddin, Shri Ahmed (Hyderabad City).
 Morarka, Shri Radheshyam Ramkumar (Ganganagar-Jhunjhunu).
 More, Shri K. L. (Kolhapur *cum* Satara—Reserved—Sch. Castes).
 More, Shri Shankar Shantaram (Sholapur).
 Muchaki Kosa, Shri (Bastar—Reserved—Sch. Tribes).
 Mudaliar, Shri C. Ramaswamy (Kumbakonam).
 Muhammed Shafee, Chaudhuri (Jammu and Kashmir).
 Mukerjee, Shri Hirendra Nath (Calcutta—North-East).
 Mukne, Shri Y. M. (Thana—Reserved—Sch. Tribes).
 Muniswamy, Shri N. R. (Wandiwash).
 Muniswamy, Shri V. (Tindivanam).
 Murli Manohar, Shri (Ballia Distt. East).
 Murthy, Shri B. S. (Eluru).
 Musafir, Giani Gurmukh Singh (Amritsar).
 Mushar, Shri Kirai (Bhagalpur *cum* Purnea—Reserved—Sch. Castes).
 Muthukrishnan, Shri M. (Vellore—Reserved—Sch. Castes).

N

- Naidu, Shri Nalla Reddi (Rajahmundry).
 Nair, Shri C. Krishnan (Outer Delhi).

- Nair, Shri N. Sreekantan (Quilon *cum* Mavelikkara).
 Nambiar, Shri K. Ananda (Mayuram).
 Nanadas, Shri Mangalagiri (Ongole—Reserved—Sch. Castes).
 Nanda, Shri Gulzarilal (Sabarkantha).
 Narasimham, Shri S. V. L. (Guntur).
 Narasimhan, Shri C. R. (Krishnagiri).
 Naskar, Shri Purnendu Sekhar (Diamond Harbour—Reserved—Sch. Castes).
 Natawadkar, Shri Jayantrao Ganpat (West Khandesh—Reserved—Sch. Tribes).
 Nathani, Shri Hari Ram (Bhilwara).
 Nathwani, Shri Narendra P. (Sorath).
 Nayar, Shri V. P. (Chirayinkil).
 Nehru, Shri Jawaharlal (Allahabad Distt.—East *cum* Jaunpur Distt.—West).
 Nehru, Shrimati Shivraj Vati (Lucknow Distt.—Central).
 Nehru, Shrimati Uma (Sitapur Distt. *cum* Kheri Distt.—West).
 Nesamony, Shri A. (Nagercoil).
 Neswi, Shri T. R. (Dharwar—South).
 Nevatia, Shri R. P. (Sahjahanpur Distt.—North *cum* Kheri—East).
 Nijalingappa, Shri S. (Chitaldrug).

P

- Palchoudhury, Shrimati Ila (Nabadwip).
 Pandey, Shri Badri Dutt (Almora Distt.—North—East).
 Pande, Shri C. D. (Naini Tal Distt. *cum* Almora Distt.—South-West *cum* Bareilly Distt.—North).
 Pandey, Dr. Natabar (Sambalpur).
 Pannalal, Shri (Faizabad Distt.—North-West—Reserved—Sch. Castes).
 Paragi Lal, Chaudhari (Sitapur Distt. *cum* Kheri Distt.—West—Reserved—Sch. Castes).
 Paranjpe, Shri R. G. (Bhir).
 Parekh, Dr. Jayantilal Narbheram (Zala-wad).
 Parikh, Shri Shantilal Girdharilal (Mehsana East).

P—contd.

Parmar, Shri Rupaji Bhavji (Panch Mahals
cum Baroda East—Reserved—Sch. Tribes).

Pataskar, Shri Hari Vinayak (Jalgaon).

patel, Shri Bahadurbhai Kunthabhai (Surat
—Reserved—Sch. Tribes).

Patel, Shri Rajeshwar (Muzaffarpur cum
Darbhanga).

Patel, Shrimati Maniben Vallabhbai
(Kaira South).

Pateria, Shri Sushil Kumar (Jabalpur
North).

Patil, Shri P. R. Kanavade (Ahmednagar
North).

Patil, Shri S. K. (Bombay City—South).

Patil, Shri Shankargauda Veeranagauda
(Belgaum South).

Patnaik, Shri Uma Charan (Ghumsur).

Pawar, Shri Vyankatrao Pijarao (South
Satara).

Pillai, Shri P. T. Thanu (Tirunelveli).

Pocker Saheb, Shri B. (Malaopuram).

Prabhakar, Shri Naval (Outer Delhi—
Reserved—Sch. Castes).

Punnoose, Shri P. T. (Allenney).

R

Rachiah, Shri N. (Mysore—Reserved—
Sch. Castes).

Radha Raman, Shri (Delhi City).

Raghavachari, Shri K. S. (Penukonda).

Raghavaiah, Shri Pisupati Vekata (On-
gole).

Raghubir Sahai, Shri (Etah Distt.—North-
East cum Budaun Distt.—East).

Raghubir Singh, Choudhary (Agra Distt.—
East).

Raghunath Singh, Shri (Banaras Distt.—
Central).

Raghuramaiah, Shri Kotha (Tenali).

Rahman, Shri M. Hifzur (Moradabad
Distt.—Central).

Raj Bahadur, Shri (Jaipur-Sawai Madho-
pur).

Rajabhoj, Shri P. N. (Sholapur—Reserved
—Sch. Castes).

Ramachander, Dr. D. (Vellore).

Ramanand Shastri, Swami (Unnao Distt. cum
Rae Bareji Distt.—West cum Hardol-
Distt.—South-East—Reserved—Sch. Castes)

Ramananda Tirtha, Swami (Gulberga).

Ramasami, Shri M. D. (Arruppukottai).

Ramaseshaiah, Shri N. (Parvathipuram).

Ramaswamy, Shri P. (Mahbubnagar—
Reserved—Sch. Castes).

Ramaswamy, Shri S. V. (Salem).

Ram Dass, Shri (Hoshiarpur—Reserved
—Sch. Castes).

Ram Krishan, Shri (Mohindergarh).

Ramnarayan Singh, Babu (Hazaribagh
West).

Ram Saran, Shri (Moradabad Distt.—
West).

Ram Shankar Lal, Shri (Basti Distt.—
Central-East cum Gorakhpur Distt.—
West).

Ram Subhag Singh, Dr. (Shahabad South)

Ranbir Singh, Ch. (Rohrak).

Randaman Singh, Shri (Shahdol-Sidhi
—Reserved—Sch. Tribes).

Rane, Shri Shivram Rango (Bhusaval).

Ranjit Singh, Shri (Sangrur).

Rao, Dr. Ch. V. Rama (Kakinada).

Rao, Shri B. Rajagopala (Srikakulam).

Rao, Shri B. Shiva (South Kanara—South)

Rao, Shri Kadyala Gopala (Gudivada).

Rao, Shri Koney Mohana (Rajahmundry
—Reserved—Sch. Castes).

Rao, Shri Kondru Subba (Eluru—Reserved
—Sch. Castes).

Rao, Shri P. Subba (Nowrangpur).

Rao, Shri Pendyal Raghava (Warangal).

Rao, Shri Rayasam Seshagiri (Nandyal).

Rao, Shri T. B. Vittal (Khammam).

Raut, Shri Bhola (Saran cum Champaran
—Reserved—Sch. Castes).

Ray, Shri Birakisor (Cutrack).

Razmi, Shri Said Ullah Khan (Sehore).

R—contd.

- Reddi, Shri B. Ramachandra (Nellore).
 Reddi, Shri C. Madhao (Adilabad).
 Reddi, Shri Y. Eswara (Cuddapah).
 Reddy, Shri Baddam Yella (Karimnagar).
 Reddy, Shri K. Janardhan (Mahbubnagar).
 Reddy, Shri Ravi Narayan (Nalgonda).
 Reddy, Shri T. N. Vishwanatha (Chittoor).
 Richardson, Bishop John (Nominated—Andaman and Nicobar Islands).
 Rishang Keishing, Shri (Outer Manipur—Reserved—Sch. Tribes).
 Roy, Dr. Satyaban (Uluberia).
 Roy, Shri Bishwa Nath (Deoria Distt.—West).
 Rup Narain, Shri (Mirzapur Distt. *cum* Banaras Distt.—West—Reserved—Sch. Castes).

S

- Sahaya, Shri Syamnandan (Muzaffarpur Central).
 Sahu, Shri Bhagabat (Balasore).
 Sahu, Shri Rameshwar (Muzaffarpur *cum* Darbhanga—Reserved—Sch. Castes).
 Saigal, Sardar Amar Singh (Bilaspur).
 Saksena, Shri Mohanlal (Lucknow Distt. *cum* Bara Banki Distt.).
 Samanta, Shri Satis Chandra (Tamluk).
 Sanganna, Shri T. (Rayagada-Phulbani—Reserved—Sch. Tribes).
 Sankarapandian, Shri M. (Sankaranayinar-kovil).
 Sarma, Shri Debendra Nath (Gauhati).
 Sarmah, Shri Debeswar (Golaghat-Jorhat).
 Satish Chandra, Shri (Bareilly Distt. South).
 Satyawadi, Dr. Virendra Kumar (Karnal—Reserved—Sch. Castes).
 Sen, Shri Phani Gopal (Purnea Central).
 Sen, Shri Raj Chandra (Kotah-Bundi).
 Sen, Shrimati Sushama (Bhagalpur South).
 Sewal, Shri A. R. (Chamba-Sirmur).
 Shah, Her Highness Rajmata Kamalendu Mati (Garhwal Distt.—West *cum* Tehri Garhwal Distt. *cum* Bijnor Distt.—North).
 Shah, Shri Chimanlal Chakubhai (Gohilwad-Sorath).
 Shah, Shri Raichand Bhai N. (Chhindwara).
 Shahnawaz Khan, Shri (Meerut Distt.—North-East).
 Shakuntala Nayar, Shrimati (Gonda Distt.—West).
 Sharma, Pandit Balkrishna (Kanpur Distt.—South *cum* Etawah Distt.—East).
 Sharma, Pandit Krishna Chandra (Meerut Distt.—South).
 Sharma, Shri Diwan Chand (Hoshiarpur).
 Sharma, Shri Khushi Ram (Meerut Distt.—West).
 Sharma, Shri Nand Lal (Sikar).
 Sharma, Shri Radha Charan (Morena-Bhind).
 Shastri, Shri Algu Rai (Azamgarh Distt.—East *cum* Ballia Distt.—West).
 Shastri, Shri Raja Ram (Kanpur Distt.—Central).
 Shivananjappa, Shri M. K. (Mandya).
 Shobha Ram, Shri (Alwar).
 Shriman Narayan, Shri (Wardha).
 Shukla, Pandit Bhagwaticharan (Durg-Bastar).
 Siddananjappa, Shri H. (Hassan Chikmagalur).
 Singh, Shri C. Sharan (Surguja-Raigarh).
 Singh, Shri Digvijaya Narain (Muzaffarpur—North-East).
 Singh, Shri Dinesh Pratap (Bahraich Distt.—East).
 Singh, Shri Girraj Saran (Bharatpur-Sawai Madhopur).
 Singh, Shri Har Prasad (Ghazipur Distt.—West).
 Singh, Shri L. Jogeswar (Inner Manipur).
 Singh, Shri Mahendra Nath (Saran Central).
 Singh, Shri Ram Nagina (Ghazipur Distt.—East *cum* Ballia Distt.—South-West).

§—*contd.*

Singh, Shri Tribhuan Narayan (Banaras Distt.—East).
 Singhal, Shri Shri Chand (Aligarh Distt.).
 Sinha, Dr. Satyanarain (Saran East).
 Sinha, Shri Anirudha (Darbhanga East).
 Sinha, Shri Awadheshwar Prasad (Muzaffarpur East).
 Sinha, Shri Banarsi Prasad (Monghyr Sadr *cum* Jamui).
 Sinha, Shri Gajendra Prasad (Palamau *cum* Hazaribagh *cum* Ranchi).
 Sinha, Shri Jhulan (Saran North).
 Sinha, Shri Kailash Pati (Patna Central).
 Sinha, Shri Nageshwar Prasad (Hazaribagh East).
 Sinha, Shri S. (Pataliputra).
 Sinha, Shri Satya Narayan (Samastipur East).
 Sinha, Shri Satyendra Narayan (Gaya West).
 Sinha, Shrimati Tarkeshwari (Patna East).
 Sinha, Thakur Jugal Kishore (Muzaffarpur—North-West).
 Sinhasan Singh, Shri (Gorakhpur Distt.—South).
 Siva, Dr. M. V. Gangadhara (Chittoor—Reserved—Sch. Castes).
 Snatak, Shri Nardeo (Aligarh Distt.—Reserved—Sch. Castes).
 Sodhia, Shri Khub Chand (Sagar).
 Somana, Shri N. (Coorg).
 Somani, Shri G. D. (Nagaur-Pali).
 Subrahmanyam, Shri Kandala (Vizianagaram).
 Subrahmanyam, Shri Tekur (Bellary).
 Subramania Chettiar, Shri (Dharmapuri).
 Sundaram, Dr. Lanka (Visakhapatnam).
 Sunder Lall, Shri (Saharanpur Distt.—West *cum* Muzaffarnagar Distt.—North-Reserved—Sch. Castes).
 Suresh Chandra, Dr. (Aurangabad).
 Suriya Prashad, Shri (Morena-Bhind—Reserved—Sch. Castes).

Swami, Shri Sivamurthi (Kushtagl).
 Swaminadhan, Shrimati Ammu (Dindigul).
 Syed Mahmud, Dr. (Champaran East).

T

Tandon, Shri Purushottamdas [Allahabad Distt. (West)].
 Tek Chand, Shri (Ambala-Simla).
 Telkikar, Shri Shankar Rao (Nanded).
 Tewari, Sardar Raj Bhanu Singh (Rewa).
 Thimmaiah, Shri Dodda (Kolar—Reserved—Sch. Castes).
 Thirani, Shri G. D. (Bargarh).
 Thomas, Shri A. M. (Ernakulam).
 Thomas, Shri A. V. (Srivaikuntam).
 Tivary, Shri Venkatesh Narayan (Kanpur Distt.—North *cum* Farrukhabad Distt.—South).
 Tiwari, Pandit B. L. (Nimar).
 Tiwari, Shri Ram Saksai (Chhatarpur-Datia-Tikamgarh).
 Tiwary, Pandit Dwarka Nath (Saran South).
 Tripathi, Shri Hira Vallabh (Muzaffarnagar Distt.—South).
 Tripathi, Shri Kamakhya Prasad (Darrang).
 Tripathi, Shri Vishwambhar Dayal (Unnao Distt. *cum* Rae Bareli Distt.—West *cum* Hardoi Distt.—South-East).
 Trivedi, Shri Umashanker Mulji bha (Chittor).
 Tulsidas Kilachand, Shri (Mehsana West).
 Tyagi, Shri Mahavir (Dehra Dun Distt. *cum* Bijnor Distt.—North-West *cum* Saharanpur Distt.—West).
 U
 Uikey, Shri M. G. (Mandla-Jabalpur—South—Reserved—Sch. Tribes).
 Upadhyay, Pandit Munishwar Dutt (Parappargh Distt.—East).
 Upadhyay, Shri Shiva Dayal (Banda Distt. *cum* Fatehpur Distt.).
 Upadhyaya, Shri Shiva Datt (Satna).

V

- Vaishnav, Shri Hanamantrao Ganeshrao (Ambad).
Vaishya, Shri Muldas Bhuderdas (Ahmedabad—Reserved—Sch. Castes).
Vallatharas, Shri K. M. (Pudukkottai).
Varma, Shri B. B. (Champaran North).
Varma, Shri Manik Lal (Tonk).
Veeraswamy, Shri V. (Mayuram—Reserved—Sch. Castes).
Velayudhan, Shri R. (Quilon *cum* Mavelikkara—Reserved—Sch. Castes).
Venkataraman, Shri R. (Tanjore).
Verma, Shri Bulaqi Ram (Hardoi Distt.—North-West *cum* Farrukhabad Distt.—East *cum* Shahjahanpur Distt.—South—Reserved—Sch. Castes).

- Verma, Shri Ramji (Deoria Distt.—East).
Vidyalankar, Shri Amarnath (Jullundur).
Vishwanath Prasad, Shri (Azamgarh Distt.—West—Reserved—Sch. Castes).
Vyas, Shri Radhelal (Ujjain).

W

- Waghmare, Shri Narayan Rao (Parbhani).
Wilson, Shri J. N. (Mirzapur Distt. *cum* Banaras Distt.—West).
Wodeyar, Shri K. G. (Shimoga).

Z

- Zaidi, Col. B. H. (Hardoi Distt.—North-West *cum* Farrukhabad Distt.—East *cum* Shahjahanpur Distt.—South).
-

LOK SABHA

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The Deputy-Speaker

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Shri M. N. Kaul, Barrister-at-Law.

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Shri Nageshwar Prasad Sinha.

Shri Dev Kanta Borooah.

Shri M. L. Dwivedi.

Shri Raghubir Sahai.

Shri Asoka Mehta.

Shri B. Ramachandra Reddi.

Shri Uma Charan Patnaik.

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Shri R. Venkataraman.

Shri Tekur Subrahmanyam.

Shri Nemi Chandra Kasliwal.

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Shri J. B. Kripalani.

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Shri Frank Anthony.

Shri Nemi Saran Jain.

Shri Ram Sahai Tiwari.

Shri Lakshman Singh Charak.

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Shri Ram Shankar Lal.
Shri B. L. Chandak.
Shri Paidi Lakshmayya.
Shri Mahendra Nath Singh.
Shri Shivram Rango Rane.
Shri Fulsinhji B. Dabhi.
Shri Bhagwat Jha 'Azad'.
Shri Ram Dass.
Shri U. M. Trivedi.
Shrimati Kamalendu Mati Shah.
Shri C. R. Chowdary.
Shri K. M. Vallatharas.
Shri Vijneshwar Missir.

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Shri Radha Charan Sharma.
Shrimati Tarkeshwari Sinha.
Pandit Krishna Chandra Sharma.
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Sardar Iqbal Singh.
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Shri Bhupendra Nath Misra.
Shri R. Venkataraman.
Pandit Lingaraj Misra.

Committee on Offices of Profit

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Shri S. V. Ramaswamy.
Shri K. Raghuramaiah.
Shri Vishambhar Dayal Tripathi.
Shri R. V. Dhulekar.
Shri Anirudha Sinha.
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Shri Kamal Kumar Basu.
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Rajya Sabha

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Kazi Karimuddin.
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Shri Kotha Raghuramaiah. (*Chairman*)
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Shri Liladhar Joshi.
Shri U. R. Bogawat.
Shri Jethalal Harikrishna Joshi.
Shri Ramraj Jajware.
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Shri Goswamiraja Sahdeo Bharati.
Shri Narendra P. Nathwani.
Shri Radheshyam Ramkumar Morarka.
Shrimati Ila Palchoudhuri.
Shri N. Rachiah.
Dr. Natabar Pandey.
Shri Bhawani Singh.
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Shri Rayasam Seshagiri Rao.

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Shri Tek Chand.
Shri Ganpati Ram.
Shri Nandlal Joshi.
Shri Diwan Chand Sharma.
Shri Hem Raj.
Shri H. Sid dananjappa.
Dr. A. Krishnaswami.
Shri Tulsidas Kilachand.
Shri Hirendra Nath Mukerjee.
Shri M. S. Gurupadaswamy.

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 Shri Venkatesh Narayan Tivary.
 Shri Satis Chandra Samanta.
 Shri Raghavendrarao Srinivasrao Diwan.
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 Shri Vishnu Ghanashyam Deahpande.
 Shri Satyendra Narayan Sinha.
 Pandit Dwarka Nath Tiwary.
 Shri C. R. Narasimhan.
 Shri Raghubir Sahal.
 Pandit Algu Rai Shastri.
 Shri Abdus Sattar.
 Shri Lakshman Singh Charak.
 Shri N. Rachiah.
 Shri Radheshyam Ramkumar Morarka.
 Shri Mangalagiri Nanadas.
 Shri T. B. Vittal Rao.
 Shri Y. Gadilingana Gowd.
 Shri Jaswantraj Mehta.
 Shri A. E. T. Barrow.
 Shri Choithram Partabrai Gidwani.

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 Shri K. S. Raghavachari.
 Shri B. G. Mehta.
 Shri V. B. Gandhi.
 Shri Satya Naryan Sinha.
 Shri N. C. Chatterjee.
 Shri Kotha Raghuramaiah.
 Shri G. S. Altekar.
 Shri U. S. Malliah.
 Shri A. K. Gopalan.
 Shri Tulsidas Kilachand.
 Shri J. B. Kripalani.

Shri Uma Charan Patnaik.
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Shri Radha Charan Sharma.
Shri George Thomas Kottukapally.
Shri Digvijaya Narain Singh.
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Shri Bhupendra Nath Misra.
Shri N. D. Govindaswami Kachiroyar.
Shri Raj Chandra Sen.
Shri K. Ananda Nambiar.
Shri M. S. Gurupadaswamy.

Joint Committee on Salaries and Allowances of Members of Parliament

Lok Sabha

Shri Satya Narayan Sinha. (*Chairman*)
Shri Bhagwat Jha 'Azad'.
Shri U. Srinivasa Malliah.
Shri Diwan Chand Sharma.
Shri Jagan Nath Kolay.
Shri G. H. Deshpande.
Shri Nemi Chandra Kasliwal.
Shri N. C. Chatterjee.
Shri P. T. Punnoose.
Shri Asoka Mehta.

Rajya Sabha

Shri H. C. Dasappa.
Shri D. Narayana.
Shri R. P. N. Sinha.
Shrimati Chandravati Lakhanpal.
Shri V. K. Dhage.

Library Committee

Lok Sabha

Sardar Hukam Singh. (*Chairman*)
Shri V. N. Tivary.
Shri M. L. Dwivedi.
Shri U. C. Patnaik.
Shri M. D. Joshi.
Shri H. N. Mukerjee.

Rajya Sabha

Shri R. D. 'Dinkar' Sinha.
Shri Theodre Bodra.
Shrimati Lilavati Munshi.

Public Accounts Committee

Lok Sabha

Shri V. B. Gandhi. (*Chairman*)
Shri K. G. Deshmukh.
Shri U. Srinivasa Malliah.
Shri Diwan Chand Sharma.
Shri C. D. Pande.
Shri Kamal Kumar Basu.
Shri V. Boovaraghasamy.
Dr. Indubhai B. Amin.
Shri Nibaran Chandra Laskar.
Shrimati Tarkeshwari Sinha.
Shri Tribhuan Narayan Singh.
Shri Radhelal Vyas.
Shri C. P. Matthen.
Shri J. B. Kripalani.
Shrimati Shakuntala Nayar.

Rajya Sabha

Shri G. Ranga.
Shri R. M. Deshmukh.
Shrimati Pushpalata Das.
Shri Shyam Dhar Misra.
Shri P. T. Leuva.
Shri B. C. Ghose.
Shri J. V. K. Vallabharao.

Rules Committee

Shri M. Ananthasayanam Ayyangar. (*Chairman*)
Sardar Hukam Singh.
Pandit Thakur Das Bhargava.
Shri Satya Narayan Sinha.
Shri N. Keshavaiengar.
Shri Shivram Rango Rane.
Shri Ghamandi Lal Bansal.
Shri Khushi Ram Sharma.
Shri Kotha Raghuramaiah.
Shri Satis Chandra Samanta.
Dr. N. M. Jaisoorya.
Shri N. C. Chatterjee.
Shri Bhawani Singh.
Shri Kamal Kumar Basu.
Shri K. S. Raghavachari.

GOVERNMENT OF INDIA

Members of the Cabinet

Prime Minister and Minister of External Affairs and also in charge of the Department of Atomic Energy—Shri Jawaharlal Nehru.

Minister of Education and National Resources and Scientific Research—Maulana Abul Kalam Azad.

Minister of Home Affairs—Pandit Govind Ballabh Pant.

Minister of Communications—Shri Jagjivan Ram.

Minister of Health—Rajkumari Amrit Kaur.

Minister of Finance—Shri C. D. Deshmukh.

Minister of Planning and Irrigation and Power—Shri Gulzarilal Nanda.

Minister of Defence—Dr. Kailas Nath Katju.

Minister of Commerce and Industry and Iron and Steel—Shri T. T. Krishnamachari.

Minister of Law and Minority Affairs—Shri C. C. Biswas.

Minister of Railways and Transport—Shri Lal Bahadur Shastri.

Minister of Works, Housing and Supply—Sardar Swaran Singh.

Minister of Production—Shri K. C. Reddy.

Minister of Food and Agriculture—Shri Ajit Prasad Jain.

Minister of Labour—Shri Khandubhai Desai.

Minister without Portfolio—Shri V. K. Krishna Menon.

Ministers of Cabinet Rank (but not members of the Cabinet)

Minister of Parliamentary Affairs—Shri Satya Narayan Sinha.

Minister of Defence Organisation—Shri Mahavir Tyagi.

Minister of Information and Broadcasting—Dr. B. V. Keskar.

Minister of Trade—Shri D. P. Karmarkar.

Minister of Agriculture—Dr. Panjabrao S. Deshmukh.

Minister in the Ministry of External Affairs—Dr. Syed Mahmud.

Minister of Legal Affairs—Shri Hari Vinayak Pataskar.

Minister of Natural Resources—Shri K. D. Malaviya.

Minister of Revenue and Civil Expenditure—Shri M. C. Shah.

Minister of Revenue and Defence Expenditure—Shri Arun Chandra Guha.

Minister of Rehabilitation—Shri Mehr Chand Khanna.

Minister of Consumer Industries—Shri Nityanand Kanungo.

Minister in the Ministry of Communications—Shri Raj Bahadur.

Minister in the Ministry of Home Affairs—Shri B. N. Datar.

Minister of Heavy Industries—Shri M. M. Shah.

Deputy Ministers

Deputy Minister of Defence—Sardar S. S. Majithia.

Deputy Minister of Labour—Shri Abid Ali.

Deputy Minister of Rehabilitation—Shri J. K. Bhonsle.

Deputy Minister of Railways and Transport—Shri O. V. Alagesan.

Deputy Minister of Health—Shrimati M. Chandrasekhar.

Deputy Minister of External Affairs—Shri Anil Kumar Chanda.

Deputy Minister of Food and Agriculture—Shri M. V. Krishnappa

Deputy Minister of Irrigation and Power—Shri Jaisukhlal Hathi.

Deputy Minister of Production—Shri Satish Chandra.

Deputy Minister of Planning—Shri Shyam Nandan Mishra.

Deputy Minister of Education—Dr. K. L. Shrimali.

Deputy Minister of Finance—Shri Bali Ram Bhagat.

Deputy Minister of Education—Dr. Mono Mohon Das.

Parliamentary Secretaries]

Parliamentary Secretary to the Minister of External Affairs—Shrimati Lakshmi N. Menon.

Parliamentary Secretary to the Minister of Railways and Transport—Shri Shahnawaz Khan.

Parliamentary Secretary to the Minister of External Affairs—Shri Jogendra Nath Hazarika.]

Parliamentary Secretary to the Minister of Production—Shri Rajaram Giridharlal Dubey.

Parliamentary Secretary to the Minister of External Affairs—Shri Sadath Ali Khan.

Parliamentary Secretary to the Minister of Information and Broadcasting—Shri G. Rajagopalan.

Parliamentary Secretary to the Minister of Works, Housing and Supply—Shri Purnendu Sekhar Naskar.

LOK SABHA

Friday 27 July 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Geneva Agreement on Indo-China

*342. **Shri Shree Narayan Das:** Will the Prime Minister be pleased to state:

(a) whether any and if so, what steps have been taken by the co-Chairmen of the Geneva Conference towards the full implementation of the Geneva Agreement;

(b) whether there has been any change in the attitude of the South Vietnam Government towards the Agreement; and

(c) whether the Government of India had considered the necessity or otherwise of continuing as Chairman of the International Commissions for Supervision and Control in Indo-China?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): (a) The co-Chairmen held several meetings in London in April-May, 1956, and conducted an exhaustive examination of the problems relating to the fulfilment of the Geneva Agreements on Vietnam. Thereafter the co-Chairmen sent message to the authorities of the Democratic Republic of Vietnam and of the Republic of South Vietnam urging them (i) to make every effort to implement the Geneva Agreements on Vietnam; (ii) to prevent any future violation of the military provisions of these Agreements; and (iii) to ensure the implementation of the political provisions and principles embodied in the final declaration of the Geneva Conference. Further the authorities of both parties in Vietnam were invited to transmit to the co-Chairmen as soon as possible, either jointly or separately, their views about the time required for the opening of consultations on the organisation of nation-wide elections in Vietnam, and the time required for the holding of elections as a means of achieving the unification of Vietnam. In a

separate message the co-Chairmen informed the French Government that they recognised that the dissolution of the French Union High Command had created problems for the International Supervisory Commission and invited the French Government to discuss this question with the authorities of South Vietnam with a view to reach an agreement that would facilitate the work of the International Supervisory Commission and of the Joint Commission in Vietnam.

(b) The South Vietnam Government have not so far complied with the request of the co-Chairmen.

(c) The developments in Indo-China are kept constantly under review by the Government of India.

Shri Shree Narayan Das: May I know whether any suggestion has been made to convene a conference of participating countries to consider the situation arising out of the refusal of the South Vietnam to implement the provision with regard to election?

Shri Jawaharlal Nehru: I believe some suggestions have rather vaguely been made from time to time but they have not been pursued. Presumably it is not being considered that the time is ripe for that.

Shri Shree Narayan Das: May I know whether the North Vietnam Government suggested to the Government of South Vietnam to have a consultative conference to decide the details of election and if so, what was the reaction of the South Vietnam Government?

Shri Jawaharlal Nehru: I believe the Government of North Vietnam did suggest something like that. Presumably, the reactions of the South Vietnam Government were not favourable to it.

Shri Kaulwal: May I know if, after the dissolution of the French High Command in Vietnam, the Government of India was considering the question of withdrawing from the International Commission for Supervision and Control in Indo-China and that it is only at the request of the two co-Chairmen of the Geneva Conference that India had continued to be the Chairman of the Commission?

Shri Jawaharlal Nehru: That is not quite correct. The International

Commission, of which India is the Chairman, has been put in a very difficult position because of the non-cooperation, to some extent, with which it met and it pointed out that unless it got facilities for doing its work there was not much point in its continuing. But it did not seek to withdraw from that responsibility except to point out that if it became impossible, of course, they could not continue. It is true that the two co-Chairmen made a suggestion that it should continue.

Shri Kamath: Does the Prime Minister think that UK and the USSR to which the two co-Chairmen belong are at one on the issue of implementation of the Geneva Agreement? Or, is there reason to believe that the attitude of the United Kingdom is influenced to a certain extent by the interest of the USA in South Vietnam and that of the USSR is influenced by the interest of China in North Vietnam? Is there any information to show that there is a secret military build-up in South Vietnam with American aid and, in North Vietnam, with the Chinese aid?

Shri Jawaharlal Nehru: We can only proceed on the statements made by the two co-Chairmen and not, perhaps, on the different emphasis or something like that, that they may place.

The hon. Member referred to the military build-up. We are not aware of any large builds-up. There is no such information.

Shri B. S. Murthy: May I know the nature of the authority enjoyed by these messages sent by the co-Chairmen? Are they merely moral or mandatory?

Shri Jawaharlal Nehru: There is nothing mandatory, in the absolute sense, in international affairs. You deal with independent nations. But sometimes certain not only moral but other sanctions behind are there—something which makes it rather persuasive.

Shri Shree Narayan Das: May I know whether the question of implementation of this agreement was discussed by our Prime Minister when he met the Prime Ministers of France and UK?

Shri Jawaharlal Nehru: No, Sir, this was not discussed.

Samadhi of Mahatma Gandhi

*344. **Shri Radha Raman:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether Government have finally closed the date of receipt of designs for Mahatma Gandhi's Samadhi at Rajghat;

(b) if so, the total number of designs received;

(c) whether any selection has already been made; and

(d) the considerations which have governed or will govern the selection?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar): (a) Yes, Sir.

(b) 98

(c) No, Sir.

(d) The selection will be governed by the rules and conditions of competition.

Shri Radha Raman: May I know when the Government first announced that designs for the Samadhi of Mahatma Gandhi were to be submitted to the Government?

Shri P. S. Naskar: In order to afford an opportunity to all the architects in the country, a general invitation was issued on 12-5-55 by way of a Press Note.

Shri Radha Raman: How many times was the date extended and how long does the Government think, this selection to take?

Shri P. S. Naskar: The time was extended because it was represented by certain competitors that they had not enough time to prepare the designs. As we were desirous to have a nation-wide competition it was decided to extend the date. The selections will not take longer time than necessary.

Shri Radha Raman: How many artists have so far submitted their designs to the Government?

Shri P. S. Naskar: 98, as I said in my original reply.

Dr. Ram Subhag Singh: For the last seven years the problem of selecting the design for the Samadhi of Mahatma Gandhi is going on. May I know when it will be finally selected and how long the Government will take after that to construct the Samadhi?

The Minister of Works, Housing and Supply (Sardar Swaran Singh): As the hon. Member knows, it is not an easy decision to make as to what should be the design of the Samadhi. A number of designs have been prepared. Some models were also prepared. It was ultimately felt that an ornate memorial will not be in keeping with the spirit that should be in memory of Mahatma Gandhi. It was very necessary that it should be a befitting memorial. It is true that a long time has been taken. I may also add that the feeling is, that with minor alterations the thing may have to be kept as it is with some additional structures. It may be that ultimately, after examining all these designs, we may come to the conclusion that no major structure is necessary.

सेठ गोविन्द दास : क्या इस सम्बन्ध में निर्णय करने के पहले गांधी जी के जो साथी विनोबाजी, काका कालेलकर या इस प्रकार के दूसरे लोग वर्षा वाले हैं उनकी कोई सम्मति ली जायेगी ?

सरदार स्वर्ण सिंह : काका कालेलकर साहब तो शुरू से ही इस चीज से एसोसियेटेड रहे हैं और अपनी सलाह देते रहे हैं। विनोबाजी की सलाह नहीं ली गई है और उनके जो साथी हैं बोत्रेजी और कई साथी जो यहां गवर्नमेंट में भी हैं तथा कांग्रेस में भी हैं उन सब की सलाह वक्तन-फवक्तन ली जाती रही है ।

Shri Bansal: May I know if the Government are aware that there is a growing volume of opinion in the country that the present Samadhi is quite dignified and up to the moral teachings of Mahatma Gandhi and that no great alterations need be made in the present Samadhi? If that is so, may I know whether the Government will keep this in view while making the final selection?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): The Government themselves are inclined to think on those lines as my hon. colleague said; that is to say, in regard to structures it is possible that from the point of view of the lay-out—part lay-out—one may think of some changes.

Joint High-Powered Committee on Moveable Property

*346. **Shri D. C. Sharma:** Will the Minister of Rehabilitation be pleased to state:

(a) whether a joint high-powered Committee has been set up by the Governments of India and Pakistan to go into the question of transfer of moveable property; and

(b) if so, the decisions arrived at?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): An Implementation Committee consisting of representatives of the Governments of India and Pakistan has been set up to review the implementation of the Moveable Property Agreement reached last year. This Committee met yesterday at Karachi and has not yet concluded its work.

Shri D. C. Sharma: May I know if any interim arrangements have been arrived at between the Government of India and the Government of Pakistan with regard to the partial implementation of the objectives which are before this joint Committee?

Shri J. K. Bhonsle: Actually, yes, Sir. So far as we are concerned, we

have fulfilled 86 per cent. of the agreement reached and so far as Pakistan is concerned they have reached a target of 64 per cent.

Shri D. C. Sharma: What are the main items being discussed at the meeting of the joint Committee being held at Karachi these days?

Shri J. K. Bhonsle: There are two agendas: one from Pakistan and one from the Government of India. The Government of India's agenda contains 8 items. They are: (1) Exchange of all outstanding statements, (2) Issue of cheques for amounts included in statements already received, (3) Delivery of fire-arms, (4) Procedure for transfer of lockers and safe deposits and bullion and jewellery pledged with banks, (5) Appointment of joint committees, (6) Transfer of court deposits, (7) Verification of claims by Central Claims Organisation, and (8) Outstanding items under movable property agreement. In the Pakistan agenda there are 16 items and if you like, Sir, I can read them.

Mr. Speaker: No.

Shri D. C. Sharma: May I know if the rent of the evacuee buildings left by Hindu evacuees in Pakistan is also an item to be considered by this Committee and whether they will arrive at any conclusion with regard to the exchange of the rent collected here and the rent collected in Pakistan?

Shri J. K. Bhonsle: That is for consideration, Sir, and we shall certainly take notice of that.

Sardar Iqbal Singh: May I know whether the Government will consider only 86 per cent. of the total work that has been done this year or whether the Government will consider the extension of time-limit for the submission of the lists and other things?

Shri J. K. Bhonsle: According to Press reports, Sir, I think they reached an agreement that the last date should be 31st August; but, as I said, that is a Press report.

Gurkha Recruitment

*347. **Shri Sadhan Gupta:** Will the Prime Minister be pleased to lay on the Table of the Sabha a copy of the agreement by which the United Kingdom is permitted to transport 'Gurkha' recruits through our country?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): The agreement referred to was a Tripartite Agreement to which the Government of Nepal, India and the United Kingdom were parties. It was signed in November 1947. As the Tripartite Agreement is not a published document and as two friendly governments are parties to it, it would not be proper for us to place it on the Table

of the House or to publish it in any way without obtaining the concurrence of the other parties.

Originally the Government of India agreed, as a temporary measure, to the recruitment of Gurkhas for the British Army through the recruiting depots then existing in India. In 1952, however the Government of India expressed their wish to terminate, as early as possible, the facilities given for the recruitment of these Gurkha troops in India. Accordingly this recruitment was terminated by agreement with the UK Government and the Nepal Government gave certain facilities in Nepalese territory. There is at present no recruitment of Gurkhas in India for British forces, but certain facilities for transit are given in accordance with the Agreement. There are two transit centres for this purpose, one at Lehra and the other at Jalapahar. It is proposed that these transit centres should also cease to exist as soon as requisite arrangements can be made in Nepal by agreement between the parties.

Shri Sadhan Gupta : May I know whether there are any termination clauses in this agreement and, if so, the nature of the termination clauses?

Shri Jawaharlal Nehru : Does the hon. Member mean some automatic termination?

Shri Sadhan Gupta : Any clause enabling the termination of the agreement by one of the parties or even automatic termination.

Shri Jawaharlal Nehru : Well, I cannot straightaway answer if there is such a clause; I do not remember it. But the difficulty in this matter is that there are three countries concerned and Nepal, as is obvious, is a land-locked country. Normally speaking, every kind of transit facility has to be allowed by us to the Nepal Government for people to pass through. If people pass through in ordinary civilian attire there is no difficulty at all. So far as we are concerned, it is only people who are passing through. It is true that there is this additional factor of there being these two transit camps where they stop for a day or so and then pass through; maybe, some kind of a record is kept of these people there. These too we do not want to have, but it is chiefly our regard for the Nepalese Government and not to upset their arrangements that has prevented us from taking any further action till they are ready.

Shri Sadhan Gupta : In view of the fact, whether they travel in civilian attire or in military attire, that the troops are meant for actions which our country cannot approve, particularly in view of our adopting the principle of Panch Shila. May I know whether any move will be made to terminate these facilities for transit of troops which are used,

obviously, for repressive purposes elsewhere?

Shri Jawaharlal Nehru : I have already said that we are not at all happy about this arrangement. But the geographical position in Nepal being such that if we take any action it reacts very unfavourably on the Nepalese Government and their policies, we do not want that to happen. But I believe even the Nepalese Government is considering this matter from their point of view.

सेठ गोविन्द दास : अध्यक्ष जी, ग्राज गोम्रा के सम्बन्ध में तीन सवाल हैं—३४८ ३५४ और ३७४। अगर उनको एक साथ ले लिया जाये, तो उचित होगा।

कुछ माननीय सदस्य : नहीं, अलग अलग।

Dr. Lanka Sundaram : These three questions in the list may be taken along with the Short Notice Question. All of them relate to Goa.

Mr. Speaker : There seems to be difference of opinion.

Shri Jawaharlal Nehru : I do not mind if we take all of them together or if we take the three questions now and the Short Notice Question later.

Mr. Speaker : Suppose we take all of them together and if I allow time for the Short Notice Question also now....

Dr. Lanka Sundaram : That cannot be done now.

Mr. Speaker : These questions may be put and answered briefly; further supplementaries may be answered along with the Short Notice Question.

Shri Jawaharlal Nehru : We can take Questions Nos. 348, 354 and 374 together.

Goa

*348. **Shri Raghunath Singh :** Will the Prime Minister be pleased to state the number of countries which have clarified their stand on Goa in response to his appeal?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : No specific approach was made to any Government for support to India's stand on Goa. The Prime Minister in a recent statement however, invited other countries in general terms to clarify their stand on Goa. There has been no formal response to this appeal but the Government of India's stand on Goa has received the support of most Asian and African countries, and of the press and public opinion in many other countries.

Goa

*354. **Shri H. N. Mukerjee** : Will the Prime Minister be pleased to state :

(a) whether his attention has been drawn to Press reports regarding an alleged Goa radio broadcast indicating readiness on the part of the Portugal Government to resume discussion with the Government of India on subjects affecting both the countries ;

(b) what is the truth, if any, in such reports ; and

(c) whether Government has made any move in this respect ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) to (c). According to Press reports, there has been a reference recently in broadcasts from Radio Goa to the possibility of talks between India and Portugal. However, there is no indication of the scope of the talks or of any change of attitude on the part of Portugal which has so far refused to discuss the question of sovereignty on Goa. The Government of India continue to adhere to their policy of non-violence and their desire for a peaceful solution of the problem of Portuguese settlements in India.

Goa

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

(a) whether there has been any national uprisings in Goa recently ; and

(b) if so, the places where they have taken place ?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) and (b). It is difficult to obtain or give factually correct information about happenings in Goa. According to reports, the Portuguese authorities have made large scale arrests during the early part of June, 1956 of persons suspected of being connected with the nationalist movement. The nationalist agitation in Goa is reported to be continuing despite the repressive policy of the Portuguese Government.

श्री रघुनाथ सिंह : आप स्वयं बैस्ट्रन (पश्चिमी) एशिया से होकर आये हैं। क्या आप बता सकते हैं कि गोआ के बारे में वहाँ के लोगों का क्या क्याल है ?

श्री साबत अली खाँ : बे बिल्कुल हमारे बाब है।

Shri H. N. Mukerjee : May I know if, at the recent conference in London, the Prime Minister got confirmation of the impression that it is the intransigence of certain countries in the British Common-

wealth as well as outside which prevents the right kind of pressure being brought upon Portugal on the issue of Goa ?

The Prime Minister and the Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : The hon. Member's question is very much a leading question and rather confusing. My answer to it is that I did not get that impression because that matter was not referred to at all.

Shri H. N. Mukerjee : In view of the report in our papers a few months ago that the Secretary-General of the United Nations had suggested indirectly that he might conceivably take up the question of Goa with Portugal, may I know if Government has considered that, if that hint does not involve any compromise of our stand on the question, it is advisable on our own to pursue it ?

Shri Jawaharlal Nehru : I am not aware of the Secretary-General of the United Nations making that statement ; in any event, it has not been our wish to bring this matter up into the United Nations.

Shri D. C. Sharma : May I know if the official of the Egyptian Embassy—I think Mr. Khaleel—who visited Goa recently has given our Government any picture of the conditions prevailing in Goa, especially with regard to those who are taking part in the nationalist movement ?

Shri Jawaharlal Nehru : The senior official of the Egyptian Embassy in Delhi visited Goa sometime ago—about three months ago—and I think not since then. He gave us a very full report and I think that we expressed our high appreciation to the Egyptian Government of the trouble this gentleman had taken over the matter. That report is a very useful and helpful one to us to understand the conditions of the people imprisoned there.

Shri D. C. Sharma : May I know if any attempts are being made to protect the nationalist-minded people in Goa against the brutal repression and indiscriminate arrests that are taking place? Did the Government take any measures to protect them against all these things ?

Shri Jawaharlal Nehru : I do not know what the hon. Member has in mind as to how we can protect them except by the obvious way of having a better Government there.

Dr. Lanka Sundaram : In view of the fact that the notorious Mr. Dulles-Dr. Cunha Statement has been repudiated at various levels in U.S.A., has Government attempted to obtain the latest views of the Government of U.S.A. on this question of Goa ?

Shri Jawaharlal Nehru : No, Sir. The Government of India do not normally go about canvassing the views of other countries.

Shri Bansal : May I know if we have any source of information as regards the Indian nationals who are imprisoned (here particularly in regard to one hon. Member of this House, who is imprisoned there for a number of months now)?

Shri Jawaharlal Nehru : We had, of course, full information when the senior officer of the Egyptian Government met them; he wrote in detail about each person he visited. But, he could not visit those who were not Indian nationals. In the case of one or two persons, there was a doubt whether they were Indian nationals or not and he was not allowed to visit them.

Shri R. P. Garg : May I know whether it is a fact that support to this country was promised by certain foreign countries on the condition that India renounced its claim on Kashmir?

Shri Jawaharlal Nehru : There was no such statement or promise of support.

Shri Kamath : Arising out of the answer to Question No. 354, Mr. Mukerjee's question, considering that Government seems to be strongly opposed to the use of force and even to Gandhian satyagraha to solve this problem of Goa, may I know what measures on the economic, diplomatic personal plane or level have been taken or are being taken by the Government to help an expeditious solution of this problem of the liberation of Goa?

Shri Jawaharlal Nehru : We have taken, as the hon. Member probably knows, a number of measures on the economic plane. I do not say these measures solve the problem; we are constantly taking measures whenever feasible on the diplomatic and political plane. It is rather difficult to enumerate the diplomatic and like steps which we take from time to time.

Shri Kamath : Has there been any success or effect so far?

Shri Jawaharlal Nehru : It is difficult to measure success. In the final analysis, success will mean the elimination of Portuguese control; but it has not succeeded thus far. But I believe there is an ever-growing understanding in the world about the strength of India's case and position in regard to Goa.

Shri H. N. Mukerjee rose—

Mr. Speaker : Other questions will be reserved for the Short Notice Question.

Truce Violations in North Korea

*349. **Shri Kamath :** Will the Prime Minister be pleased to state :

(a) whether it is a fact that there have been truce violations in North Korea; and

(b) if so, the action taken by the Neutral Nations Supervisory Commission in the matter?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) Allegations of truce violations have been made by each side against the other from time to time. On the 31st March, 1956, the United Nations Command ordered the Truce Inspectors from Poland and Czechoslovakia on the Neutral Nations Inspection Teams to leave South Korea within a week and suspended the work of the Neutral Nations Supervisory Commission in South Korea. The UN Command claimed that the NNSC had been faced with a situation in which no real inspection was possible in North Korea and unilaterally suspended performance on its part of those provisions of the Armistice Agreement governing the operations of the NNSC and the Neutral Nations Inspection Teams in the area under the control of the UN Command. The Northern Command considered this unilateral action of the UN Command as illegal and in violation of the Armistice Agreement, amendments or additions to which latter can only be made by agreement between the two Commands.

(b) The Neutral Nations Supervisory Commission considered the matter and recommended to the Military Armistice Commission that the Neutral Nations Inspection Teams be provisionally withdrawn from the specified ports of entry in both North and South Korea. It was pointed out that this withdrawal was provisional and did not change the legal status of the NNSC unless and until a mutual agreement in this respect is reached by the two sides of the Armistice Commission. The Northern Command have agreed to this decision of provisional withdrawal of the NNSC's teams for the present to the demilitarized zone, subject to the terms and conditions contained in the decision of the NNSC. The UN Command, however, has not accepted these conditions.

Shri Kamath : When truce came to Korea two years ago, was any machinery set up in Korea, as was done in Jammu and Kashmir, to supervise this truce and to prevent, to detect and to adjudge violations of the truce that was agreed to?

Shri Jawaharlal Nehru : I will ask my hon. colleague to answer it.

The Minister without Portfolio (Shri Krishna Menon) : The armistice in Korea is maintained by the Military Armistice Commission. The basis of the Korea Agreement is that the truce has to be maintained by the two sides and not by a third party. There is supervision by the Neutral Nations Supervisory Commission and there are Inspection Teams under article 36 of the Agreement, and their functions are governed by articles 40, 41 and 42 of the Agreement. But the whole basis of the Agreement in Korea is that the belligerent parties must maintain peace

Shri Kamath : What is the machinery to ensure, or at least to make it possible, that the belligerent parties maintain truce in the whole of Korea?

Shri Krishna Menon : There is a Neutral Zone between North and South Korea in which no belligerent action can take place. But there is no military force to keep them separate. If they should come into clash, and there is a violation of the Armistice Agreement; and what follows is not for me to say.

Shri Kamath : Is there any truth in the reports appearing in certain sections of the Press that there have been violations of the truce in the North, that is north of this Zone, and not in the south of the Zone?

Shri Krishna Menon : No, Sir. These violations that the Prime Minister referred to are violations of the Armistice Agreement in regard to the entry of arms. It is not — apart from words — a question of intrusion of territory. So far there has been none. The reports have been that there have been breaches of the Agreement in regard to stock-piling or mounting of forces on either side. And it is for that purpose that these Truce Inspection Teams have been appointed. As the Prime Minister pointed out, the complaint of the South has been that there has been no effective supervision in the North, while the complaint of the North has been that there have been violations of the Agreement in the South.

Shri S. V. Ramaswamy : In the context of these violations and other difficulties, is there any step in contemplation to solve this Korea tangle?

Shri Krishna Menon : It comes up every year before the United Nations, and is postponed for the next year. But the position is that the United Nations Command, and all those who supported it, took the view that the elections in Korea should be supervised by the United Nations. People like ourselves, and indeed all parties concerned, have agreed to international supervision which is different, necessarily, from United Nations supervision. At present there is no progress in that direction, though the Government of India have repeatedly made various suggestions and pressed the point of view that the unification of Korea should not be indefinitely postponed.

Shrimati Renu Chakravarty : It seems from the answer given that South Korea is not prepared to accept the position taken by the Neutral Nations Supervisory Commission, that is to go into the Neutral Zone, and there seems to be a deadlock. What will be the position now?

Shri Krishna Menon : The Northern Command has accepted the decision of the

Neutral Nations Supervisory Commission. The United Nations Command has not hitherto expressed its agreement of it. The difference is that the Neutral Nations Supervisory Commission has said that this is purely temporary. This does not alter the provisions of the Armistice Agreement; and, what is more, the Neutral Nations can re-enter whenever the Commission decides. Now, the Northern Command and the whole of the Commission have agreed to this step as a temporary measure.

Shri G. P. Sinha : May I know whether after the expulsion of the two representatives, one of Poland and the other of Czechoslovakia, the Neutral Nations Supervisory Commission is defunct or it is still functioning?

Shri Jawaharlal Nehru : It is still functioning, but it functions in the neutral, de-militarized zone.

दियासलाई के सहकारी कारखाने

* ३५०. श्री भक्त बर्षान : क्या बाणिज्य और उद्योग मंत्री ३० मई, १९५६ के प्रस्तावित प्रश्न संख्या २५१० के उत्तर के मूत्र न्व में यह बताने की कृपा करेंगे कि :

(क) क्या अन्य राज्यों में छोटे पैमाने पर दियासलाई के सहकारी कारखाने खोलने के प्रस्ताव पर अन्तिम विचार किया जा चुका है ; और

(ख) यदि हां, तो ये कारखाने कहाँ-कहाँ खोले जायेंगे ?

उपभोग वस्तु उद्योग मंत्री (श्री कामरूपगो) : (क) तथा (ख). बनारस में छोटे पैमाने पर दियासलाई का एक सहकारी कारखाना स्थापित करने का एक प्रस्ताव उत्तर प्रदेश सरकार से प्राप्त हुआ है और वह विचाराधीन है। अन्य राज्यों से अभी तक कोई प्रस्ताव प्राप्त नहीं हुये हैं।

श्री भक्त बर्षान : जहाँ तक मुझे याद है उत्पादन-मंत्रालय की धोर से भी दियासलाई के छोटे छोटे कारखाने खोले जा रहे हैं। मैं जानना चाहता हूँ कि ये जो कोभापरेटिव कारखाने कामर्स और इंडस्ट्री (बाणिज्य और उद्योग) मिनिस्ट्री के अन्तर्गत खोले जा रहे हैं उन कारखानों में धोर उत्पादन मंत्रालय के कारखानों में क्या अन्तर है ?

श्री कानूनगो : प्रखिल भारतीय खादी और ग्रामोद्योग समिति ने दो सौ छोटे कारखाने खोलने का प्रस्ताव किया है। वह भ्रमलग है। माननीय सदस्य ने जिनके बारे में सवाल किया है ये सहकारी कारखाने हैं जिनको सोशल वेल्फेयर बोर्ड और राज्य सरकारें खोलती हैं।

श्री भक्त दर्शन : जो सहकारी कारखाने खोले जा रहे हैं क्या उनको भारत सरकार कोई सहायता दे रही है या इनमें केवल हिस्सेदारों की पूंजी ही लगायी जा रही है? मैं जानना चाहता हूँ कि क्या इनमें कोई रुपया केन्द्रीय या राज्य सरकारों की ओर से भी लगाया जा रहा है?

श्री कानूनगो : स्टेट गवर्नमेंट्स जो कारखाने खोलती हैं उनमें सौ में पचास रुपये की रकम सेंट्रल गवर्नमेंट ग्रांट या लोन के तौर पर देती है।

Shrimati Jayashri : May I know whether these small-scale match factories will be able to compete with the big factories like WIMCO and, if so, in what way?

Shri Kanungo : Quite a large number of them are doing it, because there are differential excise duties.

सेठ गोविन्द दास : अभी मंत्री जी ने कहा कि इस प्रकार का एक सहकारी कारखाना खोलने के लिये बनारस से उत्तर प्रदेश की सरकार को मार्फत उनके पास एक दरखास्त प्रायी है। क्या इस सम्बन्ध में दूसरे प्रदेशों की सरकारों से भी केन्द्रीय सरकार की कोई लिखा पढ़ी चल रही है?

श्री कानूनगो : इस बारे में सब प्रदेश सरकारों को सूचना दे दी गई है।

Bettials' Displaced Persons' Camp

*351. **Shri Bibhuti Mishra :** Will the Minister of Rehabilitation be pleased to state:

(a) whether Government are aware that outsiders' entry to the Bettials' (Champaran, Bihar) Displaced Persons Camp has been banned; and

(b) if so, the reasons thereof?

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

(b) The State Government has informed us that certain interested parties were instigating the displaced persons to desert from the camp. The State Government, therefore, considered it necessary to stop entry into the camp of unauthorized outsiders who had no bonafide business either with the camp staff or with the inmates of the Camp. Individuals or associations who want to do relief work amongst displaced persons, however, can visit the camp after obtaining oral permission from the Camp Commandant. The State Government have also constituted an Advisory Committee for looking after the displaced persons in the Camp.

श्री विभूति मिश्र : यह जो कमेटी बनाई गई उसमें किस बुनियाद पर मेम्बर रखे गये हैं, कौन सी योग्यता वाले सदस्य उसमें रखे गये हैं?

Shri J. K. Bhonsle : The administration of the camp is run by the State Government. I think this question may be appropriately put to the State Legislature.

Boundary Disputes

*352. **Shri S. C. Samanta :** Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1324 on the 23rd April, 1956 and state:

(a) how far the decisions taken in the Indo-Pak District Officers' Conference held in December last at Gitaldaha about Cooch-Bihar and Rangpur's problems have been carried out;

(b) whether the question of disputed enclaves in those areas was taken up by high level officers; and

(c) if so, with what results?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) A statement giving the decisions taken at the Conference and action taken to implement them is placed on the Table of the Lok Sabha [See Appendix III, annexure No. 1].

(b) There is no dispute about enclaves in these areas.

(c) Does not arise.

Shri S. C. Samanta : As regards Revisional settlement operations within the enclaves, no agreement was reached. May I know whether it has been taken up by the high level officers afterwards?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : Agreement was reached about some matters and not about some other matters. That means that the matter is under correspondence. There has been no further conference about these matters.

Shri S. C. Samanta : As regards transportation of tobacco from the enclaves, the permission of the Collectors of Excise and Land Customs has to be taken each time and the small growers are put to difficulty. May I know whether this question of issuing annual permits will be taken up by the Government?

Shri Sadath Ali Khan : No noteworthy difficulty has been experienced in regard to border trade. It has been noticed that East Pakistan authorities do not issue B category visas which has naturally tended to keep down the number of persons availing themselves of these facilities. That applies to tobacco trade also.

Films

*353. **Shri Madiah Gowda :** Will the Minister of Information and Broadcasting be pleased to state the manner in which public is informed about the production by Government of documentaries, newsreels, children's films etc.?

The Minister of Information and Broadcasting (Dr. Keskar) : Apart from the notification in the Gazette as far as approved films are concerned, information is given periodically through press releases which appear not only in film periodicals but also in daily newspapers. The films are sometimes advertised by exhibitors also. A catalogue of documentaries has also been printed and distributed very widely, with provision for issue of supplements from time to time.

Shri Madiah Gowda : Are they satisfied that the publicity given in the manner stated now is sufficient? If not, will they give publicity through weekly and monthly magazines and bulletins?

Dr. Keskar : I am afraid documentaries cannot be put in the same category as bigger films. A documentary is a short film. It is not possible for the Government to spend a large amount of money which will be very much out of proportion to the small thing. The documentaries also cannot be advertised in the same way as big feature films because the subject-matter is also different. Generally speaking, documentaries as such have become extremely popular and I do not think that they require a special kind of advertisement for that purpose.

सेठ गोविन्द दास : क्या माननीय मंत्री को यह बात मालूम है कि भिन्न भिन्न राज्यों की सरकारें अपने अपने राज्यों में भिन्न भिन्न जिलों में प्रचार का काम कर रही हैं और उनके यहां पर इस तरह की फिल्मों के बनाने की भी योजनायें हैं और क्या भिन्न भिन्न राज्यों की सरकारों को यह

फिल्म दिये जाते हैं जिससे लोगों को बताया जा सके कि क्या क्या काम हो रहे हैं ?

डा० केशकर : जितनी डाक्यूमेंटरी (वृत्तान्त चलचित्र) या न्यूजरील (समाचार चलचित्र) बनती हैं उनकी एक एक प्रति हर एक राज्य को मुफ्त दी जाती है और उसके मलावा जितनी और प्रतियां वे लेना चाहें वे उनको कन्सेशन (रियायती दर) पर दी जाती है ।

Sardar Iqbal Singh : May I know whether the Government are making children's films and whether these films will be in 16 mm. so that these can be shown in small projectors in the schools?

Dr. Keskar : I have said on the floor of the House that children's films are not being directly made by the Government. This has been entrusted to the Children's Film Society which is a registered body and which is dealing with this question.

Shri H. N. Mukerjee : In view of the production last year under some accidental but successful auspices of the Government of West Bengal of a film which won high distinction at the International Film Festival at Cannes, and in view of the fact that on account of Audit and other difficulties, it may be impossible for the State Governments to have such undertakings in future, may I know if the Ministry of Information and Broadcasting would arrange with any of the linguistic zones specially interested for the production under Government auspices, not of propaganda pictures, but of aesthetically satisfying films of the nature of the one that I have referred to ?

Dr. Keskar : As far as the quality of the films is concerned, I think I need not say anything as our films—I am referring to documentaries and not other films—are receiving at practically every International festival the highest awards. The so-called propagandist pictures to which the hon. Member was referring do generally propaganda of the most constructive type, mainly concerned with the Five Year Plan and nothing else.

Mr. Bokhari's Statement

*355. **Shri Krishnacharya Joshi :** Will the Prime Minister be pleased to state :

(a) whether the attention of the Government of India has been drawn to the statement of Mr. Bokhari, Pakistan's Minister to Syria, declaring that war with India is inevitable; and

(b) what steps Government have taken in the matter?

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

(b) The Government of India lodged a protest with the Government of Pakistan on the 16th June, 1956, against the statement made by Mr. Lalshah Bokhari. A formal reply from the Government of Pakistan has not been received but a spokesman of the Pakistan Foreign Office is reported to have stated that Mr. Bokhari had been mis-quoted and mis-represented.

Shri Krishnacharya Joshi : May I know what was the reaction to the statement by Shri Bokhari in the Arab countries?

Shri Sadath Ali Khan : The Arabs were not even amused.

Shri Bogawat : Is the Government aware whether the head of the Government of Turkey is taking keen interest so far as preparation for war by Pakistan is concerned?

Shri Sadath Ali Khan : We are not aware.

Shri Bansal : May I know whether the attention of the Government has been drawn to a press statement by our Chief of Staff that he has received information that a considerable military build-up is going on in Pakistan-held area in Kashmir? May I know what is the truth in this statement?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : I do not know which particular statement the hon. Member is referring to. But every one knows that there has been some build-up there.

श्री रघुनाथ सिंह : बुलारी साहब ने हमारे प्राइम मिनिस्टर (प्रधान मंत्री) साहब के लिये जो "इम्पीरियलिस्टिक" (साम्राज्यवादी) शब्द का प्रयोग किया है, उसका क्या आपको ज्ञान है और क्या उसके बारे में पाकिस्तान सरकार के पास आपने कोई प्रॉटेस्ट (विरोध-पत्र) लौज (भेजा) किया है ?

श्री जवाहरलाल नेहरू : आपके प्राइम मिनिस्टर की निस्वत भ्रक्सर बातें होती हैं यहां भी और बाहर भी और वह बर्दाश्त की जाती हैं ।

Shri Kamath : Has the Government of Pakistan at least acknowledged the receipt of the protest lodged by the Government of India?

Shri Jawaharlal Nehru : I cannot say whether an acknowledgment has come or not. May have come.

Deportation of Indian Student from Brazil

*356. **Shri M. S. Gurupadaswamy :** Will the Prime Minister be pleased to state :

(a) whether an Indian student, Sudhangshu Chaudhari was deported by Brazilian Government for subversive activities; and

(b) if so, what was the nature of subversive activity in which he had indulged?

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

(b) The Brazilian authorities stated, on enquiry being made, that he was suspected to be a Communist agitator with international links.

Shri M. S. Gurupadaswamy : Since the matter is very serious, may I know whether the Government of Brazil informed the Government of India before this person was deported?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : The answer has informed the House as to what the Brazilian authorities said. It is the right of every Government to take this action. If we decided to extern or deport any foreigner, we may of course inform the other country, or we may not.

Shri M. S. Gurupadaswamy : May I know whether any particular charge has been made against this person apart from the general charge that he was a pro-Communist?

Shri Jawaharlal Nehru : They had some charges against him, that is to say I do not know about the proof for these, I am merely informing the House of what they stated. They had certain charges against him and they thought they were adequate. It may be that the charges were not adequate, for there is no adequate proof, but it is an independent Government. The only thing that a foreigner can do is to quit the place because he does not fit in their scheme of things. It is rather difficult to insist on his being there.

Shri H. N. Mukerjee : Did the Government of Brazil have the courtesy to inform our diplomatic representative in regard to whatever details they could divulge about this case before they made up their mind about the deportation order?

Shri Jawaharlal Nehru : I think I cannot speak with any certainty about the time, but I imagine that a conversation took place after their decision.

Fertilizer Factory at Trombay

*358. **Shrimati Renu Chakravartty**: Will the Minister of Production be pleased to state:

(a) whether it is a fact that Government have been negotiating with the Burmah-Shell Company regarding the setting up of a fertilizer factory at Trombay to utilise the waste gases of the oil refineries; and

(b) if so, the outcome of the negotiations?

The Minister of Production (Shri K. C. Reddy): (a) and (b). Government did not initiate any negotiations with the Burmah-Shell Company for the setting up of a fertilizer factory. The Company themselves offered some proposals to set up a factory but after some discussions they did not desire to pursue the matter.

Shrimati Renu Chakravartty: May I know if it is a fact that Trombay has been mentioned again and again as the venue for the setting up of one of the numerous new fertiliser plants that are going to be set up during the Second Five Year Plan, and may I also know the actual reason for the breakdown of these talks?

Shri K. C. Reddy: The Second Five Year Plan provides for the establishment of three fertiliser factories, one at Nangal, one at Naiveli and the third at Rourkela. These three factories among themselves will be able to produce the fertiliser that is envisaged under the Second Five Year Plan, and if we have to set up a factory elsewhere it will mean modification of the Second Five Year Plan and increasing the target of production of fertilisers during the Second Five Year Plan. So far as this particular item is concerned, I have already indicated that Government did not start any negotiations. There has been no breakdown or anything of the kind. At one stage the company itself made some proposal, but after further discussions it was dropped by them.

Shri Bansal: May I know if it is a fact that the utilisation of these waste gases in the fertiliser factory formed part of the original agreement that was arrived at between the Government of India and the Burmah-Shell Company, and if so, what steps are being taken to persuade this company not to allow these waste gases to go to waste?

Shri K. C. Reddy: So far as I know, it was no part of the agreement that these waste gases should be utilised for the production of fertilisers. So far as the second part of the question is concerned, attention is being given as to how best to make use of these waste gases.

Shrimati Renu Chakravartty: In view of the fact that there will be an upward revision of the Second Five Year Plan targets owing to the increased need for fertilisers, may I know whether there is need for the setting up of another plant at Trombay which will be utilising these waste gases and thereby keeping down the production costs?

Shri K. C. Reddy: That has to be considered if and when a decision is taken for increasing the target of production of fertilisers. Till then we cannot say anything about it. The question is a hypothetical one.

Shri Bansal: Inasmuch as the utilisation of waste gases will bring down the cost of production of refined oil, what steps are being taken by Government to see that these gases are utilised as soon as possible?

Shri K. C. Reddy: It is a matter for the company to some extent to consider how best to make use of these waste gases. One of the proposals is to produce fertiliser, but, as I said, it is a matter for consideration later on.

Shrimati Renu Chakravartty: Is it a fact that the cost of production at Naiveli and Nangal is going to be fairly low and it is because of the very low profit which they would get at Trombay that actually the whole thing was given up?

Shri K. C. Reddy: I cannot say definitely.

Central Handicraft Marketing Committee

*359. **Shri Jhulan Sinha**: Will the Minister of Production be pleased to state whether his attention has been drawn to the resolution passed by the Fourth All India Marketing Conference of the All India Handicrafts Board specially in regard to the formation of a Central Handicraft Marketing Committee and measures for eliminating competition between mill-made handicrafts and the handmade ones?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey): Yes, Sir.

Shri Jhulan Sinha: May I enquire if steps are being taken to implement the resolution?

Shri R.G. Dubey: There are various recommendations in this connection, but I think still the Board has not made up its mind finally about these recommendations.

I can, however, tell the hon. Member that in respect of one recommendation, namely the appointment of a marketing officer, the Government have already sanctioned the post of the Deputy Director for Marketing.

Shri Jhulan Sinha : May I enquire if the Government is in a position to tell me which are those fields of handicrafts where the effects of mill competition have begun to be felt?

Shri R. G. Dubey : I think one of the branches is the hand-printing industry, and some time back the Commerce and Industry Ministry took action with a view to give protection to this industry.

Asoka Hotel Company Limited

*361. **Shri Gidwani** : Will the Minister of Works, Housing and Supply be pleased to state:

(a) the amount subscribed by Government to the Asoka Hotel Company Limited;

(b) whether it is a fact that a further amount has been given as a loan to the company; and

(c) if so, the reasons therefor?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) Rs. 26 lakhs.

(b) Yes, Sir.

(c) As the capital subscription was not forthcoming as anticipated, and the project had to be completed in time for UNESCO Conference, for which commitments had already been made, the loans had to be advanced to the company to enable them to complete the project in time.

Shri Gidwani : May I know what was the original estimated cost of the hotel, what is the revised cost, how much money has been subscribed so far and whether the company is going into liquidation?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : A number of questions all lumped together and figure work involved with regard to all of them. It would have been much better if he had put them separately.

Mr. Speaker : He may answer only the first question.

Sardar Swaran Singh : The original estimate was roughly Rs. 2 crores. That figure with more or less some addition is the revised one also.

Shri Gidwani : What about the last question—whether it is going into liquidation?

Sardar Swaran Singh : Government have taken a decision to take over the hotel. Terms are being negotiated with the company to transfer the interests to the Government.

Shri Gidwani : May I know whether the hotel will be completed in time for housing the UNESCO delegation?

Sardar Swaran Singh : Let us hope so. That is our intention.

Shri C. D. Pande : Does Government appreciate that the capital is not forthcoming because people feel that the hotel industry will be ruined by the introduction of prohibition in Delhi?

Sardar Swaran Singh : I cannot venture an opinion on that, but the efforts that were being made to mobilise capital did not materialise. The possibility of the introduction of prohibition or otherwise was not a new factor. That has been in the air for a number of years.

Shri Ramachandra Reddi : Has the construction commenced and if so, what is the progress?

Sardar Swaran Singh : I wish the hon. Member had gone that side. A huge mountain is growing up on that side.

Dr. Lanka Sundaram : Does a mountain grow?

Shri Kamath : Mountain in labour?

Sardar Swaran Singh : I do not say labour is in the form of the hon. Member! It is hoped that we will be able to complete the hotel before the target date.

Hindustan Housing Factory, Delhi

*362. **Sardar Iqbal Singh** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) the prospects for the efficient or profitable working of the Hindustan Housing Factory, Delhi;

(b) whether any final decision has been taken with regard to its future; and

(c) if so, the details of the decision?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) to (c). The future working of the factory is under review and a decision is expected to be taken shortly. In the meantime, the factory is being run by a Company which is owned entirely by Government.

Sardar Iqbal Singh : May I know whether any preliminary production programme has been drawn up for this company, and if so what is it?

The Minister of Works, Housing and Supply (Sardar Swaran Singh) : I do not know what the hon. Member means by preliminary production programme. Actually, a lot of components are being prepared.

There is a good market and good demand for the same. The expectation is that for the period that Government have run it, there will not be any loss. That is a tentative statement. The accounts are, however, being scrutinised.

Sardar Iqbal Singh : May I know whether it has been decided that this company will not go into the production of full houses, but will only specialise in a few components, and if so, what those components are?

Sardar Swaran Singh : That is correct. The intention is not to manufacture all the components of a house. Only certain components are proposed to be manufactured. Apart from components for houses, other articles also are being manufactured, as for instance, poles for electrical transmission systems, foam concrete for insulation purposes and so on. A number of other articles are also being manufactured.

SHORT NOTICE QUESTION

Arrests in Goa

S.N.Q. No. 2. Shri M. S. Gurupada-swamy : Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Portuguese authorities in Goa have started a campaign of arrests and persecutions of persons suspected of nationalist sympathies; and

(b) whether any step has been taken by the Union Government in regard to this matter?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) and (b). The Government of India have received information from various sources to the effect that there is a strong national movement in Goa for its liberation, which is gathering momentum every day. The Portuguese authorities, unnerved by the rising tide of nationalist and anti-Portuguese feeling have been adopting ruthless methods for the suppression of the movement. Since June they have arrested a large number of persons estimated conservatively between 80 and 100. A number of prominent citizens of Goa have been arrested on the merest suspicion of their being connected with the nationalist movement or having taken part in alleged acts of sabotage by nationalists. Among those arrested are many prominent Goans.

The Government of India have reliable information that the Portuguese authorities

have severely beaten or otherwise tortured prisoners to extract information regarding political activities inside Goa. One of the arrested persons, Shri Krishna Porodo timber merchant, is said to have been subjected to exceptionally brutal treatment resulting in his death. The Portuguese authorities have, however, issued a statement that he was shot while attempting to escape from prison. So far as the Government of India are aware no Indian national is involved in these recent incidents in Goa and therefore, no occasion for specific protest to the Portuguese Government has arisen. Time and again in the past, however, the Government of India have warned the Portuguese Government of the serious repercussions and consequences of their treatment of the nationalists in Goa.

Portuguese Raid

S. N. Q. No. 3. Shri M. L. Agrawal : Will the Prime Minister be pleased to state :

(a) whether four Portuguese European soldiers armed with automatic weapons crossed over into the Indian territory on the 18th July, 1956 near the village of Satarda on the Sawantwadi-Goa border and kidnapped Shri Arjun Sita Ram, an Indian National; and

(b) whether the whereabouts of Shri Arjun Sita Ram are known?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) and (b). Information has been received by the Government of India that on the 17th July, 1956 four Portuguese soldiers trespassed into Indian territory to a distance of 3 or 4 miles near the village of Netarda on the Sawantwadi-Goa border and forcibly took away one Arjun Sitaram, who was grazing cattle off the village of Kholba. The incident took place in an area which is mountainous and thickly wooded. No Indian border or customs police were in the immediate vicinity of the incident.

It is now learnt that Arjun Sitaram is back in his village. Further enquiries are being made into the incident. The Government of India have strongly protested to the Portuguese Government against this latest violation of the Indian territory, through the Egyptian Embassy in New Delhi. The Government have already issued instructions that armed Portuguese personnel violating Indian territory should be arrested and held, and where necessary, force used to prevent their intrusion into Indian territory. They are further alerting the border police to take all necessary steps for preventing repetition of such incidents.

Shri M. S. Gurupadaswamy : May I know whether there is a strong demand by the Indian people for going to Goa to offer satyagraha, and if so, whether Government have taken any decision to remove the restrictions put on them?

Shri Jawaharlal Nehru : The Government's policy in regard to this matter has been declared on several occasions previously. It remains the same.

Dr. Lanka Sundaram : May I know whether any reports have been sent to the Prime Minister, giving evidence of the manner in which countrycraft plying between the Bombay and Mangalore ports are unloading goods at Betul (in the Quepem Mahal) in Goa under full official Portuguese patronage and that documents available show that some of the businessmen of Bombay are involved in the running of contraband, thus imperilling our economic blockade on Goa?

Shri Jawaharlal Nehru : The hon. Member had sent, I believe, notice of a question in regard to smuggling. It was only yesterday that I saw it, and I immediately asked for full particulars in regard to this matter. I have not received them yet. There is some smuggling, of course. We try to prevent it. But I shall be grateful to the hon. Member, if he would supply us with as many facts as he might possess, so that we can pursue this matter further, and certainly take strong action in regard to it.

Dr. Lanka Sundaram : Is the Prime Minister satisfied that the economic blockade on the land frontier side is completely fool-proof, that there is no contraband coming into India, and that no Goan nationals are entering India surreptitiously and obtaining gainful employment in our midst?

Shri Jawaharlal Nehru : No, I am not completely satisfied.

Shri H. N. Mukerjee : Government have told us about being in possession of information about torture practised by the Portuguese authorities on political prisoners in Goa. In view of the recent reports that the restrictions on interviews and correspondence with Shri T.K. Chaudhuri, a Member of this House, are restrictions which amount almost to a ban, and in view of the fear that the Portuguese conduct in Goa is such that atrocities might be perpetrated on Indian political prisoners held there against international law, may I know what steps Government concretely propose to take in this regard in as near a future as possible?

Shri Jawaharlal Nehru : I cannot indicate what steps we are likely to take, and what steps are open to us. But the matter is one that not only concerns us

deeply, but causes us grave anxiety continuously, and we are giving as much thought to it as possible. Of course, one takes such steps as might be called for on diplomatic level, and one is continuously taking them.

Shri Kamath : What steps have been taken by Government towards the integration of the already-liberated Portuguese pockets of Dadra and Nagar Haveli within the Indian Union?

Shri Jawaharlal Nehru : None.

Shri Kamath : Why not? What is the position?

Shri Jawaharlal Nehru : The matter is not only connected with the larger question of Portuguese possessions in India, but at the present moment, the action that was taken there was not by the Indian Union, it was taken by the people there. Further, the matter is also, as perhaps the hon. Member knows, before the Hague Court.

Shri H. N. Mukerjee : May I know if the Prime Minister's answer to Shri Kamath does not imply that we acquiesce in the claim of Portugal which has gone to the World Court in regard to its view that India should have allowed the Portuguese personnel to go over to Nagar Haveli and other places to recapture them for Portuguese control?

Shri Jawaharlal Nehru : The hon. Member is completely wrong. It has no such implication at all. What I said was that these areas were liberated by the people there, and the Government of India as such took no action in the matter. Because we want to settle this whole question of Portuguese possessions, the question of merging them does not arise at the present moment.

Shri Sadhan Gupta : I think I heard the Prime Minister say that no occasion for lodging any protest against arrests and tortures arose because no Indian nationals were involved. Is it not a fact that on former occasions tortures and other brutalities inflicted on so-called Portuguese nationals have been protested against on the view that they are as good Indians as any Indian national, and why should there be no protest made on the present occasion?

Shri Jawaharlal Nehru : The hon. Member will remember that the only way we can deal with the Portuguese Government is through the Egyptian Government or, possibly, through the Brazilian Government. We do not deal directly with them. If we deal directly with them, we can draw their attention to the general situation etc., making a specific protest to them directly about what they have done, however bad it may be, to their own

nationals. But, strictly speaking, that is not easy through other governments. But the fact of such things being done is a very important fact, and we are concerned with it, whatever label those people may have. I think it is right that not only the public generally, but the world generally should know about these.

Floods

S. N. Q. No. 4. Shri A. K. Gopalan :
Will the Minister of Irrigation and Power be pleased to state :

(a) the extent of damage caused by floods this year all over India in terms of area submerged, crops destroyed, cattle and human lives lost, villages affected etc. State-wise;

(b) the progress made by the various Flood Control Boards set up in the Centre and States in their work for the prevention of floods;

(c) the amounts allocated for flood prevention measures during the last 3 years and the amount actually spent each year; and

(d) the relief measures undertaken by the various authorities?

The Minister of Planning and Irrigation and Power (Shri Nanda) :
(a) to (d). I beg to lay on the Table of the House a statement regarding the floods in the country. [Placed in the Library. See No. S-270/56].

This is in pursuance of an undertaking that I gave to the House a few days ago, and it also deals with the Short Notice Question No. 4 put by the hon. Member.

The statement that I have just now laid on the Table is a lengthy one. I shall, therefore, with your permission, give to the House now briefly some essential facts about the flood situation and the progress of protective measures.

The floods have so far affected an area of roughly 2,500 square miles in Assam, Bihar, U.P., West Bengal, Punjab and Saurashtra. Seventy persons have lost their lives as a result of the floods.

Damage to crops and other property has amounted to about Rs. 9 crores.

I may acquaint the House regarding the developments and the existing situation in various parts of the country on the basis of the latest reports.

PUNJAB.

During the first week of July, there were heavy rains in Ambala District. As a result, the Markanda, Saraswati and other small tributaries of the Ghaggar system were

in spate. These caused some damage to the Narwana branch and its distributaries. Fortunately, the level of the streams fell quickly and the damage was not much.

Only three days back the Ravi rose to a high level at Madhopur, the discharge being 2,33,000 cusecs. Timely warning was given to the people and there was, therefore, no loss of life. There was also no damage to property and other works. The river has since fallen and is now below 36,000 cusecs.

BENGAL.

This year there have been no high floods so far.

TRIPURA.

During the night 2nd/3rd June, 1956, there was an unexpected rise in the rivers Haora and Gomti and the waters over-topped the flood embankments and entered Agartala. The town remained inundated for 2 days and at places the depth was as much as 5 feet which submerged all the roads. Most of the mud-houses which were directly in the way of the on-rushing waters collapsed and were washed away. The embankments have already been repaired and are now being raised above the flood level. At present, the rivers are running low.

JAMMU AND KASHMIR.

This State has been free from floods till recently when there were heavy rains in the Jammu province, and as a result, Ujh and Basantar streams were in floods yesterday. They have caused some damage to Basantar and Ujh protection works.

ASSAM.

In Assam, the Brahmaputra floods did not submerge any part of Dibrugarh though the water level in May 1956, was very near the highest ever recorded. The Umtru river had a discharge of 65,000 cusecs on the 5th of June, which is the highest in living memory. The State has largely remained free from floods.

The yesterday's gauge at Dibrugarh was 2 feet below the danger level. Recently there were some heavy rains again in Assam, and as a result, the Burhi Dehang and other rivers are slowly rising. About 5 miles of Lahoal-Bordubi-Tinsukia road is under water, but so far no damage to works is reported.

ANDHRA.

The Krishna is in fairly high floods but the bunds along the river are holding on well. Some of the islands in the river have been partly submerged. The people were shifted in time.

A part of Vijayawada town is situated between the river Krishna and the bunds constructed along this river. This part was inundated but the people were shifted to safer places.

In North Andhra, the Nagavalli and Vamsadhra rivers in Srikakulam district which were in floods in the first week of July, are reported to be falling now.

BIHAR.

This year the Kosi river rose earlier than usual. During the first week of May, the Kosi waters entered a few villages like Tardiha and Matras just inside the western embankments. The river rose to over one lakh cusecs as early as on the 17th of June, 1956. Although the embankments stood well, the marginal bund at Tiljuga was cut by the villagers of Rajpur to drain off the waters. In July, however, the river was not as high as usual, the maximum being only 1,45,000 cusecs on the 22nd of July. The discharge on 26th was 1,01,000 cusecs. The embankments constructed so far are standing well.

The Bagmati rose above its danger level on several occasions in this season. Some areas were inundated but the damage was not much. On the 26th July, 1956, it just crossed the danger level again.

Although the Burhi Gandak rose to danger level earlier than usual, because of the protective works, there has been no inundation of the area. The Samastipur town is so far quite safe. The gauge of the Burhi Gandak yesterday was just below danger level.

Mr. Speaker : How many more pages ?

Shri Nanda : Six.

Mr. Speaker : No. The hon. Minister may place it on the Table.

If any hon. Member has some questions to ask after perusing it, he may put them later on.

Shri Nanda : I shall lay the rest of the Statement on the Table.

STATEMENT*

UTTAR PRADESH.

The floods in Uttar Pradesh usually occur in eastern districts, but this year during the first week of July there was heavy rainfall in the western districts. This affected Muzaffarnagar, Saharanpur, Ghaziabad and Meerut Districts. The rainfall at Muzaffarnagar on the 1st and 2nd of July was about 30 inches which is nearly equal to the year's total rainfall. A large number of houses collapsed and 120 sq. miles of area was affected. There were breaches in rail track and roads and the traffic between Delhi-Saharanpur was suspended. The Hindon which is a tributary of the Yamuna was 3.5 ft. above the danger level and 1 ft. below the maximum ever recorded in 1924.

At present there are no floods in Uttar Pradesh and the damage caused has been practically repaired.

DELHI.

This year the Yamuna rose earlier than usual. But the construction of Shahdara embankment which is almost complete saved the concerned area from inundation. At present the river is fairly low.

The flood season usually extends up to the end of August and we have, therefore, to remain watchful for another period of a month or more. Taking the country as a whole, the major rivers have not yet flooded any large tracts. Careful vigil is being kept on most of the country's problem rivers and on the works already executed. Arrangements have also been made for prompt dissemination of correct flood news, to secure the proper maintenance of works and to preventing unnecessary alarm arising out of wrong information. Daily news letters on the floods situation and a weekly review are being circulated to the Press and the Members of Parliament. It is a matter for deep gratification that all the flood control works constructed in Assam, Bihar, Uttar Pradesh and West Bengal have stood up well and are protecting large areas. I may mention in this connection the spurs, dykes and embankments constructed for the protection of Dibrugarh in Assam; Jalpaiguri, Alipur Duar, Coochbehar, Matha-Bhanga and Toofan Ganj towns in West Bengal; Samastipur town and areas adjoining the Kosi in North Bihar; and the Chitauri bund along the river Gandak in Uttar Pradesh.

The floods made their appearance this year earlier than usual. We started receiving reports about inundations in the middle of May. Normally this happens towards the end of the first week of June. A remarkable feature of floods this year as well as the previous year was that areas which had remained practically immune for many years past are visited by floods of exceptional intensity thus taking the people by surprise—in a state of unpreparedness. In 1954, the mischief was confined to major rivers. In 1955 and 1956, however, intensive rainfall over local areas caused smaller rivers such as Gomti, Tons and the Hindon to go into spate. This unpredictable character of floods has to be borne in mind and although it is not possible to complete protective works simultaneously or in a short time all over the country, the hazards and the damage can be greatly reduced if precautionary measures are taken and an organisation ready to cope with an emergency is set up and kept intact, for all these areas. This requirement is now being kept increasingly in view.

*The unread portion of the Statement laid on the Table.

This year's floods have reinforced the lessons of last year's experience that man made obstructions placed in the way of the direction of the flow of surplus waters create problems of drainage and accentuate flood risks specially in flat areas like the Ganga basin. This aspect of the problem is now receiving earnest attention. Remedial action has to proceed on the basis of a close study of local conditions and obstructions in order that we may plan efficient discharge systems including channel improvement.

It has become clear that we have got to further increase the efficiency of our organisation by adopting unified control of all flood control works in the States. At present, protection works such as road embankments, railway embankments, private bunds, etc., are under the administrative control of different departments of the State Governments resulting in a division of responsibility for maintenance and supervision thus leading to unco-ordinated action. The necessity for unified control has been brought to the notice of the States through the Central Flood Control Board. We have also to link up the flood control and relief organisations in the States for more effective action. We are also exploring how best we can utilize the Community Project Administration in the construction of flood protection works.

The question has been raised how far we have fulfilled the promise given nearly two years ago that the problem of floods will be tackled on war footing. We are also being asked how is it, that in spite of our programmes the floods are still coming.

The House will recall that following the disastrous floods of 1954 the Central Government took the initiative in deciding to handle the problem of floods on a national basis.

Prior to this practically no attention had been paid to the means and methods for affording protection to flood affected areas. No attempt had been made to collect basic technical data which alone would have enabled the preparation of sound flood protection schemes. On 3rd September, 1954, I made a statement in this House setting out the magnitude and character of the problem of floods in the country. I placed before Parliament a comprehensive flood control programme estimated to cost Rs. 175 crores and covering a period of 10—12 years. This programme was divided into three phases: immediate, short-term, and long-term. The first phase, it was then stated, would extend over a period of two years and would be devoted to intensive investigations and collection of data besides the execution of

some emergent works. This period of two years will end in about a month. It may be claimed that what has been accomplished in relation to these objectives in this brief period is a story of remarkable achievement. In the matter of investigations the work compressed within these two years might have ordinarily taken three to four times this period. 43,000 square miles of aerial photography has been completed, in addition to 16,000 square miles of tertiary levelling against the target of 43,400 and 18,100 square miles respectively. Big strides have been made in the matter of hydrological observations. There were practically no silt observations prior to 1941 in many of the major river systems. Rain-gauge stations were few. There were only about 800 discharge stations in the country's entire river system. We have since 1954 been able to set up as many as 32 silt observation stations on the Brahmaputra and its tributaries, 59 rain-gauge stations and 281 additional gauge discharge stations.

The investigation organisations at the Centre and in the States were geared up so that as many as 69 major schemes have been investigated and submitted for sanction by the various States.

So far as construction is concerned—important local town protection works have been completed, the level of 1,400 village sites has been raised and more than a thousand miles of embankments have been prepared. This represents a quantum of work not done in the past in the course of many years. Implementation of these emergent schemes has given protection to an area of 4,800 square miles in Uttar Pradesh, Bihar, West Bengal and Assam with a population of approximately 50 lakhs.

Advance has been made in research and experiment also. We have employed extensive hydraulic model tests in connection with the flood problem. Work models on a scale far larger than ever attempted in the country have been set up for Dibrugarh, Kosi and other works. In the matter of designs for projects in some of our difficult rivers the work of our engineers has been eminently successful. Dibrugarh, Kosi and other similar works bear testimony to this. We have not hesitated to secure all possible information on the latest practices obtaining in various countries and to draw upon the experience gained by them in this field. It was imperative that we should carry out investigations, preparation of projects and actual construction with the utmost speed in order to make up for the time lost prior to 1954. We have endeavoured to do this. The scale of intense and co-ordinated effort that was involved, for example, in the completion of the protective works for Dibrugarh in the record period of a single season and the rich re-

ward it has brought are memories to cherish. A couple of months ago, a party of press correspondents representing leading newspapers and news-agencies visited the flood control works in U.P., Bihar, West Bengal and Assam. The articles which appeared as a result of the visit reflect the marked appreciation of the work that has been done and the relief and sense of security that are being experienced now by large number of people in those areas. The people's co-operation in the execution of several hundred miles of embankment has been spoken of in highly appreciative terms and the hope has been expressed that work on these lines will be extended to other projects. The striking success of the experiment in large-scale people's participation on the Kosi Project has attracted a great deal of attention.

The tempo of work on the flood protection programme has been increasing. During the first year i.e., 1954-55 we could spend only about Rs. 2.4 crores. In 1955-56, the expenditure was stepped up to Rs. 8.4 crores. No scheme which the States have sent for sanction has been rejected provided it was technically sound. To all the States the Centre has given the fullest help in investigations and designs and determining the different phases of construction.

For the current financial year the provision of Rs. 5 crores has been made in the Central Budget for rendering assistance to the States for their flood control schemes. There is an apprehension that the execution of flood protection works may suffer due to lack of funds. I have conveyed to the States concerned that this provision may be increased. I may assure the House that lack of funds will not be allowed to stand in the way of the execution of the schemes in the States during the year if they are sound and feasible. In regard to the Second Five-Year Plan period, the draft plan for Rs. 117 crores was discussed in the House in September, 1955. In the context of the available resources and other developmental activities in the country, allocation for floods could not be made larger than Rs. 60 crores. It is not necessary, however, to spread the expenditure over the entire period of the Plan. When we take into account the heavy economic and other loss caused by the floods, and the cost of relief, the benefit of flood protection would multiply in proportion to the promptness with which it is carried out. I am, therefore, prepared to recommend that the amount allotted under the second plan may be spent in the first three years provided the States are able to expedite the execution of the schemes and increase their capacity for this purpose.

I may point out that the various schemes that have been executed or are shortly to be taken up are not separate individual schemes but have been so conceived as to

dovetail into a comprehensive plan of flood control. Unless we have integrated and well-thought-out plans, it is possible that complications may arise and we may not achieve the full measure of flood protection in an economical and efficient manner. A comprehensive plan, however, depends on the availability of the requisite data. The accelerated work done in this regard during the last two years has given us sufficient information to make a start on these comprehensive plans. This work of collection of data has not yet been completed. Every river system will be carefully studied and a comprehensive plan drawn up so that flood control and other aspects of development can be integrated to draw the maximum benefit from each river system. A comprehensive plan may involve construction of reservoirs for control of floods, which will have to be undertaken at different stages.

In the end I may point out humbly that while a progressively increasing measure of protection from floods would be achieved each year, we cannot expect for years to come to be in the fortunate position of being absolutely immune from flood risks. We shall have to learn to live with the floods to an extent. In a country like the United States which has invested sums of the order of 5,000 million dollars in an attempt to ward off floods, ravages from this source still occur and only last year there were two floods in that country which were reported to have caused damage of the order of Rs. 280 crores (or about 600 million dollars) and loss of 279 human lives. We shall, however, be able to curb and confine the floods more and more and do all that is possible to save ourselves from the harm and the devastation that they bring.

Shri K. K. Basu : May I request that this statement be circulated to hon. Members ?

Mr. Speaker : Yes.

Shri N. C. Chatterjee : We want to know the extent of the damage.

Shri Nanda : It will be circulated. The statement laid on the Table covers about 100 printed pages. Apart from the portions relating to individual States, there is a general assessment of the flood situation and protection works. I was reading that. But since it takes more time than the House can afford, I shall circulate this also.

Shri A. K. Gopalan : May I know whether any report has been received from the Madras State about the flood situation there ? I did not hear any report about it in the statement.

Shri Nanda : There is none included here now.

Shri A. K. Gopalan : I want to bring to the notice of the Minister that there have been floods also in some parts of Madras. I want to ask whether the Government of Madras will be asked to

give a report about the loss of life, cattle, houses and other things.

Shri Nanda : We will obtain it.

Shri B. S. Murthy : Nothing is said about Godavari.

Shri Nanda : I was asked not to read the statement, and I am then asked questions.

Mr. Speaker : Godavari is included in the statement.

Shri K. K. Basu : May I know whether there is any specific directive to the States that they should send to the Centre a monthly or fortnightly report about the flood situation, as soon as floods occur ?

Shri Nanda : We are issuing a daily report on the basis of information that we receive every day from the States and there is a weekly assessment also, which is, I believe, given to the Members of the House also.

Shri A. M. Thomas : A substantial amount has been given from the Prime Minister's Relief Fund for the succour of the flood affected persons in the South. May I enquire how is it that the fact relating to floods in these regions does not find a place in the statement at all ?

Shri Nanda : I have not completed my statement.

Mr. Speaker : Hon. Members have heard only half the statement and are putting questions.

Shri A. K. Gopalan : The hon. Minister just now said that there had been no report of floods in the south. I got a reply from the Home Minister that some relief had been given in some places in the south. If there is no flood, how can there be any relief ?

Mr. Speaker : If all these important details are not already contained in the report they will be given in a supplementary report. Hon. Members will wait and see what is contained in the report. The Ministers have always been indulgent and hon. Members can always write to the Ministers directly or through the office.

WRITTEN ANSWERS TO QUESTIONS

Small-Scale Village and Cottage Industries

*343. **Shri Bhagwat Jha Azad :** Will the Minister of Production be pleased to state :

(a) whether a conference of representatives of State Governments, different Central Boards, and the Community Pro-

jects Administration was recently held at Delhi;

(b) if so, whether any scheme was evolved for implementing Schemes relating to Small-scale Village and Cottage Industries; and

(c) what were the other decisions of the conference ?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : (a) Yes, Sir.

(b) and (c). The Conference considered various measures for implementing the Second Five Year Plan for the Khadi and Village Industries and the Handicrafts and Sericulture Industries. A statement showing the recommendations of the Conference is laid on the Table of the Lok Sabha. [See Appendix III, Annexure No. 2]. These recommendations are under examination.

Shutter Manufacturing Factory

*345. **Shri T. B. Vittal Rao :** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 470 on the 5th March, 1956 and state :

(a) whether the proposal to take over the management of the Shutter Manufacturing Factory, Tunghabhadra Dam by Government has been finalised ; and

(b) if so, when it will be taken over ?

The Minister of Consumer Industries (Shri Kanungo) : (a) and (b). The proposal has not yet been finalised. The matter is still under negotiation.

Cement Factory

*357. **Shri Ram Krishan :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether it is a fact that there was a proposal to set up a Cement Factory near Narnaul in the State of PEPSU ; and

(b) if so, at what stage is the matter ?

The Minister of Consumer Industries (Shri Kanungo) : (a) Yes, Sir.

(b) The scheme has not been sanctioned for the reason that it was for a factory to be completed in 1961.

Houses for Low-paid Employees

*360. **Dr. Satyawadi :** Will the Minister of Works, Housing and Supply be pleased to refer to the reply given to Starred Question No. 2158 on the 11th April, 1955, and state :

(a) whether any report has been received from the Punjab Government show-

ing low the loan of 14 lakhs has been utilised ;

(b) the number of houses constructed for the low-paid employees of local bodies; and

(c) the names of the local bodies and the amount given to each of them ?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) to (c). No advances could be made by the State Government to local bodies due to delay in the completion of the required formalities. The amount was utilised for sanctioning loans to individuals.

Tea Exports

*364. **Shri Bishwa Nath Roy :** Will the Minister of Commerce and Industry be pleased to state whether export of Indian tea has improved during the last six months of the current year as compared to that of the same period of the last year ?

The Minister of Trade (Shri Kar-markar) : Yes, Sir.

Flood Control Works in Manipur

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

(a) the amount of money annually spent in Manipur for the flood control works during the past four years of the First Five Year Plan ;

(b) the nature of the flood control works undertaken and completed during the said period ;

(c) how far the flood control works have proved successful ; and

(d) what permanent flood control measure Government have undertaken or will be undertaking in Manipur State ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) to (d). A statement giving the requisite information is laid on the Table of the Lok Sabha [See Appendix III, Annexure No. 3].

National Small Industries Corporation

*366. **Shri Bogawat :** Will the Minister of Commerce and Industry be pleased to state :

(a) whether the National Small Industries Corporation have reserved 200 items for purchase by Government from the village and small scale industries ; and

(b) if so, where these industries are to be started ?

The Minister of Consumer Industries (Shri Kanungo) : (a) No, Sir. The National Small Industries Corporation has only drawn up a tentative list of items, which could be reserved for purchase to meet Government requirements, exclusively from the small industrial units. This list has not yet been finalised.

(b) These items will be purchased from existing small scale units and from new units that may come into being, in any part of India.

चाय बोर्ड

*३६७. श्री क० चं० सोषिया : क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४-५५ और १९५५-५६ में चाय के निर्यात-शुल्क से सरकार को कितनी आय हुई और उसमें से चाय बोर्ड को प्रत्येक वर्ष कितनी-कितनी रकम दी गई ; और

(ख) १९५४-५५ और १९५५-५६ में से प्रत्येक वर्ष चाय बोर्ड ने (१) चाय उत्पादन सम्बन्धी वैज्ञानिक ग्रन्थवा ग्रन्थ गवेषणा पर और (२) प्रयोगात्मक कामों पर कितना-कितना खर्च किया ?

उपभोग वस्तु उद्योग मंत्री (श्री कानूनगो) : (क) तथा (ख). निर्यात की जाने वाली चाय पर चाय अधिनियम, १९५३ की २५वीं धारा के अन्तर्गत जो उपकर लगाया जाता है, उससे होने वाली आय से चाय बोर्ड का खर्च चलता है। १९५४-५५ तथा १९५५-५६ में उपकर से कितनी आय हुई, चाय बोर्ड को कितना धन हस्ता-न्तरित किया गया तथा वैज्ञानिक और गवेषणा कार्यों पर चाय बोर्ड ने वास्तव में कितनी धनराशि खर्च की, इसका एक विवरण सदन की मेज पर प्रस्तुत किया जाता है। [देखिये परिशिष्ट ३, अनुबन्ध सं० ४]।

Indians in Canada

*368. **Dr. Rama Rao :** Will the Prime Minister be pleased to state :

(a) whether he has received any representations from certain Canadian citizens of Indian origin about the discriminatory treatment they are subjected to by the Canadian authorities;

(b) if so, the nature of the discriminations pointed out by them;

(c) the steps he took at the Commonwealth Prime Ministers' Conference; and

(d) the result thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : (a) Yes. A telegram from Shri Kuldeep Singh Bains, Secretary, East Indian Canadian Citizens Welfare Association, Victoria, was received on 1-7-1956 in London.

(b) The representation sought removal of the discrimination against Canadian citizens of Indian origin in bringing to Canada their relatives on the same terms and conditions as are enjoyed by Canadian citizens of other Commonwealth origin.

(c) and (d). It was not considered appropriate to discuss the subject at the Commonwealth Prime Ministers' Conference. The matter has been taken up with the Government of Canada through the normal diplomatic channel.

Fire at Bhakra Project Stores

*369. **Shri Amjad Ali :** Will the Minister of Irrigation and Power be pleased to state:

(a) whether a fire broke out at about 11-30 p.m. on July 1, 1956 at Barmle Stores of Bhakra Dam Project and a magazine was destroyed; and

(b) whether it was an act of sabotage?

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

(b) The matter is under investigation.

Metallurgical Coal

*370. **Shri P. C. Bose :** Will the Minister of Production be pleased to state :

(a) whether Chasnala Colliery, in the Jharia coalfield containing a heavy deposit of special grade metallurgical coal has been kept closed for several years;

(b) the reasons therefor; and

(c) whether there is any proposal to reopen the Colliery?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : (a) Yes, the colliery which belongs to the Indian Iron and Steel Company was closed in 1949.

(b) The mining conditions are said to be difficult as the seams are highly inclined. The Colliery being situated in the bank of Damodar River percolation

of water is very heavy, requiring heavy pumping and further, adequate electric power was not available. The coal could be recovered only with complete hydraulic stowing, and the mine could be kept running only at heavy capital and revenue expenditure.

(c) It is learnt that tentative proposals for re-opening the mines are receiving consideration by the management of the Indian Iron and Steel company.

मोटर साइकिलें

*३७१. **श्री अनिच्छ सिंह :** क्या वार्षिक और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में मोटर साइकिलों की वार्षिक आवश्यकता कितनी है और उन में से कितने प्रतिशत मोटर साइकिलों की पूर्ति स्वदेशी उत्पादन से होती है ;

(ख) मूल्य की दृष्टि से स्वदेश में बनी मोटर साइकिलें आयातित मोटर साइकिलों की तुलना में कैसी हैं ; और

(ग) मोटर साइकिलों को जोड़ने के लिये देश में किस अनुपात से पुर्जों का निर्माण होता है ?

उपभोग वस्तु उद्योग मंत्री (श्री कानूनगो) : (क) ठीक ठीक जानकारी देना सम्भव नहीं है। लेकिन मोटर साइकिलों का निर्माण हाथ में लिया जा चुका है और यह आशा की जाती है कि जब फर्म पूरी क्षमता से काम करेगी तो प्रति वर्ष ५००० मोटर साइकिलें बनाने लगगी जो कि देश की आवश्यकताओं के लिये पर्याप्त से भी अधिक होंगी।

(ख) तुलना में मूल्य अनुकूल पड़ते हैं।

(ग) इस समय लगभग २३ प्रतिशत पुर्जे देश में बनाये जाते हैं। फर्म ने बाकी के पुर्जे क्रमशः बनाना शुरू करने की एक योजना उपस्थित की है।

Indo-Ceylon Agreement

{ **Shri Shree Narayan Das ;**
Pandit D. N. Tiwary ;
 *372. { **Dr. Rama Rao ;**
Shri Mohana Rao ;

Will the Prime Minister be pleased to state:

(a) whether any talks were held between the Prime Ministers of Ceylon and

India during the Commonwealth Prime Ministers' Conference in London with regard to settling of differences arising out of interpretation of the Indo-Ceylon Agreement; and

(b) if so, whether the talks have led to any definite solution?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) and (b). There were brief conversations of a preliminary and general nature between the Prime Ministers of India and Ceylon in London on this subject. It was then decided to continue these conversations at a convenient date later.

Iron and Steel

*373. **Shri T. B. Vittal Rao** : Will the Minister of Commerce and Industry be pleased to state :

(a) the actual quantity of pig iron and steel separately allocated during the period from April to June, 1956; and

(b) the quantity actually supplied during the same period?

The Minister of Consumer Industries (Shri Kanungo) : (a) (i) Pig iron—65,000 tons. (ii) Steel—1.8 million tons for 1956-57. Steel is at present allotted on annual basis.

(b) Approximately 60,000 tons of pig iron and 412,000 tons of steel.

उद्‌जन बम का विस्फोट

*३७५ श्री रघुनाथ सिंह : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि इंग्लैंड और अमेरिका द्वारा किये गये अणु बमों के तथा उद्‌जन विस्फोटों के फलस्वरूप मई, १९५६ के अन्तिम सप्ताह में भारत में प्राची और वर्षा का प्रकोप रहा ?

प्रधान मंत्री तथा बड़े शिक कार्य तथा बिस्व मंत्री (श्री जवाहरलाल नेहरू) : मौसम पर न्युक्लियर विस्फोटों के प्रभाव का अध्ययन सन् १९४५ से जबकि पहला परमाणु बम न्यू मैक्सिको में विस्फोट हुआ था, हो रहा है। इस बारे में अभी तक ठीक राय नहीं कायम की जा सकती है।

Nuclear Tests

*376. **Shri Kamath** : Will the Prime Minister be pleased to state:

(a) whether India's proposal in the U. N. for suspension of nuclear and thermonuclear test explosions has received support from other member countries;

(b) if so, which ; and

(c) the stage at which the matter rests?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) The proposal for suspension of test explosions of weapons of mass destruction has been made by us on successive occasions in the organs of the United Nations. Recently, this and some other proposals formed part of a statement made before the Disarmament Commission on behalf of the Government of India. It received considerable attention and some support.

(b) The Soviet Union and Yugoslavia have fully supported the suspension of test explosions. The United Kingdom and France have proposed limitation of test explosions. The United States considers that such suspension must be part of a general agreement on disarmament.

(c) The proposals made before the Disarmament Commission on behalf of the Government of India have been referred to the Disarmament sub-committee. The Permanent Representative of India at the U. N. has requested the Secretary-General of the United Nations to inform him as to the further steps the Disarmament Commission will take in regard to these proposals. It has also been stated before the Disarmament Commission on behalf of the Government of India that they intend to pursue this matter further.

Coal Supply to Pakistan

*377. **Shri Bibhuti Mishra** : Will the Minister of Production be pleased to state :

(a) whether it is a fact that the Pakistan Government requested the Government of India for supplying coal in May, 1956;

(b) if so, total tonnage supplied so far;

(c) the prices charged; and

(d) whether there has been any further agreement with Pakistan for supplying coal?

The Minister of Production (Shri K. C. Reddy) : (a) An enquiry was received by the Coal Controller from the Pakistan Coal Commissioner in April this year as to how much more coal could be exported from India outside the trade agreement. The Coal Controller agreed to the supply of four Shiploads per month during July to October 1956 in addition

to the four shiploads that had been agreed to be shipped earlier outside the trade agreement.

(b) A statement is laid on the Table of the Lok Sabha showing the total export of coal to Pakistan during January to May 1956 [See Appendix III, Annexure No. 5].

(c) Export is arranged through trade channels. The F.O.B. average rates for export of coal to Pakistan were Rs. 25/15/- per ton upto April 1956, Rs. 26/6/9 upto the end of June 1956 and Rs. 29/6/9 in July 1956 after the recent increase in the statutory price of coal. The price of coal supplied by the all-rail route is made up of the pits-mouth price, which is controlled, the actual railway freight, Central cesses and other levies on coal.

(d) No.

Kosi Project

*378. **Shri Radha Raman** : Will the Minister of Irrigation and Power be pleased to state:

(a) whether Government have received recommendations and revised estimate of expenditure of the Kosi Project after the recent meeting of the Central Flood Control Board;

(b) if so, what measures Government have taken to carry out those recommendations and whether the revised estimates have been accepted by them; and

(c) what new circumstances have arisen to warrant an increase in the expenditure on the project?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) to (c). A Statement is laid on the Table of the Lok Sabha [See Appendix III, Annexure No. 6].

Import of Petroleum Products

*379. **Shrimati Renu Chakravarty** : Will the Minister of Works, Housing and Supply be pleased to lay a statement on the Table of the Sabha showing:

(a) the price of petrol, aviation spirit, diesel oil and crude oil per gallon in India, U.K., U.S.A. and Australia; and

(b) whether higher prices are charged in India for these products and if so, the reasons therefor?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) and (b). On the basis of the information readily available a statement has been laid on the Table of the Lok Sabha [See Appendix III, Annexure No. 7].

Prices of Consumer Goods

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

(a) whether it is a fact that with the increase in industrial production in the

country the demand for consumer goods has also gone up during the last two years; and

(b) if so, the part played by the small-scale industries in meeting the increased demands for those goods?

The Minister of Consumer Industries (Shri Kanungo) : (a) Yes, Sir.

(b) The Small-scale sector of the industry are making a useful contribution to meet the increased demand for consumer goods like sewing machines, cycle and cycle parts, automobile batteries, radio and radio parts etc.

Migration of Non-Muslims from Pakistan

*381. **Shri Krishnacharya Joshi** : Will the Prime Minister be pleased to state the total number of non-muslims who migrated from Pakistan to India after the inauguration of the Pakistan constitution which provides for the establishment of an Islamic Republic.

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan) : 900 non-Muslims migrated to India from West Pakistan from the 23rd March to the 30th June 1956, and 104,696 non-Muslims from East Pakistan during the period from the 16th March to the 30th June, 1956.

National Labour Force

*382. **Sardar Iqbal Singh** : Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 369 on the 29th February, 1956 and state whether the decision in connection with the establishment of a National Labour Force has since been taken?

The Deputy Minister of Planning (Shri S. N. Mishra) : No, Sir. The matter is still under consideration.

Coal

*384. **Shri M. S. Gurupadaswamy** : Will the Minister of Production be pleased to refer to the reply given to Starred Question No. 2690 on the 30th May, 1956 and state:

(a) whether the proposal, to start a private company to look after the production of coal in the Public Sector, has been finalised by Government;

(b) if so, who will be the shareholders of this private company; and

(c) how the proposed company will function?

The Minister of Production (Shri K. C. Reddy) : (a). It is expected to be finalised soon.

(b) All the shares of the company will be owned by the State.

(c) The Company will be registered as a private Company under the Companies Act, 1956, and will function in accordance with its Memorandum and Articles of Association, a copy of which will be laid on the Table of the Lok Sabha in due course.

भारी मशीनों का निर्माण

*३८५. श्री भागवत झा झाबाबा : क्या बाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार उत्पादक-उद्योगों की मांग की पूर्ति के लिये मूलयंत्रों के निर्माण के लिये कारखाने स्थापित करने की संभावना पर विचार कर रही है ; और

(ख) यदि हां, तो इस सम्बन्ध में अब तक क्या प्रयत्न किये गये हैं ?

उपभोग वस्तु उद्योग मंत्री (श्री कानूनगो) : (क) जी, हां ।

(ख) कुछ प्रस्ताव सरकार के विचाराधीन हैं ।

Coal Commissioner's Office

*३८६. Shri H. N. Mukerjee : Will the Minister of Production be pleased to state :

(a) whether his attention has been drawn to reports in the Press to the effect that on the removal of the Coal Production Commissioner's office from Calcutta to Ranchi, there has been no implementation of his own assurance to employees that their interests will be safeguarded and proper facilities provided for them at Ranchi; and

(b) what is the position with regard to the transfer of the said office and the employees' requests in relation thereto?

The Minister of Production (Shri K. C. Reddy) : (a) I have not come across any such report in the Press, but if there was any, it was incorrect and presumably based on a misunderstanding.

(b) A skeleton staff has been moved to Ranchi and the full office will be moving shortly. Government have already sanctioned a special compensatory allowance equal to 12 1/2% of the basic pay, subject to minimum of Rs. 15/- for Class III and Rs. 10/- for Class IV staff for a period of one year and in addition Government

have also issued instructions that an advance equal to two months' basic pay recoverable in 24 monthly instalments should be granted to the staff who apply for such advance. Temporary accommodation has been provided for the staff already transferred to Ranchi and every effort is being made to provide suitable residential accommodation for the employees who will be transferred to Ranchi.

कपड़े के मूल्य

*३८७. { श्री श्री नारायण दास :
श्री विभूति मिश्र :
डा० राम सुभग सिंह :

क्या बाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले छः महीने में भारत के मुख्य कपड़ा बाजारों में कपड़ों के मूल्य का रुख कैसा रहा है ;

(ख) क्या यह सच है कि मूल्य निरन्तर बढ़ते रहे हैं ?

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

(घ) इस अवधि में कपड़े के उत्पादन देश के भीतर की खपत, निर्यात और भंडार की क्या स्थिति रही है ?

उपभोग वस्तु उद्योग मंत्री (श्री कानूनगो) : (क) से (घ). सदन की मेज पर एक विवरण-पत्र प्रस्तुत किया जाता है । [बेसिये परिशिष्ट ३, अनुबन्ध सं० ८]

अन्तर्राष्ट्रीय औद्योगिक मेला, बैंकाक

*३८८. श्री रघुनाथ सिंह : क्या बाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि भारत बैंकाक (थाइलैंड) में होने वाले अन्तर्राष्ट्रीय औद्योगिक मेले में भाग लेगा ?

व्यापार मंत्री (श्री करमरकर) : जी हां ।

समुद्र के जहाजों के इंजनों का निर्माण

* 388. श्री कृष्णाचार्य जोशी : क्या उत्पादन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या समुद्र के जहाजों के इंजन बनाने के सम्बन्ध में कोई निश्चय कर लिया गया है ; और

(ख) यदि हां, तो इंजनों का बनना कब से शुरू हो जायेगा ?

उत्पादन मंत्री के सहायक (श्री रा० गि० दुबे) : (क) तथा (ख) सिद्धांत रूप में यह निर्णय कर लिया गया है कि जहाजों के प्रणोदी (प्रोपेलिंग) यंत्र बनाने के लिये सार्वजनिक विभाग में एक कारखाना स्थापित किया जाये। यह स्कीम अभी भी योजना-अवस्था में है और इस समय यह बताना कठिन है कि कारखाना कब से उत्पादन प्रारम्भ करेगा।

Sindri Fertilizer Factory

* 390. { Sardar Iqbal Singh :
Sardar Akarpuri :

Will the Minister of Production be pleased to state whether Government have since decided to give bonus to workers in Sindri Fertilizer Factory ?

The Minister of Production (Shri K. C. Reddy) : While the demand for payment of bonus has not been conceded Government have, however, decided to give on an *ad hoc* basis a sum of Rupees sixteen lakhs. Part of this amount will be paid in cash and part of it utilised for providing special amenities to the workers in consultation with them.

Coal

* 391. Shri D. C. Sharma : Will the Minister of Production be pleased to state the action Government propose to take in the Second Five Year Plan period to exploit the Coal resources of the country to the full capacity ?

The Parliamentary Secretary to the Minister of Production (Shri R. G. Dubey) : A total production of nearly 60 million tons, or an increase of 22 million tons over the production attained in 1955 is required by the end of 1960-61. The production of this additional quantity has been allocated to the public and private sectors at 12 and 10 million tons respectively and both the

sectors of the Industry are now engaged in drawing up and implementing plans for increasing coal production to achieve the respective targets.

Foreign Exchange

* 392. Shrimati Renu Chakravarty : Will the Minister of Commerce and Industry be pleased to state :

(a) the amount of foreign exchange earned by India through export of iron and manganese ore during 1955-56; and

(b) what additional resources are expected through this industry during the Second Five Year Plan ?

The Minister of Trade (Shri Kar-markar) : (a) During 1955-56 we exported 13.63 lakh tons of iron ore and 9.21 lakh tons of manganese ore of the value of Rs. 6.27 crores and 10.72 crores respectively.

(b) The Second Five Year Plan provides for our exports to reach the figure of 2 million tons of iron ore and 1.5 million tons of manganese ore by 1960-61. The possibility of stepping up these export targets is under examination. The quantum of foreign exchange earned from these exports will naturally depend upon world price trends.

Powerlooms

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

(a) whether any schemes have been prepared by the various State Governments for the introduction of powerlooms in handloom sector;

(b) if so, the names of the States which have submitted their schemes so far ;

(c) how far the installation of powerlooms will affect the Co-operative Societies in handloom industries; and

(d) whether any grant has been given to any State Governments so far ?

The Minister of Consumer Industries (Shri Kanungo) : (a) and (b). All the State Governments have been asked to prepare schemes for the installation of powerlooms and these are awaited.

(c) The installation of powerlooms will not adversely affect the Handloom Co-operative Societies.

(d) No grant for this purpose has been given to any State Government so far.

Indian Frontier Administrative Service

212. Shri Shree Narayan Das : Will the Prime Minister be pleased to state the present strength of the Indian Frontier Administrative Service both

belonging to permanent and temporary cadre?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : The present strength of the Indian Frontier Administrative Service is 26. 11 Grade I and 15 Grade II. Most of them have completed their probation. Five are still on probation. It is now proposed to increase the strength to 24 in Grade I and 23 in Grade II. They will all be permanent once they are confirmed.

Border Incidents

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

(a) the number of incidents officially reported so far during the period from February to June, 1956, month-wise on the Indo-Pakistan border of the Punjab, Kashmir and Rajasthan;

(b) the nature of the incidents; and

(c) the number of such incidents that have been amicably settled between the two Governments?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) Information about the number of incidents on the Indo-Pakistan border of the Punjab, Kashmir and Rajasthan month-wise for the period from February to June, 1956 is laid on the Table [See Appendix III, Annexure No. 9]. Information in regard to Kashmir for the months of May and June, 1956 has not become available as yet.

(b) and (c). Most of the incidents were of a minor nature involving cattle lifting and petty thefts. Some were more serious and involved dacoities and kidnapping of Indian nationals. In a few cases there were clashes on the border involving casualties.

All minor incidents were taken up by local Indian authorities with their counterparts in Pakistan. As a result, some cattle have been restored and 3 of the 7 Indians kidnapped have been recovered. The more serious cases were taken up with the Government of Pakistan.

Radio-active Minerals

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

(a) the amount spent by Government for prospecting radio-active minerals during the current year so far; and

(b) how it has been spent?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : (a) and (b). Prospecting work for radio-active minerals

is being carried out by the geological and physical staff of the Raw Materials Division of the Department of Atomic Energy, along with various other duties allotted to them. Similarly the administrative staff *inter alia* devote a part of their time for the disposal of work in connection with prospecting for radio-active minerals. As these officers spend only a part of their time on actual prospecting work, it is not possible to determine as to what portion of their pay and allowances etc., is to be accounted for under prospecting for radio-active minerals.

Displaced Claimants

215. **Shri D. C. Sharma :** Will the Minister of Rehabilitation be pleased to state:

(a) the total number of claimants of the second priority category; and

(b) the number among them who have been given compensation till the end of June, 1956?

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle) : (a) 1,36,592.

(b) 47,793.

Note : Figures for Calcutta and Madhya Bharat region included in (b) are up to the end of February and May, 1956 respectively.

पाकिस्तानियों का भारत भ्रमण

२१६. **श्री डा० ना० तिवारी :** क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५५ और १९५६ में (जून तक) पश्चिमी और पूर्वी पाकिस्तान से कितने पाकिस्तानी नागरिक पारपात्रों के साथ भारत घाये ;

(ख) कितने व्यक्ति बिना पारपात्र के घाये ;

(ग) कितने व्यक्ति लौट गये ; और

(घ) उसी अवधि में कितने भारतीय नागरिक पाकिस्तान गये ?

प्रधान मंत्री तथा वैदेशिक कार्य तथा वित्त मंत्री (श्री जवाहरलाल नेहरू) : (क) से (घ). सूचना इकट्ठी की जा रही है और प्राप्त हो जाने पर सदन की मेज पर रख दी जायेगी ।

जिप्सम का आयात.

२१७. श्री रघुनाथ सिंह : क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि चालू वर्ष में अभी तक भारत में जिप्सम का कितना आयात किया गया है ?

वाणिज्य और उद्योग तथा लोहा और इस्पात मंत्री (श्री कृष्णमाचारी) : आयात किये गये जिप्सम के परिमाण सम्बन्धी आंकड़े उपलब्ध नहीं हैं। लेकिन जनवरी—मार्च १९५६ में भारत में केवल १,४२८ टन की जिप्सम का आयात किया गया।

Children's Films

218. { Shri Madiah Gowda :
Shri D. C. Sharma :

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

(a) the number of children's films produced so far and their titles;

(b) the number of foreign children's films so far purchased and their cost; and

(c) the agencies which are exhibiting the children's films ?

The Minister of Information and Broadcasting (Dr. Keskar) : (a) Three children's magazines have been produced so far by the Films Division. The Children's Films Society have so far produced one feature film entitled 'Char Dost' and adaptations of two Indian films entitled 'Bal Ramayan' and 'Ram Shastri Ka Nyay'.

(b) Films Division have not purchased any foreign children's films. The Children's Film Society have under consideration the purchase of films suitable for children from the U.K. and U.S.S.R. for adaptations.

(c) Children's film magazines produced by the Films Division are made available by the Films Division for non-commercial exhibition free of charge to all non-profit making organisations. As far as the Children's Film Society is concerned, arrangements for the exhibition of their films have yet to be finalised.

Mr. Jinnah's House in Bombay

219. { Shri Radha Raman :
Shri Gidwani :

Will the Minister of Works, Housing and Supply be pleased to state whether

Government of India have taken any decision to acquire Mr. Jinnah's house in Bombay ?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : The house is in the Evacuee Pool and is in actual possession of the Deputy High Commissioner for U.K. as a lessee. Government have decided to acquire the house.

Jute and Cotton-textile Industries

220. Shri Ram Krishan : Will the Minister of Commerce and Industry be pleased to state :

(a) the total number of applications received so far for the grant of financial assistance to the jute and cotton textile industries for rehabilitation and modernisation from various companies;

(b) whether the two committees set up by the Board of the National Industrial Development Corporation have examined these applications; and

(c) if so, their decisions and the total amount granted so far company-wise ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) to (c). So far as jute mills are concerned, 11 applications for loans have been received so far, of which 2 have been approved for the grant of loans amounting to Rs. 53 lakhs altogether, 2 have been withdrawn and the rest are being examined by the Jute Loans Advisory Committee set up by the Board of the National Industrial Development Corporation. No formal applications for loans from cotton textile mills have yet been received though 14 mills have indicated their intention to apply for loans.

Industrial Estates

221. Shri Ram Krishan : Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 445 on the 5th March, 1956 and state:

(a) whether the proposals for establishing Industrial Estates during 1956-57 have been received from the State Governments; and

(b) if so, their details and the action taken thereon ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) Yes, Sir; from some of the State Governments.

(b) A statement is laid on the Table of the Lok Sabha [See Appendix III, Annexure No. 10].

Class IV Employees Quarters

222. **Shri D. C. Sharma** : Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of single Class IV employees quarters in 1947 and today and also the number of single class IV employees residing in Delhi and how many of them have been allotted accommodation;

(b) how much construction has been made for single class IV employees since 1947; and

(c) whether any provision has been made for the class IV employees in the coming construction programmes ?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) There is no distinction between single and married class IV employees in the matter of accommodation. No record is therefore, available of the number of single class IV employees and of the accommodation allotted to them.

(b) Does not arise.

(c) Yes, Sir.

Tea Cultivation

223. **Shri D. C. Sharma** : Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 422 on the 12th December, 1955 and state the area under tea cultivation in the country at the end of 1955-56 ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : 7,91,972 acres (Provisional).

काश्मीर

२२४. { श्री रघुनाथ सिंह :
श्री बोड्यार :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि क्या यह सच है कि पाकिस्तान का तथाकथित काश्मीरी शिष्टमंडल दक्षिण पूर्व एशिया में झूठा और भारत विरोधी प्रचार कर रहा है ?

प्रधान मंत्री तथा वैदेशिक कार्य तथा वित्त मंत्री (श्री जवाहरलाल नेहरू) : यह सच है कि जितने अखिल जम्मू और काश्मीर मजदूर कांग्रेस कहा जाता है, उसके तीन आधमियों का एक डेलीगेशन, जिसमें श्री

अब्दुस्सलाम यातू, श्री एम० ए० हैदर और ए० एच० निजामी थे, १९५६ के मई और जून महीनों में दक्षिण-पूर्वी एशिया के कुछ देशों में गया था और उसने भारत-विरोधी प्रचार किया था ।

तारों की जालियां

२२५. श्री रघुनाथ सिंह : क्या वाणिज्य और उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५५-५६ में पीतल, तांबे और कांसे की बनी तारों की कितनी जालियों का आयात भारत में अन्य देशों से किया गया; और

(ख) क्या भारतीय जाली बनाने वालों को विदेशी स्पर्धा का सामना करना पड़ रहा है ?

वाणिज्य और उद्योग तथा लोहा और इस्पात मंत्री (श्री कुल्लुणाचारी) : (क) पूछी गयी जानकारी उपलब्ध नहीं है, समुद्रीय व्यापार के खातों में तारों की विभिन्न प्रकार की जालियों के आयात के आंकड़े अलग अलग दर्ज नहीं किये जाते ।

(ख) जी नहीं, तांबे की तारों की जालियों के आयात पर रोक लगी हुई है और अन्य प्रकार के तारों की जालियों का आयात करने के लिये बहुत थोड़ा कोटा दिया जाता है ।

Indians in France and Germany

226. { **Sardar Iqbal Singh** :
Sardar Akarpuri :

Will the Prime Minister be pleased to state :

(a) the number of Indians in France and West Germany; and

(b) the occupations they follow ?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) (a) and (b). Uptodate information is being collected and will be laid on the Table of the Lok Sabha in due course. *

High Commissioner's Office in U. K.

227. **Sardar Iqbal Singh** : Will the Prime Minister be pleased to state:

(a) the expenditure incurred on the Indian High Commissioner's Office, London in 1955-56; and

(b) whether there has been any increase in the expenditure of that year as compared to the previous year; and

(c) if so, the reasons therefor?

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

(a) The expenditure on the Office of High Commissioner for India in London is debited to different Grants controlled by various Ministries. In 1955-56 a total expenditure of Rs. 56,11,510 has so far been incurred against the Grant controlled by the Ministry of External Affairs. This includes expenditure on the main Chancery, Publicity Organization, Legal Adviser's Department and the Historical Adviser's Office. It also includes Miscellaneous expenditure on other items, e.g., Colonial Departmental Charges, Foreign Service Probationers, Relief and Repatriation of Destitute Indians, Embassy of India, Dublin and other miscellaneous expenditure. As the accounts for the year 1955-56 have not yet been finally closed, it is not possible to furnish firm figures as some book adjustments are likely to be effected before the accounts are closed.

(b) The corresponding figures relating to the years 1954-55 and 1955-56 are Rs. 51,58,657 and Rs. 56,11,510 respectively. There has been some increase in expenditure during the year 1955-56 as compared with the previous year.

(c) The increase is due to fuller implementation of the pay awards to local staff (Rs. 2,77,000) and increase in the number of India-based staff in the High Commissioner's Office (Rs. 1,75,000).

Houses for Displaced Persons in PEPSU

228. { **Sardar Iqbal Singh** ;
Sardar Akarpuri ;

Will the Minister of Rehabilitation be pleased to state the number of houses, tenements and shops constructed for Displaced Persons in PEPSU and which are lying unoccupied up-to date?

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

N.E.S. Blocks for Punjab and PEPSU

229. { **Sardar Iqbal Singh** ;
Sardar Akarpuri ;

Will the Minister of Planning be pleased to state the number of Nation-

al Extension Blocks allotted to Punjab and PEPSU which are going to be started from the 2nd October, 1956 ?

The Deputy Minister of Planning (Shri S. N. Mishra) : Punjab.....6

PEPSU

1

Steel Allotments

230. { **Sardar Iqbal Singh** ;
Sardar Akarpuri ;

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

(a) the total quantity of steel asked for by the Governments of Punjab and PEPSU during 1955-56 and the quantity allotted to each of these States; and

(b) the quota to be allotted during 1956-57 ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) A statement is laid on the Table of the Lok Sabha [See Appendix III, Annexure No. 11].

(b) 39,443 tons to Punjab and 14,092 tons to PEPSU.

Hindustan Motor Cars

231. **Sardar Iqbal Singh** : Will the Minister of Commerce and Industry be pleased to state :

(a) the number of Hindustan Motor Cars exported so far during 1956; and

(b) the names of the countries to which these cars have been exported ?

The Minister of Commerce and Industry and Iron and Steel (Shri T. T. Krishnamachari) : (a) Ten.

(b) Ceylon.

Non-Mullberry Silk

232. { **Sardar Iqbal Singh** ;
Sardar Akarpuri ;

Will the Minister of Production be pleased to state :

(a) the schemes formulated for the development of non-Mullberry silk in the States of Punjab, PEPSU and Himachal Pradesh;

(b) the handicaps facing the industry;

(c) the amount sanctioned for Tassar Silk Industry to each of these States for the years 1954-55 and 1955-56; and

(d) the name of the region which produces the largest quantity of Tassar Cocoon ?

The Minister of Production (Shri K. C. Reddy) : (a) Non-mullberry silk

industry is not practised in any of the States and as such no schemes have been formulated for the development of this sector of the silk industry in those States.

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

Land Reforms in Travancore-Cochin State

233. **Shri A. K. Gopalan** : Will the Minister of Planning be pleased to lay a statement on the Table showing the number and names of land reforms Bills of the dissolved Travancore-Cochin State Assembly on which Select Committees have completed their Report ?

The Deputy Minister of Planning (Shri S. N. Mishra) : The Select Committee had completed its report only on the Travancore-Cochin Compensation for Tenants' Improvements Bill prior to the dissolution of the State Legislative Assembly.

Irrigation in Travancore-Cochin State

234. **Shri A. K. Gopalan** : Will the Minister of Irrigation and Power be pleased to state the nature of priority allotted to each of the schemes in the Second Five Year Plan to increase irrigation facilities in Travancore-Cochin State ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : The following provision has been made in the Second Five Year Plan for the continuing and New Irrigation Schemes in Travancore-Cochin State:

- Rs. 617.40 lakhs Under Major & medium Irrigation.
 Rs. 180.50 lakhs—Minor Irrigation (Cost below Rs. 10 lakhs each).
 Rs. 28.50 lakhs—Lift Irrigation.

Under Major and Medium Irrigation, the following new Projects have been included in the Second Five Year Plan :—

Name of Scheme	Cost in lakhs
Chalakydy 2nd stage	60
Cheerakuzhy	47
Bhoothathankettu Scheme	348
Neyyar 2nd stage	105

The allotment under Major and Medium Irrigation Schemes provides for completion of the schemes taken up under the First Five Year Plan and for taking up the above four new Projects under the Second Five Year Plan. Full provision has been made for completing all the four Projects in the Second Five Year Plan period.

The relative priority among the projects will be assigned by the State Govern-

ment depending upon their financial resources and implementing capacity.

शिष्ट मंडलों का स्वागत

२३५. श्री भागवत झा आशाद : क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि वित्तीय वर्ष १९५५-५६ में विदेशी शिष्ट मंडलों के स्वागत में कितनी राशि व्यय की गयी है ?

प्रधान मंत्री तथा वैदेशिक कार्य तथा वित्त मंत्री (श्री जवाहरलाल नेहरू) : सूचना इकट्ठी की जा रही है और सदन की मेज पर रख दी जायेगी।

Documentaries on National Cadet Corps

236. **Shri D. C. Sharma** : Will the Minister of Information and Broadcasting be pleased to state the arrangements made to give wide publicity to the documentaries produced on N.C.C. ?

The Minister of Information and Broadcasting (Dr. Keskar) : The two documentary films produced by the Films Division on National Cadet Corps have been released in Films Division's circuits covering about 1600 cinemas and copies have been supplied to State and Central mobile vans for exhibition in rural areas.

Central Public Works Department

237. **Shri Bahadur Singh** : Will the Minister of Works, Housing and Supply be pleased to state :

(a) whether it is a fact that there is a bar of five years imposed for promoting an Engineering graduate working as an overseer to the post of an Assistant Engineer in the C.P.W.D.;

(b) the reasons for imposing the restriction when such conditions do not exist in other Government departments;

(c) whether it is also a fact that temporary subordinate Engineers of the Central Public Works Department are not allowed to apply for other Government jobs when there are no restrictions of forwarding applications in the organisation of Central Water and Power Commission ; and

(d) if so, the reasons therefor ?

The Parliamentary Secretary to the Minister of Works, Housing and Supply (Shri P. S. Naskar) : (a) Yes. Normally we consider for promotion

Engineering Graduate Overseers after they have served for five years.

(b) To ensure that they have gained adequate experience and are otherwise suitable to hold the post of Assistant Engineer. We also recruit Engineering graduates direct as Assistant Engineers and Assistant Executive Engineers through the U.P.S.C. by open competitive examination. Graduate Engineers who join as Section Officers are those who cannot compete successfully in the examination.

(c) and (d). In forwarding the applications, the Chief Engineer follows the policy laid down by Government. The policy is that, except where the Public interest demands it, the Administrative Authorities should not refuse to forward applications from Government servants serving under them in response to advertisements issued by the Union Public Service Commission or requests officially received by them from other departments or where the applicant is a temporary Government servant and is likely to obtain permanent employment elsewhere.

Abducted Women's Recovery Organisation

238. **Shri Hem Raj** : Will the Prime Minister be pleased to state :

(a) the expenses incurred during the year 1954-55, 1955-56 and from 1st April, 1956 upto the end of June, 1956 on the Abducted Women's Recovery Organisation; and

(b) the number of the staff employed therein?

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

(a) 1954-55	Rs. 11,54,255
1955-56	Rs. 9,78,300 (Final Grant).

1-4-56 to

30-6-56	Rs. 249,000 (estimated)
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(b) Police Staff	218
Civilian Staff	192

Five Year Plan Publicity

239. **Shri M. S. Gurupadaswamy**: Will the Minister of Information and Broadcasting be pleased to state:

(a) the total number and names of plays approved by Song and Drama Divisions of All India Radio for Five Year Plan publicity;

(b) the names of the plays staged so far along with the names of the troupe who staged them;

(c) the total amount spent in the current financial year on the staging of those plays; and

(d) the reaction of the Public and the Press?

The Minister of Information and Broadcasting (Dr. Keekar) : (a) and (b). A statement is placed on the Table of the Lok Sabha. [See Appendix III, Annexure No. 12].

(c) Rs. 68,770/-

(d) Very favourable.

Violation of Cease-fire Agreement by Pakistan

240. **Dr. Satyawadi**: Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 2174 on the 14th May, 1956 and state the estimated damage claimed by either Government of India or Government of Pakistan as the result of violations of the cease-fire agreement in which the responsibility has been fixed, by the U. N. observers on Pakistan and vice versa?

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru) : The Government of India claimed compensation from the Government of Pakistan only in one case and that was in respect of the Nekowal incident in May, 1955. The claim for the estimated damage was rupees twelve lakhs. The Government of Pakistan has not preferred any claim for compensation.

Friday, 27th July, 1956

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Claimants

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

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LOK SABHA

Friday, 27th July, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12-22 P.M.

MOTION FOR ADJOURNMENT

BAN ON HOLDING DEMONSTRATIONS AROUND PARLIAMENT HOUSE

Mr. Speaker: On the 16th July 1956, Shri M. S. Gurupadaswamy gave notice of an adjournment motion for the purpose of discussing the order of the District Magistrate of Delhi prohibiting the holding of meetings or demonstrations and the taking of processions in the Parliament House Compound. I then said that I would look into the matter and give my decision later.

The adjournment motion relates to an Order under section 6 of the Punjab Security of the State Act, 1953 (Punjab Act XII of 1953), as extended to the State of Delhi, and as amended by the Punjab Security of State (Amendment) Act, 1954, passed by the District Magistrate, Delhi, prohibiting the holding of any public meeting or taking out of any procession or holding of any demonstration in any public place within the areas specified in the schedule attached to the Order. The main objection that was taken to the Order was that among other areas it also extends over the compound of the Parliament House. The compound of the Parliament House has not yet

been included in the precincts of the House under the rules or orders. Hence, security measures in this area are taken by the executive.

In the circumstances stated above, I do not give my consent to move this adjournment motion.

Shri Kamath (Hoshangabad): On a point of clarification, Sir. May I request you to consider this matter of including the compound within the precincts of Parliament House? It should be considered very early, as it is important.

Mr. Speaker: All hon. Members who have got suggestions to make may kindly send them to me and if they want to see me they can see me.

Shri Kamath: I have already given it in writing—there, Sir, in Reporters' copy.

Mr. Speaker: I shall look into it.

PAPERS LAID ON THE TABLE

REPORT OF TARIFF COMMISSION ON RETENTION PRICES OF IRON AND STEEL PRODUCED BY MYSORE IRON AND STEEL WORKS, BHADRAVATI ETC.

The Minister of Consumer Industries (Shri Kanungo): Sir, on behalf of Shri Karmarkar, I beg to lay on the Table a copy of each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951, namely:

- (1) Report of the Tariff Commission on the fair retention prices (ex-works) of pig iron and steel produced by the Mysore Iron and Steel Works, Bhadravati 1956.

[Shri Kanugno] -

(2) Ministry of Commerce and Industry Resolution No. IS (4)-2-(161)/56, dated the 16th July, 1956.

(3) Statement under proviso to section 16(2) of the Tariff Commission Act, 1951, explaining the reason why a copy of each of the documents referred to at (1) and (2) above could not be laid within the prescribed period.

[Placed in Library. See No. S-267/56]

AMENDMENTS TO ESTATE DUTY RULES

The Minister of Revenue and Civil Expenditure (Shri M. C. Shah): Sir, I beg to lay on the Table, under sub-section (3) of section 85 of the Estate Duty Act, 1953, a copy of the Notification No. 32/12/9/55-E.D., dated the 12th June, 1956, making certain further amendments to the Estate Duty Rules, 1953. [Placed in Library. See Idnex No. S-268/56].

AMENDMENT TO ADMINISTRATION OF EVACUEE PROPERTY (CENTRAL) RULES

The Deputy Minister of Rehabilitation (Shri J. K. Bhonsle): Sir, I beg to lay on the Table, under sub-section (4) of section 56 of the Administration of Evacuee Property Act, 1950, a copy of the Notification No. 42-I(25)/55-Prop. I, dated the 5th June, 1956, making certain amendment to the Administration of Evacuee Property (Central) Rules, 1950. [Placed in Library. See No. S-269/56].

COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE

SIXTEENTH REPORT

Shri Aitekar (North Satara): Sir, I beg to present the Sixteenth Report of the Committee on Absence of Members from the Sitzings of the House.

also lay on the Table a list showing names of Members who were

continuously absent from the sittings of the House for 15 days or more during the twelfth Session, 1956.

PETITIONS RE STATES REORGANISATION BILL AND CONSTITUTION (NINTH AMENDMENT) BILL

Dr. Lanka Sundaram (Visakhapatnam): Sir, I beg to present a petition signed by 1,175 petitioners, in respect of the States Reorganisation Bill, 1956, as reported by the Joint Committee.

Shri Kamath (Hoshangabad): Sir, I beg to present a petition signed by 2,118 petitioners, in respect of the States Reorganisation Bill, 1956, and the Constitution (Ninth Amendment) Bill, 1956, as reported by the Joint Committee.

STATES REORGANISATION BILL

Mr. Speaker: We will now take up further consideration of the following motion moved by Pandit Govind Ballabh Pant on the 26th July, 1956, namely:

"That the Bill to provide for the reorganisation of the States of India and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

Before I call upon Shri Gurupadaswamy who was on his legs yesterday to resume his speech I wish to make this announcement. Hon. Members were anxious to have, including the ex-Finance Minister, extracts of the Prime Minister's speech. I have been given, along with a letter, a short extract from a note recorded by the Prime Minister dated June 8, 1956, at the request of Shri Deogrikar, explaining the main points dealt with in his speech delivered at the All India Congress Committee meeting at Bombay on June 3, 1956. The letter states: This extract may be placed on record as an authenticated version of the Prime Minister's statement referred to

paragraph 15 of the Report of the Joint Committee on the States Reorganisation Bill, 1956.

The extract is as follows:

"Continuance of Central Administration of Bombay.

I said that the provision in the Bill before Parliament providing for central administration of Bombay represented the Government's point of view and the Congress also agreed with it. There is nothing more to be said about it. I added, however, that, subject to the Central administration of Bombay, it was our intention to make some suitable arrangements to associate representatives of Bombay with this administration. I further added that after a certain period which might be about five years, the people of Bombay should have the opportunity to decide for themselves about their future. The method to be adopted for this purpose could be decided later in consultation with the people concerned."

Shri Kamath (Hoshangabad): I want a clarification....

Mr. Speaker:... Of the extract for which I am not responsible?

Shri Kamath: No, Sir, not of the contents of the statement. Considering that it is not customary, except in totalitarian countries, to make announcements of Government policy at party meetings, will the Prime Minister clarify and say whether this was made in his capacity as the Prime Minister or merely as a party leader?

Mr. Speaker: All this was asked yesterday.

Shri Kamath: But no answer was given yesterday, Sir.

Shri S. S. More (Sholapur): May I know whether it will be circulated to all the Members so that we can make use of it.

Mr. Speaker: It will form part of the debates. I shall see to it that it is circulated.

BUSINESS OF THE HOUSE

Shri Kamath (Hoshangabad): Has the Minister of Parliamentary Affairs got anything to say about the programme of work for the next week? Today is Friday.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The House is sitting tomorrow. Whenever the House sits on Saturday, I propose to make that statement on Saturday.

STATES REORGANISATION BILL —Contd.

Shri M. S. Gurupadaswamy (Mysore): Yesterday I was dealing with the question of Bombay. Most of the Members of the House feel that Bombay should belong to Maharashtra. I am sorry that the attitude of the Government, especially of the Prime Minister was strange and even unjust. The other day, the hon. Member, Shri C. D. Deshmukh made a historic statement giving us the truth behind the Bombay decision. I cannot improve upon his language but I may just draw the attention of the House to the statement of Shri Deshmukh. He said that the decision on Bombay was not the decision of Government. He also said:

"There was no consideration of the proposal in the Cabinet or even by circulation. There was no individual consultation with members of the Cabinet known to be specially interested, as for instance, myself. There is no record even of a meeting of a Committee of the Cabinet, and to this day no authoritative text of the so-called decision is available to the members of the Cabinet."

If this is a fact, I must say that the attitude of the Prime Minister is highly irresponsible. I may further say, if I am permitted to use the phraseology of H. G. Wells, that the policy of the Government in regard to the States reorganisation is a 'pitiful jumble of incoherent nonsense.'

Mr. Speaker: Did he use it in Parliament? Did Bernard Shaw use it in Parliament?

Shri M. S. Gurupadaswamy: It is not Bernard Shaw; it is H. G. Wells, but he was not a Member of Parliament.

Mr. Speaker: Simply because X says something, it need not be repeated here.

Shri M. S. Gurupadaswamy: I thought that it was an apt expression to describe the present policy of Government.

Shri S. S. More: By linking it with the name of that gentleman, you may take it as a joke and you may not take the matter seriously.

Shri M. S. Gurupadaswamy: I feel that socially, economically and even morally, Bombay is part and parcel of Maharashtra. If you separate Bombay from Maharashtra, you would be more or less separating the soul from the body. It would be just like cutting the womb from the mother. Before further injustice is done to Bombay, the people who make decisions for the Government should revise their opinion; and even now it is not too late to do it.

Then there is the question of the Central administration for Bombay. According to the present proposal, Bombay has to come under the Central administration. I feel that under the Central administration it would deprive the citizens of Bombay from participating in a democratic set-up which would otherwise result if Bombay is given to Maharashtra. I wholeheartedly endorse the opinion of Shri Chatterjee in this matter. He has said in his minute of dissent that the Central administration deprives the citizens of Bombay of their democratic rights. We should not do that. About the time limit that is set by the Prime Minister when Bombay might be given to Maharashtra, I do not find any indication of the same in the Bill.

However I do not want that Bombay should be made a part of con-

tention and be treated like a football between parties for five years. I do not want tension to continue. I do not want that any portion of the territory should be left undecided. The reorganisation question should be settled once and for all now, and no issues connected with the reorganisation of States should be left to be decided in future. If you leave the issues for future decision, I am afraid that peace in the land will be marred or disturbed. With a view to have a full and satisfactory settlement of this question, I would urge upon the Government to take a good, fair and reasonable decision on Bombay.

I refer now to another important question which has taken a serious turn, and that is the question of law and order, the question of the civil liberties of the people. The hon. Member, Shri C. D. Deshmukh, has referred to this question and said that the Chief Minister of Bombay had issued oral instructions to the Police that they may shoot at sight and shoot to kill people. It is a very grave charge.

श्री ए० व० मिश्र (बिना बुलन्दशहर) :

“मान ए प्वाइंट आफ़ ऑर्डर तर” [एक शौचित्य प्रश्न के सम्बन्ध में] मैं यह जानना चाहता हूँ कि माननीय सदस्य को कहां से यह इनफ़ॉर्मेशन [मानकारी] मिली है जिसके कि आधार पर वे ऐसा कह रहे हैं।

Shri M. S. Gurupadaswamy: There is no point of order here. I am referring to the statement of the hon. Member, Shri C. D. Deshmukh. He has said this in his statement and I have got a copy of his statement with me.

Mr. Speaker: Even the other day I thought about this question of statement regarding Ministers and Assemblies which have been established under the Constitution. Those Assemblies are also equally democratic Assemblies and it is primarily the concern of the particular Assembly to

take up such matters, and when those matters are taken up, the Minister will have an opportunity of explaining the position as to what exactly the statement is and whether it is true or false. Those Ministers are not here to give any explanations in that regard. Normally, under the rules, whatever happens in other Assemblies, is a matter for them, not for us. Regarding the statements of those Ministers when the Bombay Assembly met, it was for them to take it up. I do not know what explanation was given. Under those circumstances, to make a statement here merely because one hon. Member of this House referred to it is not permissible. The hon. Member said that he has evidence, but it refers to a serious allegation against an outsider, against a member of another Assembly, and it is unfair to make such an allegation against a person in his absence. Further, it is rather inconvenient for this House to take it up or reject it; it is rather difficult also. Under those circumstances, that need not be referred to, although it has already been said here.

Shri Kamath: On a point of order, Sir. Will that not mean that this House will be precluded from referring to statements or speeches or other charges made in other Parliaments of the world because after all we depend on Press reports or some other sources for information? Certainly we are at liberty to give that information and allow it to be contradicted by the Government.

Mr. Speaker: Statements made in other Parliaments stand on a different footing, altogether; we have no control over them except through the diplomatic channels. Any person who sees or gets such information must bring it to the notice of this House and this House will give directions to its Ministers in the matter. But so far as the other Assemblies and other Governments here are concerned, they are equally autonomous in their respective spheres, they are sovereign so far those items that are given to them are concerned. We have no jurisdiction or control over them in

those matters. We have, of course, jurisdiction exclusively in matters which are in our List and also in matters which are in the Concurrent List. This is a matter of law and order which is exclusively a matter for them to deal with and we have no jurisdiction. Whether the shooting was there, whether it was right or wrong, is a matter which falls in their own sphere. Under the same Constitution under which we are functioning, some powers are allocated to the State, and the question of law and order is one such thing. It may have been used excessively or not, but it is for that Assembly to take it up and not for this House. That is my view. I will, however, consider this point in detail but I do not want that this matter should be pursued here in the absence of the Minister, who works under the same Constitution, whose duty is to maintain law and order in his State; we have not taken it up as a matter falling in our sphere. Under those circumstances, I think it is not proper to make a reference of that kind about a particular act done by a particular Ministry of a State, which is equally responsible to its Legislature for that particular matter, under the same Constitution.

Shri C. D. Deshmukh (Kolaba): I gave a copy of my statement to the Speaker 24 hours before I made it. In the course of the statement, I said that the alleged misbehaviour of Bombay was a reason given by the Prime Minister why the decision about Bombay could not be reconsidered. The extent of that misbehaviour is intimately connected with the use of police powers and the allegation whether there was any excess of it or not. Moreover, the proposal is that Bombay will come under Central administration in a couple of months or in three months, in which case it will still be relevant for us to refer to what happened in the past and to move the Central Government to make an enquiry.

Now, all that I said was, that it was, in connection with the States Reorganisation Commission's Report and

[Shri C. D. Deshmukh]

the subsequent happenings, the duty of the Central Government to promote, that is to say, persuade the Bombay Government to make an enquiry. That point was taken up by the Prime Minister and a reply was given to it. Therefore, directly, we are not considering this matter as a matter of law and order. But we are considering this as something unavoidably connected with the Bill that we are now considering. After all, what happens to the citizens of Bombay today may be an indication of what might happen to them in the future. It is in that light that I referred to that statement.

It remains for me to deal with the point made, namely, that the Minister is not here to defend himself. Well, it is expected that the Home Ministry of the Government of India, which would be the successor in power, I suppose, of the Government of Bombay, would be in a position to convey to the House whatever truth there is in these allegations. It is not possible for a private citizen to go further into the verification of these matters and it is because of that consideration that everyone has been urging that, considering the scale of this firing, a judicial enquiry was called for, in which case all these matters can be decided satisfactorily and everyone concerned will have an opportunity to study what the real truth is.

Shri R. D. Misra: My objection is this. Shri C. D. Deshmukh happened to be the Finance Minister till recently. Did he ever write to the Home Minister about these facts alleged in his statement? And now, that is being made the ground for further discussion about it. I want to know whether he has verified those facts or not and whether it was not his duty to verify them.

Shri V. G. Deshpande (Gune): Was Shri R. D. Misra the Home Minister? I should be allowed to answer him.

Shri C. D. Deshmukh rose—

Mr. Speaker: Order, order. Shri R. D. Misra raised a point of order. I asked for a short reply regarding this matter from Shri C. D. Deshmukh who is connected with the statement which he made. I am afraid there is a confusion of issues. Shri Deshmukh had a right to make a statement after he resigned his post as Minister, and then in reply to his statement, the hon. Prime Minister also made a suitable reply. In the statement that was made by Shri Deshmukh, he referred to certain considerations which weighed with him, on account of which he felt that he should not be in the Cabinet and therefore he resigned.

Now, a reference to the shooting in Bombay and what the Central Government or this House is going to do or may do at a later date and asking for an answer to that question in advance is rather curious. I do not know whether, even after taking up such a question, he is competent to go into that further. Of course, that is another matter altogether. But today, that Government—the Government of Bombay—was competent to take what action it did and it is its duty to do so. It is only a question whether it was in excess or not. But it is its duty to deal with law and order, and it did so. Now, to refer to the happenings that might occur, in anticipation, because of what has happened now, is not relevant. It sounds rather curious to me. What might happen as far as his resignation is concerned, and what might happen after his resignation, are not relevant to this issue. We are now considering the States Reorganisation Bill. What has that to do with the shooting in Bombay?

An Hon. Member: The Finance Minister resigned on that issue.

Several Hon. Members rose—

Mr. Speaker: Let him resign on that issue or not resign. We are not concerned with it. I will give an oppor-

tunity to every hon. Member. Why should he or she be impatient?

What I say is, to refer to the statement about shooting is absolutely irrelevant. Further, if some accusation is made, it is not for the Home Minister here to reply to that, and it is not as if one can go on asking him as to what has happened elsewhere and also ask him to place the matter here. A person, against whom an allegation is made, has not got the opportunity to reply to the allegations. If he has got that opportunity, by all means, the reference could be made. Very often, the hon. Members here forget that there are a large number of Members elected by the people to the Bombay Assembly, just as Members have been elected by the people to this House. They represent the people in that Assembly just as the hon. Members here represent their constituencies in this House. Of course, in the Assembly there, they represent a smaller number of people than we do here.

Under these circumstances, let us go strictly by the Constitution. It is a matter of law and order. Whatever was done—and whether there is necessity for an enquiry or not—it is for the Bombay Legislative Assembly to go into the matter. I do not know how this House can come in the picture. Of course, Shri Deshmukh has referred to the shootings there and he has said he had already given me a copy of his statement. No doubt that was given. But there may be a time when he himself may withdraw; anyhow I allowed him to make the statement. But that ought not to be made the ground for referring to it perpetually on the floor of this House.

Shrimati Bena Chakravarty (Basirhat): Before you make up your mind about the ruling, I may say a few words. It is true that if the question is one of law and order it appertains to the State concerned. But in this particular instance, we are intimately looking at the entire thing from the point of view of the reorganisation of States and the SRC report. If the question of Bombay

has been decided on the issue which relates to excesses being committed and when the Prime Minister had made up his mind that excesses had been committed, then the Parliament is quite justified in knowing how far these excesses are correct and how far those charges levelled against the people are correct. As such, it is completely within the competence of this Parliament to ask for a judicial enquiry and raise the matter here. It is only from that limited point of view that I say that we are completely within our rights to raise that matter.

Shri N. C. Chatterjee (Hooghly): May I point out that we are censuring the Prime Minister and the Government of India for the policy which they are pursuing. The policy is this. The Prime Minister made it clear that he deliberately turned down the demand for a judicial enquiry and he justifies the stand. So, he also said that this was one of the points which they took into consideration with regard to the decision about Bombay. Therefore, we humbly submit that this point is relevant not only to know how many people were shot down but to know whether the extent of misbehaviour was such as to justify the pronouncement of the Prime Minister, namely, condemnation of the city of Bombay so far as the Government of India is concerned and also so far as the Prime Minister of India is concerned.

Shri Kamath: The Prime Minister said that Bombay misbehaved.

Mr. Speaker: All that I say is this. So far as the States Reorganisation Bill is concerned, this matter is not relevant. The hon. Members may choose other remedies to bring the matter to the notice of the House; they may bring the matter to the notice of the hon. Prime Minister and say whether excuses have been committed or not. There are a hundred ways of bringing such matters to the notice of the Government. It is not for me to mention them here. But it is for me to say here and now that

[Mr. Speaker]

so far as the States Reorganisation Bill is concerned, the Bill must be disposed of after calm discussion. Whether Bombay ought to be joined to Maharashtra or it should be kept separately under the jurisdiction of the Centre because of the shooting or because there was a protest against the report of the S.R.C. are not relevant here. Merely because there was shooting and say, 80 people died, can anybody come and say, "Give me Bombay"?

Shri N. C. Chatterjee: That was given by the Prime Minister, rightly or wrongly, as a ground for the decision that they have taken.

Mr. Speaker: No.

Mr. Kamath: Is the Prime Minister wrong?

Mr. Speaker: The grounds are different. Whether Bombay is part and parcel of Maharashtra, whether it is part and parcel of Gujarat, whether there are or not grounds for its being treated separately and if so, for how long, whether there should be an electoral process or not for deciding its position—these are the points which are left for this House to discuss. But I definitely rule that any reference to the happenings and the shootings, whether they were in excess or not and who was responsible for them, is irrelevant so far as the discussion of the States Reorganisation Bill is concerned. I will not allow any such reference.

Shri Kamath: Do you also rule, as a corollary, that the Prime Minister's statement about firing and the misbehaviour of Bombay was wrong and should be expunged from the records of Parliament?

Shri V. G. Deshpande: I want to know whether, by this ruling, only reference to the shooting is irrelevant or reference to the misbehaviour of the people of Bombay or looting would also be irrelevant?

Mr. Speaker: Looting shooting—everything will be irrelevant, so far as this Bill is concerned. Whatever might have happened, let us not refer to it. Let us go on the merits of the case whether Bombay ought to be in the Centre or should be immediately joined to Maharashtra. Let us discuss this matter dispassionately, put forward points for and against and so on. Therefore, any reference to misbehaviour either by the public or one section of it or to the action taken, whether it is excessive or not, is beyond the scope of the Bill and I am not going to allow them. (Interruptions).

Shri R. D. Misra: My point of order was this.

Mr. Speaker: I have disposed of it.

Shri R. D. Misra: We can criticise the Prime Minister or the Home Minister or other Ministers of this House. But, can we criticise the Chief Minister of a State who is not present here to defend himself? That is the only point.

Mr. Speaker: I have already disposed of it. So far as such persons are concerned, in the normal course there cannot be a subject-matter of discussion in this House. Here it is intimately connected with the shooting, excesses, etc. That portion will go off. It is not the sole concern of persons resident in Bombay. Other hon. Members are keenly interested in this matter because it may develop into an all-India difficulty. So, let us discuss this calmly and put forward the arguments for and against and come to a conclusion.

Shri M. K. Mehta (Calcutta—North-West): I beg to submit that when Shri Deshmukh made that statement, he was not pulled up and that statement has become the property of the House and it is on record. Am I not within my rights to refer to any record of this House?

Mr. Speaker: The hon. Member is entitled to read any record of this House but not to use it irrelevantly.

Shri S. S. More: I am submitting an entirely different point for your consideration. A resigning Minister makes a certain statement under certain rules. Is a statement of that sort governed by the rules which are applicable to ordinary debates? Has he not the freedom to clarify his own position? An attempt is being made to show that Shri Deshmukh made certain demands, which he thought important, in his statement. But he made that statement under a certain specific rule and under the Constitution. Can the same restrictions, that are put on the ordinary speeches, be put on his freedom to make the statement?

Mr. Speaker: This question does not arise now. (*Interruptions*).

Shri M. S. Gurupadaswamy: May I seek a clarification?

Mr. Speaker: I do not know. He has got only one minute.

Shri M. S. Gurupadaswamy: In view of your ruling, can I deal with the question of setting up a committee of enquiry?

Mr. Speaker: No. That does not form part and parcel of this Bill.

Shri M. S. Gurupadaswamy: Finally, I want to say this. The question of Bombay has not been considered by the entire Cabinet. No attempt was made by the Prime Minister or any other Congress leader to consult the leaders of the various opposition parties in the country. So, the decisions taken were on a party level or on the personal responsibility of the Prime Minister. That decision should not be imposed on this House or the country. I appeal to the Prime Minister to revise the decision, even now and include Bombay in Maharashtra.

I know it may create a little disturbance in the minds of my Gujarati friends but I feel that Bombay will not lose its cosmopolitan character if it is joined to any State. Take the instance of Calcutta, Bangalore or any big city. The cosmopolitan character

of these big cities has not been destroyed merely because they are in a particular linguistic area. On this analogy, the case of Bombay is very strong and it should go to Maharashtra. It will not in any way militate against the interests of Gujarat.

I am not holding any brief on behalf of Maharashtra. I feel that, if Bombay is separated from Maharashtra, it is a gross injustice to the people of Maharashtra. This sore will persist. It will not be conducive to the healthy growth of Indian nationalism. The Prime Minister was very eloquent in saying that Indian unity should be maintained at all costs. On the same ground, I appeal to him that Bombay should go to Maharashtra for promoting healthy and harmonious relations between different sections of our people. I hope it is not too late to revise the decision in this matter.

Dr. Lanka Sundaram (Visakhapatnam): Mr. Speaker, this country, and more so this hon. House, is entering upon the last stage of national efforts to ensure that the administrative and political set-up of this country is organised on a predominantly linguistic basis. I consider, as this Bill is going to be placed on the statute-book with such amendments as the House, in its wisdom, may possibly adopt to the report of the Joint Committee, that 5,000 years of our national history are harking to us to do the right thing at the right moment. Looking back at our national history, I cannot come across any particular instance where a conscious, democratic national effort was made to arrange the administration of the land on a linguistic basis. I am glad that we are now in this process, as I said a minute ago, in the last lap of our national effort—for the time being, at any rate.

I wish that this Bill has come much earlier than today for disposal by this House. Half a century of national thinking was at the back of this Bill. Under Gandhian leadership for nearly

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forty years, the great Congress Party has offered the people of this land linguistic redistribution.

1 P.M.

You know, Sir, at the time of the Constituent Assembly, Dr. Rajendra Prasad, as President of the Constituent Assembly, appointed the Dhar Committee. That was in 1948 and the linguistic re-distribution of States should have arisen then. Unfortunately, that report was shelved. Later, at the Jaipur Session of the Congress a three-man committee report was brought before the people. Even the recommendations of that report were not fulfilled. Then there was the Congress election manifesto of December, 1951 at the Bangalore Session of the AICC offering linguistic re-distribution of States on which plane the elections were fought in 1952. I am recalling all these things only to make one point. It is not right for anyone to say that linguistic re-distribution of States or organisation of States in India on a linguistic basis is anti-national, disruptive and otherwise unbecoming of the genius of the great people of this land. As far as I am concerned, when this Parliament was formed, it fell to my lot to be the President of the All-India Linguistic States Conference for a period of 4 continuous years, inviting all parties to keep the idea afloat, to keep the imagination of the people, so that we in this country will have an opportunity, as we are having now, of having reorganisation of States on a predominantly linguistic basis.

Sir, I wish each one of us in this House will approach this question—whatever the passionate positional points which are dear to us may be, as they are dear to me in certain instances—in a spirit of dedication. I am sure, once the heat of debate, the wrath and fury of controversy, points and counter points are exhausted, all of us will join hands together to see that after the reorganisation of States is over India is an integral

unit will be maintained. That should be—I am sure each one in this House will have that feeling—the approach to this problem.

Having said this, I should like to say a couple of words about the Joint Committee. I had the honour of being a member of this Joint Committee. I am glad to say here, as I said in my vote of thanks in the Joint Committee itself, that the Chairman has developed new techniques of approach. Sir, I have served on several committees. I have not come across any instance where there was unanimity or almost near unanimity on all major problems confronting the country through the medium of this Bill.

Shri N. C. Chatterjee: That is not correct.

Dr. Lanka Sundaram: I am sure my hon. friend will bear with me. There is only one point of substantial difference and that is of Bombay City. I only said 'unanimity or near unanimity'. I have no reason to disparage the position taken up by my colleague Shri N. C. Chatterjee. I also fought bitterly with reference to Andhra-Telangana. I also moved an amendment about Andhra Pradesh. But owing to the persuasive approach which each one of us adopted towards the other and also the Chairman, most of the points were resolved. All this is good. But my difficulty has been, from the beginning, that if only the Joint Committee had been permitted,—I hope I will be permitted by you, Sir, to make a statement of this character—if only there was free voting on the part of my colleagues opposite, things would have been slightly different. I will give you one or two instances later, not to reveal the proceedings of the Joint Committee but only to show.....

An Hon. Member: That is the unanimous opinion.

Dr. Lanka Sundaram:.....that things would have been much better.

Before I proceed with the discussion on the report and also some of the new clauses which have been introduced, I would like to say—as I have written in my minute of dissent—that there are a number of improvements introduced in the Bill as it is now before this House. For example, the powers and functions of the Zonal Councils have been made clear. I am glad that my suggestion for inter-zonal sessions, to be held has been accepted and is now a part of the Bill.

Shri S. S. More: Sir, is it permissible for any Member to say that a particular suggestion, which has been finally accepted by the Joint Committee, was his suggestion? Is it permissible to make such a statement claiming a certain thing?

Dr. Lanka Sundaram: Sir, if you read the minutes appended to the report you will find, for the first time in the Select Committee procedure, that reference to names have been made—Shri Deogirikar's name, my name, Shri Chatterjee's name and so on are there—and that was the reason why I said this.

Mr. Speaker: Hon. Members know fully will that the name of the Member who raised a particular point in a Select Committee is not mentioned for the reason that others may take offence.

Shri S. S. More: Others might have said so many other good things.

Dr. Lanka Sundaram: I only made a reference because the names were there in the minutes for the first time.

Mr. Speaker: I will see that it is avoided.

Dr. Lanka Sundaram: Sir, I am very glad that Bombay, Delhi, Himachal Pradesh, Tripura and Manipur have now got increased representation in this House and also in the Rajya Sabha. As regards the procedure regarding High Courts, there is going to be a screening of the Judges

in Part B States as they exist today. That I consider is a very great improvement on the original provision. I am glad that, as regards the provision for financial corporations, particularly my friends from Maharashtra will have satisfaction from the amended clause in the Bill whereby the distribution or the placement of investment in Bombay City will not be put on their shoulders. I am glad that the Bill is not cultered with far too many provisions for the incorporation of legislative councils in almost every State which is to be created in future. In particular I am happy the new coming Andhra Pradesh State will not be burdened with a legislative council automatically as a result of the passage of this Bill in this House. Sir, I hold very strong views on this matter, and I am sure most of my colleagues will also agree with me, that we should not in the present context of reorganisation of States burden the tax-payers with the luxury of giving them, or forcing down their throats, where they are not wanted, legislative councils. These are some of the improvements that have been made in the Joint Committee. There are other points which I should like to list, but, as I have said, I only want to say that the Joint Committee, to my mind, has discharged its task carefully and in all conscience satisfactorily.

Having said this, I would like to draw the attention of this House to one very important point, which, I am sure, has not been brought before this debate so far in all its details. Every time we brought in proposals in the Joint Committee—whatever they may be; whether questions of principle or questions of details—we were told that there must be agreement between the parties concerned. The House will realise—and I am sure, you will agree with me—that in a Select Committee representation is not given on a territorial basis. There are a number of territories in India which were not represented in this Joint Committee and if there was a dispute between one area and

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another which was sought to be reconciled, disposed of or settled as a result of discussion in the Joint Committee, every time it was brought up we were told: "You people from Andhra and Karnataka should come together and have an agreed settlement". I regret, Sir, this is one of the weaknesses of the procedure. It was debated in this particular Joint Committee—as I will have occasion to show presently—and it was found that agreement will not be possible by mutual consent among the disputants. Again, even when there was a possibility for arriving at a sort of an agreement among the members of the Joint Committee, the other point, namely, that the agreements of the governments concerned also should be there, was brought in. Whether it was Sirvancha or Rajulabanda of Hyderabad State, even though a vast majority of the members of the Joint Committee agreed, the Governments did not agree with the result that the Bill as it has emerged from the Joint Committee, which could have disposed of most of the vitriolic or difficult problems which are facing this country today could not dispose of, on the score that the free vote of the members of the Committee was not obtained on the issues, but the condition was put down that the disputants must come with an agreed formula. I hope the House, now that it is taking up this Bill, will keep this defect in view and in the collective wisdom of this House solutions will be found for all the problems that are before us and the numerous amendments which are being now circulated to us will be disposed of.

In particular, I would like to draw the attention of this House to one point, namely, that however unanimous the view points expressed in the Joint Committee may be on the imperative need for a statutory Boundary Commission, everything was done to prevent the incorporation of that particular demand through a suitable provision in the Bill as it has

emerged from the Joint Committee. Sir, I concede, as I have said earlier, that the Zonal Committee procedure is an improvement compared to the original Bill. I also referred to the fact that inter-zonal committee meetings were possible under clauses 23 and 24 of the Bill as it has emerged from the Joint Committee. I am convinced that this will not be the manner in which we can solve the disputes involved between one State and another. I am sure every one of my colleagues in the Joint Committee will bear me out that irrespective of party affiliations most of the Members brought in amendments indicating the imperative necessity for a statutory Boundary Commission. You will see, Sir, from the amendments that have already come and others which are likely to come that there is a concerted effort irrespective of party affiliation to point out to this House that without a statutory boundary commission, the problems in this country will not be resolved.

To my mind, the reorganisation of States will be incomplete unless and until we dispose of inter-boundary disputes, unless and until we dispose of minority problems and unless and until we dispose of the problems relating to domiciliary rights, the reorganisation of States will not be complete. I understand that Government is likely to bring some sort of a legislation to tackle the question of domicile policy which has been imposed on minorities by various State Governments by Central Act. I would like to hear what exactly will be the implications of the proposed legislation. Mr. Speaker, I feel very strongly on this point. Nearly 4 crores of people in this country happen to be linguistic minorities. They are there in every part of the country and I consider that unless and until this question of boundary disputes, minority problems, and domiciliary rights are satisfactorily settled and disposed of, I regret to say that the problem of the reorganisation of States will not be completely or satisfactorily solved. In other

words, there are a number of residual problems, some of which I am going to mention in detail in the next few minutes, which have got to be tackled right now.

There are disputes between Andhra and Madras. The Chief Ministers of both the States have been almost in continuous session to resolve these disputes for three long years. They have had consultations at the highest Cabinet levels and both of them have confessed failure. They could not resolve these border disputes and they have made a representation to the Government of India demanding the appointment of a boundary commission. This is only of the many instances which I can give to this hon. House. Do not expect the disputants to solve these problems; if they can solve the problems, there can be no disputes at all to be brought before the Government. However, ugly these problems are, I am convinced without a statutory provision through the medium of this Bill, and more so, perhaps, if I am not mistaken, through the medium of the Constitution (Ninth Amendment) Bill, the problem of linguistic minorities will continue to be a festering sore and will not be solved as a result of the reorganisation of the States arising out of the provisions of this Bill.

I will take Andhra as an example and I will mention other States also. Andhra State has got disputes with the Orissa State; Orissa has got disputes with Andhra with regard to Parlakimidi, Ganjam and Koraput on our side and Tekkali on their side. How are we going to settle these problems? Between Andhra and Madhya Pradesh there are disputes in regard to Bastar and Chenda, particularly Sironcha. The House will know that some of us, Andhras and Maharashtrians, made an attempt at the end of the last session of Parliament to arrive at some sort of a settlement, but the Madhya Pradesh Government was not available for consultations, with the result that none of us in the House could do anything at all, because we do not have special mandate or

powers to enter into agreements between myself on the one hand and Mr. Datar on the other. There are disputes between Andhra and Karnataka with regard to Bellary, Kolar and Tumkur and also Chitaldrug. There are problems between Andhra and Maharashtra as a result of the dismemberment of the Hyderabad State, and as a result of Hyderabad City and Telangana coming to us. How are we going to solve all these problems? I have got here a complete list of the border disputes between Tamil Nad and Karnataka, Tamil Nad and Kerala, Maharashtra and the Hindi-speaking areas, and so on. How are we going to solve them? I regret to say the Bill is highly defective to the extent that provision for a boundary commission has not been made in it. This lacuna must be filled; this breach must be repaired. Something adequate must be made available to the people of the country to arrive at enduring and honourable solutions. I know that under articles 3 and 4 of the Constitution, the President is empowered to appoint *ad hoc* committees; why is it that the President has not appointed a committee to solve the problem which Kamaraja Nadar and Gopala Reddy could not solve? As I have said earlier, they have confessed failure of their talks for over three years. The moment a statutory provision is made in this Bill, and more so, as I said earlier, in the Constitution (Ninth Amendment) Bill, that a statutory boundary commission will be there, a psychological atmosphere will be created in this country that it will no longer be possible for the politicians to exploit the local situations, because there will be a quasi-judicial body, the highest possible body, available to this country which will be seized of the matter and which will dispose of it. I feel very strongly on this point, Sir, that we must prevent politicians from becoming what you call agents of, shall we say, agitations.....

Pandit Thakur Das Bhargava: (Gurgaon): Political agitators.

Dr. Lanka Sundaram: I make a very sincere plea with all the convic-

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tion that I can command that this question must be tackled by this House. I am given to understand that there will be an almost all-party combined amendment which will be placed before this House very soon, apart from other amendments. I make an earnest appeal to my friend, Shri Datar, to convey to his senior colleague, the Home Minister, not to resist this demand, because we were told at every stage in the Joint Committee by the Chairman, "There are problems which have got to be tackled; do not raise them now. They will come to the surface if you are going to make a provision for a boundary commission." I regret to say that this is an argument which is not valid in the present context of things. The problem exists; it is an ugly and serious problem. It has got to be tackled forthwith and should not be delayed beyond endurance. I am convinced that the moment the linguistic reorganisation of the States is completed by November 1, or whatever it may be, immediately these problems will plague our country, and will destroy every possibility for peaceful living as between one State and another, because new balances of power are going to come into existence. Ever since we had the first debate on the linguistic reorganisation of States in May or June, 1952, these problems have been discussed. Let not the Government adopt an attitude of tinkering with the issue; do not allow the politicians to tamper with the peace and security of the country. Let them argue before a quasi-judicial body; then decisions will be announced which will be enduring and honourable.

I would like to draw the attention of the House to another point in my minute of dissent, which is not unrelated to the point that I have made so far. That is with reference to minority rights. My hon. friend, Shri Frank Anthony, made an eloquent speech, though in some places the language was a bit raucous. I heartily endorse—as I have endorsed in my minute of dissent appended to the report—that

there must be statutory guarantees available to linguistic minorities, wherever they exist. Articles 29 and 30 of the Constitution are already there giving protection to the linguistic minorities, but they are not operative in the sense that there is no machinery available for making them operative. There is article 347, for example; I can quote other articles, Mr. Speaker, to show that the intention of the Constitution which we have given to ourselves is to take the question of the linguistic minorities out of the hands of the State Governments and make it a Central responsibility. But, there is no statutory provision made for making it possible for the Government of India to ensure that the linguistic minorities are not affected as a result of the situations prevailing in various States. You are aware of the problems, Mr. Speaker, and I do not wish to ruffle feelings by making mention of individual States. All of us are aware of the problems existing in the various parts of the country. I see that para 55 of the report of the Joint Committee is not satisfactory. I said it in my minute of dissent and I repeat with all the conviction at my command that something statutory must be done. The Report, as amended, goes to a certain extent, namely, some sort of an officer is to be appointed by the Government of India to keep in touch with the problems of linguistic minorities. But the area of agreement between the Government and every section of public opinion is very wide indeed. If an officer is going to make a report, naturally that report must come before the House. What we are asking is: let the President, like in the case of the Scheduled Castes and Schedule Tribes, be statutorily vested with powers (a) to appoint a Commissioner, (b) to invest the Commissioner with powers to be seized of matters, to send for documents and to make a competent report to himself (President) which will be presented to this House; again finally it is for this House to debate that report.

I think it is a very reasonable demand, a demand which the Government cannot possibly reject out of hand. I am here to say with a certain amount of knowledge that the Home Minister was very sympathetic to this question. Every one of the members of the Joint Committee who have spoken on this question was unanimously of this view. There was not even one single minute of dissent on the question of the protection of minorities. It is not the Anglo-Indians alone who are going to be protected. There are nearly 30-40 million Urdu speaking people. There are Andhras in Orissa and Oriyas in Andhra and every linguistic minority is involved in this question. I have got some experience. You know about Kharagpur. 80 per cent. of the people there are Andhras though it is in West Bengal. All the attempts by the Andhras to open a high school were not successful. I have got all the correspondence with me about Orissa and I am prepared to place before them all the correspondence with the Maulana Saheb and the Education Ministry about the educational facilities for Andhras. I am sure my Oriya and Tamil friends will be feeling in the same way about the Andhra Government. It is a proposition which is valid for the protection of minority rights everywhere in India, with the result that I make a very sincere plea to the Government to accept this suggestion. Yesterday some of us saw the Prime Minister. My hon. friends Shri Gopalan, Shri Asoka Mehta, Shri Frank Anthony and Shri Jaipal Singh were also there to make the same representation which I am now voicing here on the floor of this House. It is a representation which was voiced by some of us in the Select Committee and even in my Minute of Dissent it is there. Since there is no dispute about the principle of the protection of linguistic minority rights and since the area of agreement is very wide, it is only a question of apparatus being adjusted in such manner that the President will be entrusted by the House with power and the President will direct the Commissioner to make

a report to this House and the House will be seized of the matter. That is all the plea that I am making now and once these boundary disputes and the problem of the linguistic minorities are attempted to be solved in an adequate constitutional and statutory manner, I am sure the linguistic re-organisation will become a reality. If you leave these two loopholes, I regret to say that this territorial readjustment will only create further problems of a minority character—looking to the rights of the minorities—and moreover the festering sore will lead to the disfigurement of the face of this country.

Sir, at a later stage when the clauses are taken up I hope I will be given an occasion to offer one or two concrete suggestions. But I do say that we in this House must approach this question of States re-organisation in a spirit of dedication to the cause of the security and the greater glorification and, more than everything else, to the unity of this country. Once these passions cool down and arguments are exhausted, I am sure each one of our colleagues will join hands and see that the Constitution is upheld and the States are only subordinate—I would say 'subordinate' in the generic sense—collaborators with Parliament and the Government of India.

Shri R. N. Reddy (Nalgonda): My approach to this Bill on Reorganisation of States is rational. When I go through the Bill I find that certain age-long demands of the people of States have been conceded. But, at the same time, when the Bill is considered we find that quite a number of irrational and undemocratic decisions have been included in this Bill. Some of the provisions in the Bill which concede linguistic States are certainly welcome. For example, the formation of the Andhra Pradesh, for which I have also been a participant in the struggle, is certainly to be welcomed. But the formation of the linguistic States is not being done with grace. Mental reservations have been shown in the shape of zonal councils.

(Shri R. N. Reddy)

What are these zonal councils? There is no mincing of matters. Prime Minister Nehru had unequivocally declared in the last debate that these are harbingers of multi-lingual States, if I can understand the Prime Minister's declaration or speech correctly. The zonal councils are the beginning of the future of multi-lingual States. It is surprising to note that the ruling party, in spite of their bitter experience in the recent past about the formation of bi-lingual States, still dogmatically persist in the hope of forming these bi-lingual States somewhere in the future. This arises out of a fear-complex that the protagonists of linguistic States are bent upon disrupting Indian unity. But this fear is absolutely unwarranted, unjustified. There is no group or party in this country which today pleads for linguistic areas or linguistic States for that purpose. All of them today, I can say, stand for the unity of India. If there had been certain incidents, if there had been disturbance of peace and if there had been clashes, the people are not to be blamed for it is because of the undemocratic and irrational decisions and attitudes of the ruling party itself.

I can give you one example from my own State. Ill-will, ill-feelings and tension existed between Andhras and Tamilians when Andhra was part of the multi-lingual Madras State. But after the Andhra State was formed, especially today, I can say, the relations between Andhras and Tamilians are definitely better, definitely cordial than at any time in the past. I can also say that the tension or the difference of opinion that exist between the Tamilians and Malayalees will certainly diminish after the formation of the Kerala State. That is a fact. But what I would like to stress that wherever the decision of the Government has been undemocratic and irrational, it is there that these things have arisen.

I take the example of Bombay. Those incidents in Bombay would not

have happened and nothing would have taken place in Bombay if Government had only conceded the democratic demand of Bombay to Maharashtra. But, on the other hand, Government have brought in arguments which go against the Maharashtrians. Our Prime Minister said that Bombay belongs to Maharashtra. 80 miles around Bombay there are Maharashtrian people and the biggest single group in Bombay is the Maharashtrians. All that is conceded and then Maharashtra is denied Bombay. That is the thing. It is there that the rub comes. If only Bombay had been conceded to Maharashtra, I can definitely say that all these incidents would not have taken place and there would have been peace. The problem will not be solved unless Bombay City is conceded to Maharashtra.

What are the arguments advanced? I had the opportunity of hearing Shri S. K. Patil giving out his arguments. The question of cosmopolitanism of the city is brought in, and other intenable arguments are brought in. This question of cosmopolitan city is a very strange argument. If you look to any city in the world, every city is cosmopolitan. Hyderabad is an example. Hyderabad is going to become the capital of Visalandhra. We, Telugus, in Hyderabad are only in a minority. The other people from a majority. If this kind of argument is to be followed, if the Bombay pattern is to be followed everywhere, no city can be included in any State. Neither can Madras be the capital of Tamil Nad, nor Hyderabad the capital of Visalandhra or Andhra Pradesh, nor Calcutta the capital of Bengal. These are hard facts. I hope that wisdom would still dawn upon the ruling party. If this problem is to be solved amicably I would suggest—that Maharashtra be allowed to keep its capital in Bombay City for five years and after five years the City be automatically given away to the Maharashtra State. This way I think the problem can be easily solved. With regard to Bombay it is said that after five years there is going to be

some people's opinion to be taken. I cannot understand this. After the States Reorganisation Commission's Report, even with regard to Telangana the Cabinet Sub-Committee, the High Command of Four, had said that the wishes of the Telengana people would be respected. There was a lot of hullabaloo about that. What happened? No wishes of the people were ascertained. The thing was settled. What is this "wishes of the people"? If this means that a plebiscite is going to be taken in Bombay, then that is the biggest injustice to the Maharashtra people. If the Government is shifted from Bombay City, what happens to all the Maharashtrais who are there, especially the Secretariat officials and so on? Many of the Maharashtrais will go to the capital of Maharashtra and the percentage of Maharashtrais in Bombay will lessen. They are today 42 per cent. They say that along with the Konkans they are 47 per cent. After the formation of the Maharashtra capital in another place, either in Nagpur or Poona, if the Maharashtrais go away from Bombay, then I think even this 42 per cent, the Maharashtrais will not be able to retain in Bombay. So this is another way of saying, "We are not going to concede Bombay at all to Maharashtra". That is the meaning of saying that after five years a plebiscite or a people's opinion is to be ascertained in Bombay.

I cannot understand why a people's opinion should be ascertained only with regard to the Maharashtra people and nowhere else in India. This argument is absolutely incomprehensible. Why is it? Other things were conceded to other States. Was the people's opinion ascertained about it? Nothing of that sort has been done. Why should this injustice be done to the Maharashtrais, and the Maharashtrais alone?

I would therefore request both the Prime Minister and the Minister in the Ministry of Home Affairs, who is sitting there, to reconsider this problem. It is taking a very serious

turn in the country. So I would request the Government and the ruling party to reconsider this and come out with a democratic and rational decision. If you are afraid that any incidents will happen after that, I can assure the Government that nothing is going to happen. Only, the country will appreciate the democratic decision and march forward.

Only one more point I would like to make and then I will finish. That is with regard to the Boundary Commission. Our friend Dr. Lanka Sundaram has put the case for a Boundary Commission very ably. When there are differences, when things cannot be solved, when feelings rise high, what is to be done? The only solution would be to appoint a Boundary Commission. For example, with regard to the Andhra Government Dr. Lanka Sundaram made a reference in his speech. The Andhra and Madras Governments are not able to come to a decision or agreement on the border problems. What is to be done? A Boundary Commission is the only solution. If you think that without a Boundary Commission all these problems can be solved, you will only be continuing these tensions in the borders for a very long time to come, and you are not going to solve the problems. So the only way in which these boundary questions can be solved is by the appointment of Boundary Commissions.

And with regard to these Boundary Commissions we have given certain principles. It has been our conviction—and even today we stand by our conviction—that these boundary questions can only be settled on the basis of language and village as the basis. The village should be taken as the unit. Without doing that, these things are not going to be solved and the problem of minorities will remain. It is by this means that the boundary questions can be solved. When we put this proposal before you, we were condemned or strongly criticised as disruptionists. We were told that it was a most disruptionist proposal that

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we were putting forward. But the Government has also taken the village as the basis in certain States, in certain places. If I read clause 3 of the Bill, which is with regard to Bombay, you will find that Government has taken the village also as the basis, and language too. Here it is said:

“As from the appointed day, there shall be formed a new Part C State to be known as the State of Bombay comprising the following territories, namely:—

- (a) Greater Bombay,
- (b) Borivali taluka of Thana district, except the villages of Bhayandar, Bongri, Ghod Bunder, Kashi, Mire, Rai Murdhe and Uttan” etc.

Why have these villages been taken into consideration if Government are not going to take villages into consideration at all? Why does the Government criticise us for making a similar suggestion? And why not apply the same principle to other areas also? If Government really want to solve these problems and avoid the problem of minorities in the future, the only method through which you can proceed is by the method of appointing Boundary Commissions and taking contiguous linguistic areas and villages as the basis of decision. That is all that I have to say on this.

In the end I have to make one point with regard to Hyderabad State, and that is about Sirvancha taluk. Certain taluks in Hyderabad State were given away to other States according to the States Reorganisation Commission's Report. A certain formula has been evolved, and readjustments have been made. For example, in Raichur district, Gadwal and Alampur taluks were made part of Andhra Pradesh, instead of Karnatak. The formula is that if there are taluks where there are seventy per cent. of Telugu-speaking people or people speaking other languages, they

must be given away to respective linguistic states. So, accordingly Gadwal taluk and Alampur taluk were given to Andhra Pradesh. And also, Rajura and other taluks in Hyderabad were given to Samyukta Maharashtra. But the same thing has not been applied to Sirvancha taluk of Madhya Pradesh. In the Hyderabad Assembly this was discussed, and there was absolutely no difference of opinion between the Telingana Members and Maharashtra Members with regard to Sirvancha being made part of Andhra Pradesh. But I understand in the Joint Committee, only because the Madhya Pradesh Assembly has not discussed this point, they have not included it in Andhra Pradesh. I would request the Home Minister to go into this matter, because the very same formula which they have applied to other taluks can be applied to Sirvancha also and Sirvancha can easily be included in Andhra Pradesh. There is absolutely no controversy about it, because it contains more than seventy per cent of Telugu-speaking people. I would request the Home Minister to consider this point and include it at a later stage.

Shri N. C. Chatterjee: Mr. Speaker, as elected representatives of the nation, it is our duty not to foster or stimulate any centrifugal forces or disruptive tendencies in the Indian Union. Naturally, the Bombay Maharashtra issue has overcast the Indian horizon. We are sorry that this problem could not be tackled in a rational manner. There has been no settlement yet acceptable to both the parties. I visited Bombay after the tragic disturbances which took place there and I had consultation with the leaders of both the communities and also leading members of the industrial and business classes and I found that there was a genuine desire on the part of all concerned that there should be some honourable settlement. I expected the Prime Minister to go down to Bombay, and call a round table

conference to thrash out the differences. I made that appeal in the Parliament also and to the Prime Minister personally. If that had been done and the Prime Minister was relieved of party pressure coming from Bombay, then possibly something could have been done. Unfortunately, that has not been done. The result has been the exit of, if I may say so with respect, the most valued member of the Cabinet next to the Prime Minister. I said some time back in Parliament that the resignation of Shri C. D. Deshmukh from the Finance Minister's portfolio would be a first class national disaster. I still stick to that. I say this not because I have some respect for him as a man of unquestionable integrity, experience and ability as a financier, but because the very fact that Shri C. D. Deshmukh held the post of the Chancellor of the Exchequer in the Indian Union gave India a reputation, gave India a certain standing in the international field and that would have helped the working out of the Plan, for the successful implementation of which we have got to get financial aid from friendly countries outside. There, we have been disappointed. He has gone; he has left his portfolio. The result has been that our unfortunate Prime Minister, who is already overburdened with so many portfolios, is still more overburdened with the post of Chancellor of Exchequer. It is not merely the carrying on of routine duties of an ordinary Finance Minister now. You know, Sir, after the Company Law and other legislations that we have sponsored in this House, the Finance portfolio means looking after the intricate working of an ever-expanding bureaucratic and administrative machine, which is expanding in all directions. That would mean a terrific strain on him.

I am sorry for some of the observations that the ex-Finance Minister made. He had a reputation for balanced judgement; he had a reputation for objective thinking. I do not

think that it would be right to say that he made the indictment against the Prime Minister and against his colleagues out of passion or anger because he was leaving the Cabinet. He is too big a man for that kind of strategy. He has made certain statements of facts which need elucidation. The Prime Minister while he was in England at the Guildhall Banquet declared that India is the biggest democratic country in Asia. Some of us, who have had the privilege of visiting countries outside, have also said that we take delight and pride in the fact that we are the biggest democracy functioning in the east. What will the world think of us if one of the most valued colleagues of the Prime Minister makes an open indictment against the Prime Minister in this House, in this democratic chamber, that decisions on a matters so vital as that of Bombay, which concerns, not merely Maharashtra not merely one State or one people, but concerns the future of the whole of India, were taken without discharging even the constitutional obligation of consulting the colleagues in the Cabinet. He has painted our Prime Minister as a dictator, pursuing dictatorial methods and....

Shri Mohanlal Saksena (Lucknow Dist. cum Bara Banki Dist.): On a point of order, Sir, the Prime Minister has already denied the allegations made by the Finance Minister. It is not proper now to say all this. He has stated that this is not correct representation of facts.

Shri N. C. Chatterjee: May I point out that the Prime Minister said—my hon. friend did not listen to him with the attention that he deserved—that this thing will be dealt with later on in the course of the debate. Therefore, this is very pertinent. All I am pointing out is....

Shri Mohanlal Saksena: About the decision of the Cabinet, the Prime Minister said that what he said was not correct.

Shri N. C. Chatterjee: I want to point out that it ill behoves the head of the executive of a democratic State if these facts are correct. I want to know categorically from the Prime Minister. He has not made merely a sweeping generalisation. The ex-Finance Minister has given facts. The factual statements are these. The first is that the Prime Minister's explanation that he was always free to announce Government's decisions is not valid as in on sense was the decision a decision of Government's. One Member of the Cabinet, and the only Maharashtrian Member of the Government is saying in open Parliament that the decision which the Prime Minister announced in Bombay as the decision of the Government was not a decision of the Government, because the Members of the Cabinet were not consulted. The second fact is that,—that is a factual statement that he is making—

"There was no consideration of the proposal in the Cabinet or even by circulation."

That means that it was the ukase of a dictator.

Mr. Speaker: The hon. Prime Minister said that he said in Bombay what was already in the Bill and the Bill is one which has been....

Shri N. C. Chatterjee: I know that he has said that. I want a categorical statement from the Prime Minister whether this fact is true or not. One member of the Cabinet stands up and says that there was no consideration of the proposal in the Cabinet or even by circulation. He does not stop there. The third statement of fact which the ex-Finance Minister makes is:

"There was no individual consultation with members of the Cabinet known to be specially interested..."

Then he makes the point that there was no consultation even with the single Maharashtrian member in the

Cabinet, Shri C. D. Deshmukh, Then, he says:

"There is no record even of a meeting of a Committee of the Cabinet and to this day (that is yesterday) no authoritative text of the so-called decision is available to the members of the Cabinet."

Shri Kamath: No minutes.

Shri N. C. Chatterjee: If these facts are correct, there is a good deal in the ex-Finance Minister's charge that the Prime Minister acted in an unconstitutional manner and decisions had been taken and announced on behalf of the Cabinet by certain unauthorised members of the Cabinet including the Prime Minister.

I am not interested in any inner circle. This kind of irregular camarilla developing in the Cabinet, arrogating and superarrogating to itself the powers of the Cabinet, in defiance of the elementary principles of parliamentary democracy or parliamentary form of Government, is a serious matter. I hope the Prime Minister will take the trouble of clarifying this matter.

The last sentence is clear and definite. He sent a copy to you, as he mentioned this morning, 24 hours before. He must have sent a copy to the Prime Minister also, because the Prime Minister had a reply ready. He says:

"The decision of last January in regard to placing Bombay City under Central administration was, again, without prior reference to the Cabinet."

This is a sad thing and it requires to be dealt with. But, apart from Bombay there are other States and other who have a great grievance, who have been treated unfairly, who feel they have been treated unjustly by the States Reorganisation Commission and also by the Government of India. The people of Maharashtra

are labouring under this kind of frustration. The people of Bengal, the people of Orissa and of the Punjab have also suffered. As a matter of fact, I had some experience having regard to my recent visit to some of the districts of the Punjab, and I found that the situation was very tense and acute. This Parliament should know it and should do something to ease the tension. Something was done due to the co-operation of Pandit Pant and Maulana Azad to ease the tension which developed in one town in the Punjab, but I am sorry to say that the tension is still there and it is still acute, and the Government of India will be labouring under a delusion if it thinks that it has settled the Punjab problem by the regional formula.

The regional formula, I am sorry to say, has not been accepted by large sections of the people of the Punjab. As a matter of fact, it is a crude device to divide the State on communal lines, and that will lead to no lasting peace. The States Reorganisation Commission has clearly found that there is no real language problem in the Punjab. Their finding is that the line of demarcation between the Punjabi and Hindi speaking areas in the State is more theoretical than real. They have also pointed out certain facts which Parliament should recognise. The Commission has observed that due to the large-scale influx of millions of Punjabi-speaking people from Western Punjab to all the districts of the State, the line has been further blurred. The Commission's definite and final finding is that there have been no distinctive cultural zones in the State. Therefore, I am afraid there is a good deal of force in the comment that this crude regional formula is something undemocratic something unconstitutional. You are really setting up two regions on a communal basis and you are pressing into service cultural or linguistic arguments for the purpose of camouflaging the real object, the real ob-

ject being the division of the Punjab on communal lines.

There is one other fact with regard to the Punjab which not merely concerns that unfortunate State, but the whole of India, and that is that the Joint Committee has not accepted, and the Government of India have not accepted, the basic recommendation of the States Reorganisation Commission that in the interests of the Punjab and both the plains and the hills, in the interests of India herself there should be an integration of the Punjab, PEPSU and Himachal Pradesh. I am very much impressed by one argument in the States Reorganisation Commission's Report. They have pointed out that the Indo-China border admits of easy infiltration and that considerations of security require the establishment of a stronger and more resourceful unit than the present Himachal Pradesh. No doubt the primary responsibility for defence must be that of the Centre, but the Commission rightly points out that a considerable burden relating to security arrangements must be borne by the State. It is in the national interests that this border State should be well-administered, stable and resourceful, capable of meeting emergent problems arising out of military exigencies. And you know what is happening in the Indo-China border. Therefore, we must be particularly careful. We should build up a resourceful, stable, resilient unit in that part of the country. Therefore, I strongly urge that the recommendation of the Commission that both PEPSU and Himachal Pradesh should be merged in the Punjab should receive very sympathetic consideration from this House, and the proposal for the formation of regional Committees with the Governor having the despotic power to even veto the legislature should not be accepted. That is undemocratic. That is against the spirit of the Indian Constitution and will really mean detracting the Governor from his position of neutrality

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and will land him in continual and controversial politics.

I am sorry to say that with regard to Orissa nothing has been done. They have a genuine grievance with regard to Seraikella and Kharswan and also the Sadar Sub-Division of Singhbhum District. On account of technical reasons these claims were not considered at all. Something should be done, otherwise there will be continued cleavage and continuous trouble.

Coming back to Bombay, what I want to point out is this. I see no logic, no principle in the decision of the Government of India. You will remember that the Commission has recommended that with regard to Andhra and Telengana, they should be kept two separate units. They said there should be no merger, there should be no immediate integration. They pointed out that they should continue so for five, six or seven years and they said that after the next general elections if the legislature of Telengana by a two-thirds majority voted in favour of integration, then and then only there should be an integration of the two States. That recommendation has been negated by the wisdom of the Government and that of the Joint Committee. In my opinion that is the right thing to do. The right thing to do is to have immediate integration and not to keep the two States separate. They are both speaking the same language, they have got the same cultural background, it was not therefore right to keep them separate. Not only that. I think the Prime Minister himself said: "Why keep them separate for five years and then think of integration? During these intervening five years their energies will be dissipated and their attention will be diverted over this artificial issue of integration or no integration and therefore all plans for economic development will be completely held up and we will never be

able to build up Vishal Andhra." We want linguistic States for marking real advance towards social democracy. We do not want it for the purpose of weakening India. We all want to build up a dynamic concept of India but that dynamic concept must be based on the recognition of the fundamental fact of our Indian social fabric, that through the ages and centuries and decades Indian nationalism has been built up on the united and combined strength of the federating or constituent units. And that has never stood in the way of Indian nationalism. As a matter of fact, the Commission itself has recorded its deliberate finding that since Mahatma Gandhi sponsored this regional formula and formed the Congress constitution on that basis, on the basis of linguistic principle, it became a dynamic organisation, and became a potent instrument for fighting India's battle for freedom. Therefore, I am pleading for a harmonious and real synthesis between regional patriotism and Indian nationalism.

You have negated the basic recommendation of the Commission in regard to Andhra and Telengana. They were meant to be kept separate for five years and they said after five years, through some kind of democratic set-up the people would vote and decide what would be their future. You have completely negated it, and I maintain you have rightly negated it. Now, what is good for Andhra-Telengana is good for Bombay and Maharashtra. Will not through all these five years tension continue? Will not for all these five years their energies will be utilised and dissipated, if I may say so, over this unfortunate squabble?

With regard to the future set-up, the Commission has unanimously recommended that whatever you do, never make Bombay an enclave under the Centre, that would be a retrograde step, that would be an unfortunate step. What are you doing today? You are paying lip homage to the great cosmopolitan and progressive city of Bombay. You say it is inhabited by

all people and is a miniature of India, but you are reducing it to the status of the Andaman and Nicobar Islands, of Tripura and Manipur, without a democratic set-up. Even if you had made it City-State with a certain kind of paraphernalia of a City State legislature, I can understand that the spontaneous demonstration of popular will be exercised and expressed through popular channel but what are you doing? You are completely weeding out the local legislature. Is this paying homage to the cosmopolitan City? What is this cosmopolitan City I cannot for the life of me understand. The first day I went to the Prime Minister I told him : "For Heaven's sake do not listen to this kind of argument of a cosmopolitan City, the big bosses of capital dictating to you and the Government of India and the Parliament of India that there shall be no integration with the geographical hinterland." I told him and I am telling all my hon. friends today that if you push that argument to its logical conclusion, tomorrow all the Marwaris and capitalists the Armenions and Parsis in our big commercial cities can advance such a claim. The commercial life of Calcutta is dominated by non-Bengalis. They can demand tomorrow that they shall not be under Dr. Bidhan Chandra Roy, but shall be under the Prime Minister of India. You are stimulating these disruptive forces by following this kind of weak-kneed policy towards big capital. I can tell you that this has been overdone. This so-called apprehension of big capital has been exaggerated, has been overdone and there is very little foundation for it, I think Shri Asoka Mehta said it, I have also said it; I can tell you that the Maharashtra leaders have told me that they are perfectly willing to sit round a table for the purpose of discussing any constitutional safeguards which the Gujerathi capitalists want, which the Ahmedabad millowners want, or anybody else want for having some kind of safety and security. To allay their apprehensions they are perfectly prepared to do that. I maintain even today if the Prime Minister takes

people into confidence and has some kind of a round table conference....

Shri S. S. More: He has confidence only in Congress people.

Shri N. C. Chatterjee: I do not want that kind of confidence. I appeal to him to get out of the party ruts. I appeal to him to take a wider perspective. I appeal to him that in this crisis he should rise to great heights and call all parties together, all interests together and it is not beyond the bounds of constructive statemanship to devise some kind of a formula or safeguard for the purpose of allaying the apprehensions of other communities and enlisting their sympathies.

I do not share the feelings of my comrades: down with capitalists and finish with them. I do not even share the feeling of Shri Gadgil who says: we will sweep away the capitalists from Bombay when we get it. That was an unfortunate statement. What I am saying is this. Everybody who has got the right to function under the Indian Constitution and to carry on his business and industry has the fundamental right to do so, unfettered, undeterred, unchecked, unmolested by any kind of pin-pricks of difficulties or impediments created by unfair or improper administration. But even beyond the Constitution of India if you think that the constitutional safeguards in Part III in the Constitution are not quite enough, if you think that having regard to the peculiar sentiments, or the peculiar proclivities which the unfortunate people of Maharashtra have recently displayed, something more is needed, they are perfectly prepared to do it.

I am not going—it is your ruling and I must bow down to your ruling—into the shootings and killings and other things. I know that non-violence is much more potent than violence. My friend Mr. Maltra would not have been here defeating one of the most powerful rival candidates, if we had not stuck to the path of non-violence. And through non-violence we defeated the

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crazy move for merger. Even if some Maharashtrians have misbehaved, can the misbehaviour of a few hundred people be debited against an entire people or against an entire community? Should they be stigmatised for ever? Should they be deprived of their just birthright? The Prime Minister of India had the candour, had the courage to announce clearly, candidly, categorically, that Bombay belongs to Maharashtra geographically. Very eminent people sitting on the Treasury Benches also admit that it shall have to go to Maharashtra. Then why create trouble unnecessarily?

I thought that the Pataskar formula was something which was worthy of consideration. I know it was rejected. But that was a formula which with certain amendments and certain modifications could be rationally accepted by all concerned. Remember that this is the province which produced Ranade, Gokhale and Bal Gangadhar Tilak. That is the province which has produced some of the greatest sons of India. The father of Indian nationalism, Valentine Chirel has said it was Lokmanya Tilak. The British took India not from the Moghuls; the British captured power from the hands of the Marathas. I was reading Lokmanya Tilak's last words before he died. His last words were: "Oh, what a misery? 1818 to 1918, one century of servitude—I cannot tolerate." And then he died. That great son of India was not merely thinking for the liberation of Maharashtra. He was fighting with his life-blood not merely for raising his community or his province. He was not a communalist; nor a provincialist. He was an all-India leader, the greatest nationalist born to give a new turn to our freedom movement. You know it was the names Bal, Lal, Pal which galvanised young India, which gave a unique momentum to our independence movement. That great man said: from 1818 to 1918. 1818 was the year of the collapse of the Maharashtra power, when the British took India from the Marathas. They were the people who ruled from one end of

India to the other. They supplanted the greatest Empire by their valour and statesmanship. Do not do anything to stigmatise them for the crimes of offences, or aberrations or misdeeds of few dozens or hundreds of them. Still they are a great people. As Pandit Pant said they are a proud people and a sensitive people. Now what crime have they committed that this kind of doom should be pronounced on them? Is it a crime which can never be atoned in any way? Can't you say that for one year or two years they will be under the Centre and then automatically they shall go to Maharashtra?

I am absolutely sure that whatever may be the advertised apprehensions of the big capital, not one of them shall run away from Bombay. Suppose Mr. Deshmukh is made the Chief Minister of Maharashtra, not one of them, neither Birla, nor Dalmia, nor any of the great Parsi or Gujerati houses will run away from Bombay. I am quite sure that they know the art of adjusting themselves, they know the art of adaptation, fitting in with the new set-up. Kindly remember one thing. We have been looking at it from a wrong perspective. Apart from Bombay, throughout Maharashtra, is not the commercial life, is not the economic life, is not the business life, completely in the hands of non-Maharashtrians? Are not the Gujerathi and Marwari traders and capitalists dominating to a large extent the economic life? Take Sholapur Is not the biggest mill in their hands. The same is the case with Jalgaon, Chalisgaon, Nagpur, Poona and other places. Go to any important place in the hinterland of Maharashtra. Not in one place has there been any report of any persecution or torture, or looting or shooting or murder or anything in any part. Take Nagpur. It is going to be one of the important places in the new Maharashtra set-up. The biggest mills, the Empress and other mills are in the hands of non-Maharashtrians. Have they ever complained or demanded any safeguard? Have they ever demanded

any constitutional rights over and above those guaranteed by the Constitution of India? There might have been temporary misunderstandings or temporary frenzy. But for the sake of that temporary frenzy or misunderstanding do not inflict this terrible verdict on this great people. I am still hoping that some thing will be done in order to bridge the gulf and that will be doing a great service not merely to Bombay and Maharashtra but to the whole of India. I am hoping that even now sanity will dawn. Something should be done on a rational basis. Some mechanism acceptable to all should be evolved and if necessary certain constitutional safeguards can be devised for the purpose of allaying the legitimate apprehensions in certain quarters, economic, uneconomic, genuine or not genuine. But if they are genuine, well, they have got to be met and they can still be completely met by proper safeguards or by proper administrative rules or administrative formula which can be devised through the goodwill and co-operation of all concerned.

Shri Anandchand (Bilaspur): As a Member of the Joint Committee, I think I would be failing in my duty, if I did not acknowledge the tribute paid to us by the Home Minister yesterday. We on our part have also been quite charmed by what I might name as the 'Pant touch', which was one of unflinching courtesy, firmness and humour, and giving due credit to the other man's point of view, howsoever he might differ from him.

I this debate, in this great House, even after so many months, the issue, of Bombay still remains a controversial one. But I believe we forget in the heat of Bombay a very vital matter, a matter for great satisfaction, that barring Bombay, at least the other issues concerning reorganisation have been amicably settled. Otherwise, the lime-light would have come upon them in this debate.

Shri Begawat (Ahmednagar South): What about border issues?

Shri Anandchand: So far as border issues are concerned, I shall come to them later.

If that is so, and if what I have stated is correct, it is some tribute to this House, and in a small measure, to the Joint Committee also, for the labour that they have put in during the first fourteen days of this month, in trying to improve in whatever manner they could, the provisions of the Bill they had in their hands.

Before I proceed further, I should like to touch briefly the question of the border disputes, which has been raised by my hon. friend there. There is quite a lot of substance in what Dr. Lanka Sundaram has said about the appointment of boundary commissions. But in my opinion, such a step should be taken only in the last resort. I think every effort should be made to tackle the issues of boundary disputes between the States and to see with the Union Government acting as a referee, that justice is done in all those cases. There are, of course, cases—I hope they will be very few—in which both the States who are parties to the dispute do not agree, or where even the goodwill and good wishes of the Government of India do not prove to be of any avail to bring about the necessary accommodation between the parties. In that case, I think there would be special grounds for the appointment of a boundary commission, because, after all, we must close these issues by some kind of a judicial pronouncement, and a boundary commission would be the proper forum for giving such a pronouncement in these difficult cases.

Dr. Lanka Sundaram: With or without a statutory provision?

Shri Anandchand: Of course, with a statutory provision.

Dr. Lanka Sundaram: But there is none in the Bill.

Shri Anandchand: I support the view that there should be one.

Speaking now about the new States I personally am one of those who

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have supported the linguistic idea. I think linguistic States are good for this country, because they bring about an expression of view, of opinion, of harmoniously living together and also they bring out the best in a community having the same ties of culture, of language and of living. But there is always the danger in these States of one tendency which can be a drawback, such as the extreme, linguistic loyalty, an exhibition of which we have seen in the resignation of our former Finance Minister, I am not going into the merits or demerits of what he did. But I am only saying that if a person right at the top, right at the helm of affairs, a person who has been in the Union Cabinet for so many years, could have his emotions swayed on linguistic grounds, on grounds of linguistic affinity or linguistic loyalty, then that shows that here is something which can be a danger to this country in the long run.

[Mr. DEPUTY-SPEAKER in the Chair]
2-14 P.M.

If the component units of the Indian Union work as a rainbow, with their various colours blending into one, then, all these linguistic States will do good to the country. But if the loyalty to the State comes before the loyalty to India, and if we consider that we are citizens of the State only and not citizens of India, then there is a great danger to the unity of this country, and safeguards must be provided for from now on, if we are not to break as under in the times to come.

I welcome the idea of the zonal councils. Some of my hon. friends here, I have seen, are rather apprehensive about the utility of these zonal councils. They say, "These are being created as States over States, doing nothing, and having only advisory powers. What will they achieve in the long run. After all, they are just a heterogenous collection of several people who have been brought together." In certain respects, perhaps, their argument is valid. But then

they have a certain utility. That utility, to my mind, is that they would, and they are bound to, act as a sort of check on separatist tendencies. They would be a forum for the discussion of various problems of common concern. They will also serve very useful in this sense that joint action can be taken through them on a social and economic planning. Therefore, in my opinion, the scheme of zonal councils, in the Bill, as it has now been presented before us, is a welcome proposal, and I am sure, it is bound to prove helpful to this country in times to come.

Now, coming to the question of Bombay, although it has raised a storm of controversy, I think I would be failing in my duty, if I did not touch it. Of course, I cannot say much about it with authority, because it is separated by hundreds of miles from my homeland. But still, from whatever I have seen, and whatever I have heard—in fact, I have been to Bombay even recently; I was there only two or three days ago;—I have found, (by talking to people in Bombay, whether they were taxi-wallas, panwallas, or fellows in the Irani restaurant) that there is a feeling among people other than Maharashtrians, that so far as the Bombay city is concerned, its immediate merger... (Shri Bogawat: Hear, hear) ...with Maharashtra would not be desirable.

Dr. Lanka Sundaram: Premature jubilation!

Shri Bogawat: Exactly the wrong information.

Shri Anandchand: Why is that feeling there? I tried to go to the root of that feeling. I find that the feeling is mostly on account of the happenings, which were so unfortunate, in Bombay, after the announcement of the report, and the decisions about Bombay and so on. The Speaker has just ruled that it would be improper to go into all those riots, killings and so on and so forth. But I was only

going to say that a certain amount of apprehension has been created in the public mind that there is a kind of force being employed.....

Shri S. S. More: May I know how many non-Maharashtrians my hon. friend met?

Shri Anandchand: I met over three hundred, in fact, more than the number my hon. friend Shri S. S. More has met in the recent past.

Shri S. S. More: He met only three hundred in a population of more than thirty lakhs.

Shri Anandchand: Yes, in ten days. But my hon. friend has not met even so many during the last six months, for he has not been in Bombay.

Mr. Deputy-Speaker: The hon. Member may proceed with his speech.

Shri S. S. More: Non-official investigation?

Shri Anandchand: Whatever I am speaking, I am speaking with a full sense of authority. I am sorry that my hon. friend has not met even that number. I consider Shri S. S. More as a great friend of mine, and I value his opinion very much.

Shri S. S. More: It is my misfortune.

Shri Anandchand: If he says so, I think it is mine also.

Dr. Lanka Sundaram: Unfriendly friends!

Mr. Deputy-Speaker: Order, order. Let us resume the discussion on the point.

Shri Anandchand: I was saying that there is this feeling among the people there. I think my hon. friend was only trying to jump to the conclusion from this that, therefore, Bombay should not be given to Maharashtra. I was only going to say, 'In that context, what would be the correct thing to do?' Would it be correct just to yield to all the pressure tactics, whether they be inside the House or outside, and say, without any opinion

being taken, and without any opportunity being given to the people of Bombay proper to voice their opinion, that automatically the city of Bombay will go to the Maharashtra States? That, to my mind, would not be proper. I am absolutely certain that that would look improper in the eyes of everybody who considers it dispassionately.

I know that there is a lot of passion excited in this matter, whether in the minds of the Maharashtrians in Poona, or in the minds of those at Nagpur or elsewhere. And I find in this House also there is a lot of passion on this matter. It is quite true that geographically, Bombay is surrounded on all sides by Maharashtra. But what is the position? I think undue emphasis is being placed on this matter that Bombay is going to be under Central control.

Now, what is Central control? To my mind, Central control, or reducing the city of Bombay to the status of a Union territory, is just a stop-gap 'make-device' for letting passions cool for the time being and then taking a decision about its ultimate future. The time interval may be five years, two years, or even two months. But the point is that there is an opinion in Bombay, howsoever small it might be, and therefore, it is not absolutely right to give the city straightway to Maharashtra. Why not give a chance, and why not give some time to the people of Bombay to express themselves in a democratic manner? That is what I would like to urge.

I think personally that this was accepted by the Joint Committee also. My own proposal in the Joint Committee was that after a time, things should automatically be settled. But the point was this. We discussed this matter very fully there, and one thing that was realised there was that the people of Bombay should be consulted about their future at some stage or other. And that stage can only come if Bombay remains under Central administration even after the creation

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of Maharashtra as a separate State. Now, the point is that the Prime Minister's decision that it should be taken up in five years and so on has been very largely protested against. All right. If five years are too long, I do not see why five years should be put in why there should be anything in these five years. There was the formula of Shri Pataskar; who is sitting on the Bench opposite. The Pataskar Formula, I believe—if I have read it correctly or known it correctly is that after two years, the thing should 'automatically go'. Now, two years might be all right. I have no objection to it. But why automatic? I cannot understand the question of 'automatic'.

That is why, Sir, I have also tried in a small note I have appended to the Report to say that once you create these territories, I am certain that the wishes of the people residing there—in Himachal Pradesh or in Bombay or in Tripura or in Manipur—should be taken into account. They must be consulted. Eventually, it is for Parliament to decide.

There was the Bengal-Bihar Bill here. Perhaps it would be premature for me to say anything about it now. But are the other Members of Parliament not going to decide about these two States? There is a great deal of feeling in these two States. One is against surrendering any area to the other, and the other thinks that the area given is not large enough. But then, is not the whole country the arbiter of these things? Is only one State to be the arbiter? Are we going to succumb to people when they shout out? Are we going to say to them, 'We agree because you shout loud'? No, Sir. That would be wrong. That would never be democratic.

Whatever be the effect of the decision about Bombay—and I am sure Maharashtra has got a case for Bombay—this is not a recent decision. There are voices raised that this is a

recent decision. How is it a recent decision? I tried to find out even old books about this matter. As far as back as 1946, in the Dar Commission's Report, although the question of linguistic provinces was discussed—they had specially discussed the question of Bombay and the question of Madras also—they said that when Andhra was formed, the question of Madras should be looked into. The Telugu-speaking people said that they had a certain amount of interest in Madras. The Telugu-speaking people in Madras numbered about 2 or 3 lakhs out of 9 lakhs, and the Tamilians numbered about 6 or 7 lakhs. I think the Tamilians were in a majority of over 51 per cent. But even then, the Commission said that when the State of Andhra was formed, the question of Madras should be properly looked into. They also said in 1948 that when the question came of the creation of Maharashtra and Gujarat, there should be proper emphasis, there should be proper looking into about the special position of Bombay. They said the decision about Bombay would have to be on that basis. As a matter of fact, one of the reasons why the Dar Commission recommended what I might call the postponement of the question of the immediate creation of linguistic States was that they were apprehensive that these questions like Bombay and Madras would tend to disrupt unity rather than bring about unity. They were also apprehensive that the Indian States, which were just coming into the Union, were not properly integrated with it. Therefore, sometime must be given before they were properly integrated.

So, Sir, I submit that passion and heat should not come into the picture. I would appeal to my friends, Shri S. S. More particularly, who seems to be annoyed with me at the moment, to consider this dispassionately.

Shri S. S. More: Passion and heat ought to be reserved only for Bilaspur and no other State.

Shri Anandchand: Not at all. I think there again it is passion.

Mr. Deputy-Speaker: It has been equally shared.

Shri Anandchand: I do not share at all.

I will not say anything further about it, and I will leave it at that.

The other question is about Punjab. There again probably there may be something which this hon. House might not like. But I feel that whatever it is, whatever I feel I must speak out. The Punjab problem is also very much there, as you yourself know. But, as I stated in this House last November or December, the problem the Punjab was faced with at the time of the reorganisation of States was its complete dismemberment. On the one side, there was Himachal Pradesh which wanted to be a separate State. On the other, there was the Haryana Pranth which wanted to be separate from the Punjab. There was then the question of the Sikhs wanting a Punjabi Suba. So unless some means was evolved to solve the Punjab tangle, there was the question of the complete breaking up of that State on the border of India.

Now, with all its faults, to my mind, the regional formula has produced one good result, and that is, that there is going to be one Punjab, one Legislature, one Governor, one Ministry and one Cabinet.

Dr. Jaisoorya (Medak): But not one mind.

Shri Anandchand: I am sure that also will blend in due course.

Therefore, there is something that it has brought about. But there is an apprehension which the hon. Member, Shri N. C. Chatterjee, expressed when he just now spoke about the Punjab—I know he speaks with authority on the subject. The apprehension is that this regional formula is laying the foundation for the creation of a Punjabi Suba. So, is this

regional formula going to result in the coming together in amity and goodwill of both the communities of the Punjab, Hindus on the one hand and Sikhs on the other?

Now, as far as I have been able to see, most of the agitation that has been launched by the Maha Punjab Samiti and otherwise against the regional formula has been based on their apprehension that in due course of time perhaps this formula will have laid the foundation of a Punjabi Suba or a separate Sikh State. That apprehension might be coming into their minds because of the Sikh population of the Punjabi-speaking areas, as now demarcated, in the districts of Amritsar, Jullundur, Ludhiana, Ferozpur, Gurdaspur, Hoshiarpur and parts of Ambala, and in PEPSU, in the districts of Patiala, Bhatinda, Kapurthala, Barnala, Fategarh and, to a certain extent, in Sangrur. The total population of these Punjabi-speaking areas, as it is according to the Sachar formula and the PEPSU formula, comes to about 91 lakhs, and in this the Sikh population accidentally would be more than 52 lakhs. If that is the question, the apprehension might be there that probably in the carving out of these Punjabi-speaking areas, if the Sikh population is over 56 or 57 per cent in the Punjabi zone, the Hindus in that region will be relegated to a subordinate position. Therefore, they have this fear and apprehension expressed in various forms.

Now, whatever facts there are—or there happen to be—geographically or linguistically, on account of the people who are living there, we cannot alter them. But I believe that if the demarcation of the Punjabi zone or the Punjabi-speaking areas were done with due consideration to geographical contiguity, cultural and linguistic affinity and administrative convenience, much of these apprehensions could be removed, and the fear that this is just the beginning or the thin end of the wedge would go to a very large extent.

[Shri Anandchand]

Lastly, I come to the question of the Union territories. I for my part would agree with the Report of the States Reorganisation Commission that the number of Union Territories were as small as possible, because there is a lacuna, a serious drawback, in these Territories that they are going to be without a democratic form of Government in their day to day administration. Now, as the picture has emerged, four Territories have been added to them. Even according to the States Reorganisation Commission's Report, there were three and now there are seven, and they are to include—for a short time, I hope—the City of Bombay also, which is being relegated to the status of a Territory.

Now, although I am grateful to the Joint Committee for considering this question dispassionately—they were very considerate and they have given due weightage, more weightage really, to the Union Territories in Parliament which is going to be the legislature for these Territories henceforth—at the same time, two things need further attention of this House and of Government so far as the administration of these Territories is concerned. Firstly, I would request that a clear indication as to the administrative patterns of these Territories, especially with regard to the association of the people with the day to day administration, may be given in this House at the appropriate time, when the Constitution (Ninth Amendment) Bill is under discussion, because although the relevant article, 239,—and I think my hon. friend, Dr. Lanka Sundaram, has also in his Minute of Dissent said that there should be some sort of pronouncement by Government as to the set-up of these Territories—as amended, gives Parliament the power to legislate about these Territories, which is a distinct improvement on the old draft, still I hope and trust that Government will do something and make a pronouncement about the method in which the association of the people

of these Territories is to be brought about with their day to day administration.

Then, the second point which I want to bring to your notice is this, the method of choosing the representatives of these territories. Under the Constitution (Amendment) Bill, as it will now come, this has been left to Parliament. It is good. Parliament, naturally, would like that the representatives of the Union territories in this sovereign House could be directly chosen from the territorial constituencies in the territories in the same manner as in the other States. But, I only want to put in a word about the Upper House, that is, the Rajya Sabha. I think the system of electoral colleges that has worked in the States like Kutch, Manipur and Tripura, where there were no Legislative Assemblies even now is a suitable one and in the case of election of Members to the Rajya Sabha this system should be adopted rather than any other system such as election direct or indirect by the Panchayats or other similar bodies. I may only say that the Panchayats or other bodies, though they are elected, at the present moment, as the law stands, they are not elected under a system of free and secret ballot. I know that most of the elections in panchayats are held by the raising of hands or otherwise by voices. After all that will do for local administration. To my mind, therefore, people elected by such bodies would not be the proper persons for electing Members of Parliament, to the Upper House and the present good system of electoral colleges directly elected from the people would be the correct thing to do.

Shri Dabhi (Kaira North): I express my great satisfaction at the idea that, as a result of the passing of this Bill, Gujerat State could be formed. But, at the same time, I cannot conceal my dissatisfaction at the knowledge that certain areas which legitimately belong to Gujerat are not

likely to be included in Gujerat State. But, Gujrat is not, I assure you, going to take to the methods which certain sections of our Maharashtra brethren have adopted with a view to getting Bombay included in Maharashtra.

I could have described in detail these methods of coercion, intimidation and molestation of women but I refrain from doing that because the hon. Speaker has ruled that we must not refer to those matters. I hope that you will not allow other Members also, including the ex-Finance Minister, to speak on these matters. If I were allowed to refer to those methods, then, I would have certainly shown very effectively how baseless and reckless and malicious the allegations that the ex-Finance Minister has made against the Bombay Government and the Chief Minister of Bombay are. Several hon. Members of this House have tasted the hospitality at the hands of the Bombay Maharashtra people at the time of the last All India Congress Committee meeting.

I only want to refer to one matter which concerns one of my hon. friends in this House and which shows what sort of mentality these Maharashtra brethren have. You know the hon. Members from Maharashtra was a Member of the Joint Committee. He failed to send a minute of dissent. For the fault that he did not append a minute of dissent, I am reliably informed, his house in Khandesh was stoned. This is the atmosphere there. This is not only in Bombay but in other parts of Maharashtra also. I shall say nothing more about it.

Yesterday, Swami Ramananda Tirtha said that there was not one valid argument for not including Bombay in Maharashtra. With due respect to him I say there is not one valid argument for including Bombay in Maharashtra.

An Hon. Member: Not even one!

Shri Dabhi: Not even one. (Interruption) It belongs to the whole of India.

Mr. Deputy-Speaker: At least this House is meant for hearing different opinions.

Shri Dabhi: Practically all the arguments which could be advanced in favour of including Bombay in Maharashtra have been stated in the joint minute of dissent written by my friends Shri Altekaf and Shri Deogirikar. I will briefly refer to each of these arguments.

The first argument which has been advanced is this:

“The geographical position of the city is happily no longer a matter of controversy. The city is a part of and surrounded by the territory of Maharashtra....”

Everybody knows that Bombay is an island. It is surrounded on 3 sides actually by the sea and on one side there is a small strip of land which is no more than a corridor which is inhabited by bilingual people. There are people speaking different languages, most of whom are aboriginals.

They have also said that the Prime Minister has said unequivocally that Bombay is a part of Maharashtra. Let us see what words have been used by the Prime Minister. There was some discussion and some Maharashtra friends suggested that they would have some consolation if the Prime Minister said something to satisfy them. The Prime Minister used those words—that Bombay may be considered as part of Maharashtra geographically. This is what the Prime Minister said. Somebody also said that Bombay formed part of Maharashtra and it was proved. Even taking it for granted that the Prime Minister had said that Bombay forms part of Maharashtra geographically, if you quote him you must quote him completely. He also said that only geography should not be the reason for including Bombay in Maharashtra.

An Hon. Member: Do you accept geography or not?

Shri Dabhi: I say that is an island. (Interruption).

The second argument is that Maharashtra feeds Bombay with water and electricity and therefore it should go to Maharashtra. If this argument is to be accepted, then the Punjab is going to feed Delhi and Rajasthan and so these should go to Punjab. This is a most funny argument which has been advanced by our friends.

The third argument advanced is this: "The fact that Maharashtrians are not in absolute majority in Bombay has no significance." That Maharashtrians are not there in a majority has been admitted by them, but yet they say that it is of no significance. It is a strange argument to say that because they are in a minority, Bombay must go to Maharashtra. I think it does not lie in the mouths of those who talk of provinces based on language, to speak in this way.

An Hon. Member: What about Hyderabad?

Shri Dabhi: I will reply to everything in due course. Everyone of them has forgotten to speak about the Dar Commission Report and the J.V.P. Report. According to my friends here, only those portions which suited them in these Reports are valid and the rest is invalid.

Yet another argument is this: "It is contended that Bombay has grown not as a capital of any unilingual State but of a multi-lingual one. But such is the case with Calcutta and Madras." To this argument, the members of the S.R.C. themselves at page 116 of their Report have given a reply: "The Maharashtrians in the city, according to the 1951 Census, still remain a minority, being only 43.6 per cent. of the population. The position of the city, therefore, is different from that of Madras and Calcutta, where the dominant language groups account for about two-thirds of the population." So, the

Commission itself has stated why the Bombay State is quite different from Calcutta and Madras.

In the Dar Commission and J.V.P. reports it is also said that "in the event of the disintegration of the Bombay State, Bombay City should be constituted into a separate unit." The members of the S.R.C. themselves describe these conclusions as weighty expression of opinion—I refer to the opinions of the Dar Commission as well as of the J.V.P. Report. The S.R.C. themselves say that the reasons given by these two bodies were weighty observations. Still our friends here attach no importance whatsoever to these previous Reports because they go against them.

Again, in their joint minute of dissent, the hon. Members after stating that the Prime Minister has made a declaration that Bombay should be Centrally administered for about five years and then its future should be determined by a democratic process add:

"Though Bombay may not be styled as the capital of Maharashtra, all the offices of the Government of Maharashtra should be allowed to remain therein. Otherwise thousands of Maharashtrian families will be uprooted therefrom, and when Bombay becomes the capital of Maharashtra, the returning officers, staff and their families will find no place for residence there. The Prime Minister does not desire that this should happen."

Of course, the Prime Minister does not desire that all Government servants should go. Therefore, he has categorically assured the members of the service that even if the Bombay city is Centrally administered, they would not be at any disadvantage. If Bombay is Centrally administered, it does not mean that all those now serving there will go to Maharashtra. Out of the Maharashtrian officers serving there, only a few topmost officers may have to go to Maharashtra. I do

not know how that will affect the whole population of Bombay. Our friends seem to think (*Interruptions*)....

Mr. Deputy-Speaker: I can assure the hon. Member that there will be less of trouble for him if he looks towards me instead of directing his attention to other Members.

Shri Dabhi: Our friends seem to think that Bombay should remain the capital of Maharashtra for this reason, namely, that Bombay is sure to go to Maharashtra after some time. They say, why not make it capital of Maharashtra just now. They make it to appear as if even the Prime Minister has realised that and conceded that. They take it for granted that Bombay is going to Maharashtra. How can you now say that Bombay will go to Maharashtra? That has to be decided in future.

Our hon. Members are talking of democracy and yet they do not approve of the democratic process by which Bombay's future is to be decided. If I have read anything of history anywhere, 'democracy' means the will of the people. The Prime Minister has said that, after five years, Bombay's future will be decided by a democratic process. That is what the Prime Minister wrote in reply to Shri Deogirikar who asked for a clarification. He is of the opinion that the will of the people will be taken, and what the people will then decide will be final. This is a definite promise that is given by the Prime Minister. I do not understand by what logic my hon. friends opposite assert that Bombay is sure to go to Maharashtra. The real fact is that they have no confidence in what will happen after five years or even for that matter after two years. They have their fears about the fact whether the people as a whole would vote for Bombay going to Maharashtra if any plebiscite is taken in the future. Other wise, I cannot understand for the life of me why an individual or group of individuals talking of democratic pro-
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cesses should be against this democratic process being adopted in the case of Bombay.

Shri Gurupadaswamy stated that if Bombay is to be Centrally administered, the people of Bombay would lose their democratic rights, the right of having their Assembly, etc. The Congress Working Committee recommended that Bombay should be made a City State and the Government were prepared to accept that recommendation, in which case the people would have got their democratic rights and would have had their Assembly. But the Maharashtrian friends do not want Bombay to be made into a City State. On the other hand, they are opposing democratic methods. So, I think that the real reason why they oppose this is because they are not sure of their own ground.

I have only one more point and then I shall finish. From the report of the States Reorganisation Commission it is clear that the surplus from Greater Bombay will be more than Rs. 12 crores per year. My suggestion is that the surplus of Bombay should primarily be used for the purpose of providing greater amenities to the people and for raising the standard of living of the people of Bombay, now that Bombay is going to be a Centrally administered area. Only after providing all the necessary amenities for the people of Bombay, and only after raising the standard of living of the people of Bombay, should the balance, if any, be taken over by the Centre for other purposes. That is a practical suggestion of mine, because I think that the Bombay people themselves are entitled to the revenue surplus of Bombay. So long as all their legitimate requirements are not met properly, it is not proper either for the Central Government or for any other State Government to have a share in that surplus amount.

Shri Mohanlal Saksena: I rise to support the motion before the House. In doing so, I would like to make a few observations. I agree with the

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Home Minister that the Bill, as it has emerged from the Joint Committee, is an improvement upon the original Bill. It is not a small achievement, looking to the conditions obtaining and considering that passions have been roused and are still running high, and even leaders have been excited and those who have the reputation for balanced judgment have been swept off their feet. When motives are attributed to the leaders and when even the highest amongst us are not spared, it is indeed creditable that the Joint Committee should have hammered out a Bill which is an improvement on the previous Bill. The credit goes both to the Chairman of the Committee, the hon. Home Minister, for his ability and tact with which he guided the deliberations as also to the Members of the Committee, for their reasonable attitude and farsighted statesmanship in producing a Bill which has not got as many Minutes of Dissent as many of us must have apprehended.

Having said this, I proceed to make my next observation on the Bill. It does not mean that I agree with every provision of the Bill. I do not say that there are no provisions in the Bill with which I am not at all in agreement. My views have been known to the Members of the House as I have spoken more than once. I have said that I am not in favour of linguistic States. I have given my reasons for that. I do not want to repeat them. I have also said that I am not for the zonal councils as provided in the Bill. The zonal councils as provided in the Bill are merely advisory bodies, and I have always thought that the zonal councils should have some powers to start with, these powers might be delegated to them by the Centre. In any case they must have some powers and that would give an opportunity for the different States to come together and provide a framework for the future bilingual States or multi-lingual States. Not that I believe any material

changes will be made at this stage, but I believe that this Bill is going to be changed, say, within five years. I hope that when the dim and heat of the controversy have subsided, when the tempers have cooled down, when people set to work calmly, the people will realise—many of us will realise—that we have not been fair or just in what we have said or expressed.

At present, the target of all the criticism is that the sub-committee of the Cabinet or the High Command have not been fair. It is said that they have not been fair and just to this State or that State. I know that the sub-committee of the Cabinet tried to consult the people outside as well as inside this House, the question was asked: "Why were not the leaders of the Opposition parties consulted?" But was not an opportunity given to the Members of this House to express their views in the House on the report of the States Reorganisation Commission? The leaders of the Opposition were given ample time and those Members who were not able to find time to speak in the House were permitted by the Speaker to express their views in writing and sent them on to the Secretariat. This was done. So, the grievance that the views of the Members of this House were not obtained or that they were not consulted does not arise. It cannot be made a grievance of. The hon. Prime Minister has said in his reply to the statement made by Shri C. D. Deshmukh that he has consulted all sections of this House as also the Members of the Cabinet and also public opinion outside, and that the decisions of the sub-committee of the Cabinet were communicated from time to time to the Cabinet. Still in the face of this statement, Shri N. C. Chatterjee has tried to pick holes and stated that the decision taken and announced by the Prime Minister was without authority. He said that this action of the Prime Minister will make the world feel that the Prime Minister was functioning as an autocrat, though

he has been described as the greatest democrat elsewhere.

The Prime Minister has been accused by one of his erstwhile colleagues. It is unfortunate for the gentleman who made that statement and it is unfortunate for the country as a whole. But still, some Members repeat that statement or are basing their arguments on that statement even after an emphatic contradiction by the Prime Minister. I think the Member who made that statement has broadcast the very thing which he wanted to avoid.

When the Prime Minister was in London and was presented with an address while being conferred the Freedom of the City of London, the greatest compliment was paid to him by the Lord Mayor of London, and it was the greatest compliment paid to any one in the world. The Lord Mayor said that the Prime Minister had overcome two greatest weaknesses or two great human fallings, namely, anger and hatred. We were proud and we were thrilled with delight when we read that compliment. But what do we find now? We find that one of his colleagues has charged him with animus, not against any individual but against a whole community—Maharashtra. Is that fair and is that just?

Let me examine the question and see how the present solution about Bombay has been brought about. The House knows that I am not for linguistic States. My first preference is for a bigger bilingual Bombay State with Bombay as capital. My next preference is for a city State of Bombay. I would even prefer Bombay being the second capital of India, but I do not like a Centrally-administered Bombay. But let us examine how a Centrally-administered Bombay has been accepted by the High Command and by the Prime Minister. What is the history about it? The Commission had made certain recommendations and said that Vidarbha should be separated from Maharashtra and that Gujarat along with

Maharashtra should form a bilingual State. Then there was an agitation for Samyukta Maharashtra. There was opposition from Vidarbha including our revered leader Shri Aney. They were opposed to joining Maharashtra for certain political reasons, on account of certain communal complex. It was because of the influence exercised by the High Command that they could be persuaded to join Maharashtra, and now, the charge is that the High Command has an animus against Maharashtra! Is the charge just and fair? I ask everyone in this House to say whether, to charge the Prime Minister or to charge the High Command like this is just and fair.

Not only this. Later on, it was pointed out that there was an offer of a bigger bilingual Bombay including Vidarbha. But before that offer was made, there were talks and speeches everywhere. It was said: "We cannot carry on with the Gujaratis. It is not possible to do so. If you want Gujarat to join, you make a condition that Gujarat could go out later on but Bombay will remain with Maharashtra. What does it mean? You never gave them any chance to accept it. Gujarat is no doubt Congress minded but is it not too much to expect it to accept this humiliating offer. The Cabinet took the decision that there should be a city State of Bombay. It was at the instance of the Maharashtrian leaders that there was a change in that decision. Later on they felt that, if such a State was formed, it might exist separately and they might never be able to get it back. So, it was suggested that a Centrally Administered Bombay would meet the wishes of Maharashtrians. It was not because of the diction of the capitalists or the big business as had been pointed out by my hon. friend, Shri Chatterjee, who is pleading for them every day in the court, that this had been done.

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Having driven the Prime Minister to do that, the Maharashtra Congress

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Committee has made two suggestions: firstly, that the headquarters of the Maharashtra Government should be located at Bombay in the meantime and secondly that discretion should be given to the Prime Minister, without consulting the people of Bombay, to transfer Bombay to Maharashtra. is it democracy? I know the Prime Minister enjoys not only the confidence of this House but the confidence of the whole country. I can also say without fear of contradiction that he is the greatest democrat among us. You do not speak out your minds and if he does something he is not to blame. You must have the courage to tell him what you feel.

What has been done in Andhra? It was about four years ago. Did Shri Deshmukh submit his resignation at that time? Did he point out that it was wrong at that time? He never did. Now, he asks: 'Where are the proceedings?' He knows that the proceedings of the Cabinet are not kept. There are only discussions and the points are noted. Decisions are taken and they are circulated on the files. One Minister generally does not concern himself with what is happening in the other Ministry notwithstanding joint responsibility. So, you should not blame the Prime Minister. I had my differences with him. But I know that he is the one person, after Gandhi, who will accommodate opposition point of view once he knows that he is not in the majority. He may be opposed to that view but he will try to implement it.

Having driven him to that decision, you now say that it has not been decided by the Cabinet. It was at the instance of the Maharashtrian leadership, and in consultation with them, that the decision to make Bombay a Union Territory was taken. Why should you blame him for that? Bombay people are going to be deprived of their democratic rights. Who is responsible for it? I say it is the Maharashtrians, themselves who are responsible for such a situation.

I will make a reference to the statement made by Shri Deshmukh. About a year back, it had become apparent to me that he could not continue as Finance Minister for long. I mentioned it to some of my colleagues here. But, I was not prepared for it in the manner in which it had come. Apart from the many qualities of the head and heart, I have associated with him a certain amount of dignity and restraint. I knew that he uses language very carefully. If one uses one's language carelessly, one does not injure others but oneself. I was shocked at the statement he read out the other day. I read that statement over and over again. Many questions came to my mind and I was reminded of the Biblical saying that the hands were of Essau but the voice was of Jacob. The statement might have been written by him but I felt that he had written it under certain influences. If his object was to serve Bombay and his constituency, Kolaba, then he should not have done anything which was likely to provide fuel to dying fire. He has said that he was always for a bilingual Bombay and both Maharashtrians and Gujaratis favoured it, but because of the leadership it was not feasible. If he had come out on this issue, if he had gone to the people and told them that the leaders were saying this while he felt otherwise, then I could understand. Did he give expression to that view? If he was for that, I offer my co-operation whole-heartedly. If he came out and worked for a bigger bilingual State, I would also go round Gujarat and Bengal. (*Interruptions.*)

An Hon. Member: Bengal.

Shri Mohanlal Saksena: I am sorry, Maharashtra. But, I am for bigger bilingual States all over the country. I am prepared to go to Bengal and Bihar. But when the move for their merger was made, I had warned the Home Minister and the Prime Minister that it was not the proper time to launch it. There were interests working against it. There

were already about 35 Ministers in Bengal and an equal number in Bihar. If these two States were merged, then there would be fewer Ministers. Then, there were the officers. There were two Chief Secretaries, two Inspectors-General of Police and so on. The officials were also interested in keeping them separate. Then, there were the political parties with their eyes on the elections. They wanted to make capital out of it as they thought that smaller units would suit them better. So it was not the proper time for launching that move. I felt that the zone councils with executive powers would later on develop into bilingual States.

I was talking about Bombay. Whatever Shri Deshmukh has said would reflect upon him. I am sorry for him and for the country. His reputation has suffered. He might have been in the civil service but he has been with the Prime Minister for six years.

Mr. Deputy-Speaker: I do not want to bind the discretion of the hon. Member but we should keep near the main issue.

Shri Mohanlal Saksena: I am not going into his statement. I wanted to point out that after acknowledgment of the courtesy and everything that the Prime Minister had shown him, he should not have done what he has done.

बाबू रामनारायण सिंह (हजारी बाग
परिषद) : अरे भाई ठीक ही तो बोला है
उन्होंने ।

Shri Mohanlal Saksena: At least he should not have gone to the length to which he has gone, charging the Prime Minister with animus against the whole of Maharashtra. He may get excited, he may use harsh words. He might even come to blows. But there is one man who will forget everything afterwards and that is he. Now, Shri Chatterjee said that the decision has been dictated by big business magnates of Bombay. That is wrong. What is the history behind it? We are referring to Gandhiji's

policies and Shri Chatterjee was very eloquent when he said that it was because of that we won our freedom struggle. We should not forget, at the same time, that while we were carrying on the struggle for freedom, Bombay was kept separate. It had a Provincial Congress Committee of its own. There was no Provincial Congress Committee in Calcutta or in Madras, but Bombay always remained with a separate Provincial Congress Committee.

Then there were three commissions appointed. If this was so obvious, if this was a natural thing, then why was it that this question was referred to three commissions? Each of these commissions gave the finding that Bombay should not be made the capital of a unilingual State. On the face of such findings how can you expect the Prime Minister to be fair and just, or the Cabinet to be fair if a decision is taken, in view of the policy that has been followed before, against such a finding? It was asked: "why have you made that decision in regard to Telengana"? Was there any decision by any commission before about Telengana? There is the S.R.C. Report, but there were no other commissions which reported on this.

After all, Bombay—I concede Bombay is a chip of the Maharashtra block but it has become the corner-stone of national edifice and so we have to see that this national edifice is maintained. I may use another analogy. You allow your son to be adopted by another family, to be brought up by another family and later on you want to take him back you do not want even to consult the wishes of your son. That is what has happened here. I can give you another analogy. Our Prime Minister is there. He belongs to U.P. I am sure if he goes back to U.P. he will be very helpful to U.P. But will it be proper, will it be fair for the whole country to lose the services and guidance of the Prime Minister because U.P. is going to be so selfish? So, what are you going to lose?

[Shri Mohanlal Saksena]

After all it was with your tacit consent that these commissions were set up. I think for 5 years you can wait. You can watch and prepare the ground. As your case is very strong.....

Shri M. D. Joshi (Ratnagiri South): The hon. Member forgets that the Prime Minister is not a geographical territory.

Shri Mohanlal Saksena: I never said that. I said that Bombay may be a chip of the Maharashtra block. I believe that within 5 years India is going to turn its face back upon linguism. I hope very soon people of this generation will realise, and our young men will realise, that what we are fighting for is not good. They will laugh at us. Our young men will laugh at the frenzy with which we have been carrying on this controversy. I hope that within five years there should be a more favourable climate for a bilingual State and the question of separating Bombay from Maharashtra will not arise.

With these words, Sir, I support the Bill.

Shri Bogawat: Sir, when we are carving the map of India, it is very essential that there should be peace in the country. If we do not find out solutions for these very important problems under the States Reorganisation Bill, I think there would be the danger of enmity, hatred and ill-will against one another amongst the people of our country. It will be a blunder if the Bombay question is not decided soon. It will be a serious blunder if the boundary questions are not settled or some Boundary Commission is not appointed. We see the mental agonies of the people. We see what amount of agitations are going on. Therefore, some settlement should be reached soon.

So far as the Bombay question is concerned, all have admitted that geographically and culturally Bombay is in Maharashtra. What harm would

be there if Bombay remains in Maharashtra? Are the Maharashtrians so wicked and so unpatriotic that they will not look to the interests of the Bombay City? Are they so short-sighted that they will not look to the development of the city which will be in their own State? It is a wrong idea and it is false to say like that. Only some people with vested interests are trying to keep Bombay away from Maharashtra. These capitalists and people with vested interests are afraid, lest there should be a socialistic pattern of society. They want to make a precedent. It will be a precedent if we allow Bombay to be separate from Maharashtra. Then there will be no socialist pattern of society. They are afraid of this and so some bosses have tried to influence and see that Bombay is kept Centrally administered. This is an attempt at that.

Sir, we talk of co-existence and Panch Shila. We try to have co-existence with other countries. Then what harm is there to have co-existence between Bombay-people and Maharashtrians? Are there no safeguards? Will there be no regional committees? Will there be no Governors? Everything will be there and there is nothing wrong if Bombay is allowed to remain in Maharashtra. To keep it separate is quite unnatural, it is undemocratic, it is against the natural aspirations of the people of Maharashtra. All the people—I should like to say 100 per cent. of the people—from Maharashtra, Marathawad and Vidarbha are crying that the decision given is against their desire. When the Joint Committee was sitting and when the Parliament's decision was to be taken, it is not a proper thing that there should be a statement made that Bombay will remain Centrally administered for five years. This has really prejudiced the case. I learn that the question was not considered by the Joint Committee because there was a statement of the Prime Minister. This has prejudiced the issue. The statement of the

Prime Minister, I should like to say with all my respects for him, was untimely. That has prejudiced the issue. Some of the members of the Joint Committee, who were for including Bombay in Maharashtra, refrained from giving their votes. I know from their speeches here that they are for including Bombay in Maharashtra, but they refrained from expressing their opinion because of this statement by the Prime Minister.

If Bombay is kept separate from Maharashtra many things will happen. The condition of Bombay and Maharashtra will be economically crippled. There would be all kinds of agitations. People will be always agitating. Their attention will not be diverted towards the development of the State and the Second Five Year Plan. They will always be doing something to see that this injustice is undone. That is actually what is happening. 2000 people have come from the various parts of Maharashtra, Marathawad and Vidarbha for offering satyagraha. Not only that. About 30,000 people have gone to jails and still there is agitation. If you go to any village in Maharashtra people ask about Bombay and why Bombay is kept separate. They ask why there is a decision to Keep Bombay separate for five years. We are helpless to answer them. Mental agony is there in their minds.

I can tell you, Sir, why this period of five years has been provided. When we go to Bombay we hear that so many Maharashtrians—*gumastas* and others—have been dismissed from service. They are asked to go away. If Bombay is kept separate so many Maharashtrians who are in service will have to go to Maharashtra and there would be a reduction in the Marathi-speaking population in Bombay. Several attempts will be made in that direction. I am quite sure, if after 5 years some democratic solution is tried, then the people, especially the capitalists, will see that Maharashtra would not succeed.

Why should we not take the decision just now? If a decision is taken

now in regard to Bombay, I am quite sure that it would be a decision in favour of Maharashtra. My hon. friend, Shri Anandchand has said that he has consulted *pamwalas*, *surpatri-walas*, *bediwalas* and so on. I had been to Bombay several times and I had ascertained the opinions of Tamil-speaking people, Telgu-speaking people, Parais, Mohammedans and several other people. All the economists and other important persons have expressed the view that Bombay must be merged with Maharashtra. Look at the statement of Dr. Kunzru, one of the Members of the S.R.C. He has made a statement on the 12th June that Bombay must not be kept separate from Maharashtra and it must be merged with Maharashtra. If an early decision is not taken to that effect, there would be agitation and energy would be wasted. There would be disadvantage economically to Bombay and Maharashtra also.

The present decision in regard to Bombay is not fair and justifiable. It has been done unconstitutionally and illegally against the interests of Maharashtra. I would submit that for the sins committed by very few persons, the whole of Maharashtra should not be punished by taking such a decision.

Having said so much about Bombay, I must say something about the border areas. As regards the border area, there is much agitation in Belgaum and Karwar. Several people have gone to jail, but in spite of it, there is great agitation. I will give the percentage of the population in the various taluks speaking Marathi and other languages. In Chandgad, 82 per cent. is Marathi-speaking and 4.2 per cent. is Kannada-speaking; in Khanapur, 76.9 per cent. is Marathi-speaking and 11.9 per cent. is Kannada-speaking; in Belgaum, 59.9 per cent. is Marathi-speaking and 23.9 per cent. is Kannada-speaking; in Chikodi, 74.6 is Marathi-speaking and 16.7 per cent. is Kannada-speaking; in Hukeri, 69.9 per cent. is

[Shri Bogawat]

Marathi-speaking and 25.2 per cent is Kannada-speaking; in Athni, 65.9 per cent is Marathi-speaking and 29.5 per cent only is Kannada-speaking. Taking the total, out of a population of 5,11,835, the Marathi-speaking population is 3,62,513 or 70.8 per cent while the Kannada-speaking population is only 92,132 or 18 per cent. If this is the percentage of the Marathi-speaking people in Belgaum, it is sheer injustice that it should be forcibly given to Karnataka.

There is no provision made in this Bill for a boundary commission. I appeal to this House to make a provision in that regard, because by appointing a boundary commission, all these disputes, animosities and enmities will be removed and there will be peace so far as border areas are concerned. I have given an amendment to the effect that a boundary commission should be appointed. Similarly, I have also given an amendment that so far as Bombay is concerned, after a period of three years, it should be automatically merged with Maharashtra. This was the suggestion of Mr. Pataskar. In order to have peace in our country, within a period of three years, and not five years, there should be an automatic merger of Bombay with Maharashtra.

There are also other places beyond Bhusaval where the Marathi-speaking population is considerable. But still, those places are not given to Maharashtra. In spite of the requests made by several important people to the Chief Minister of Madhya Pradesh, they do not give those places to Maharashtra, because once people get something, they are very reluctant to part with it. I want to ask them, "Why do you want to keep other people by force? Let there be some compromise." They are prepared to give some villages here and there, but not the most important town and city that we want, which is a Marathi-speaking area. My humble submission is that the bound-

ary question is also a very important one. So far as Gujerat is concerned, in Surat District, there are two taluks where there is a large Marathi-speaking population.....

Mr. Deputy-Speaker: The hon. Member knows that he has to conclude by 330.

Shri Bogawat: I will not take more time. It is quite necessary that all these boundary disputes must be settled and for this there must be a boundary commission. I request the Home Minister to bring some amendment before the House and have the boundary commission appointed, so that all the disputes between States and States may be settled. Also, as I have said, Bombay must be merged with Maharashtra after three years. Otherwise, the fire will continue to burn and there will be agitation. The energy of the people will be wasted and our Five Year Plan also may suffer. Consequently, the economy of the country will also suffer. Not only that; there will be political differences also. We have achieved our independence very recently and if we want to bring peace into the country, if we want harmony, good relation and co-operation among our people, it is quite incumbent and necessary that all these questions must be considered calm and very prudently. The solutions that I have suggested may also be kindly considered. I appeal to the Home Minister to use his influence, get the necessary amendments passed and bring peace to the country. That is my humble request.

Shri G. H. Deshpande (Nasik Central): Mr. Deputy-Speaker, I rise to express my views on the report of the Joint Committee. I am really thankful to the hon. Members of this House for the sympathies that they have expressed for the cause of Maharashtra and for the integration of Bombay with Maharashtra. All of us Maharashtrians think that from this difficult position it is only the

Prime Minister of India who can get us out. He is our only hope and he is our only friend; the Maharashtrian people are behind him and they have faith in him. Nobody should have any doubts about it.

Everybody in this country should consider the situation in Maharashtra very seriously. We form nearly one-tenth of the population and if anybody is going to create the impression in the mind of the Prime Minister that things are safe in Maharashtra, it is not true. Dissatisfaction is there. It is very widespread, and it is going deeper and deeper. I would like to enlighten this hon. House on the causes of it and how it can be removed tomorrow because I quite see that the time for today's debate is over. I would, with your permission, Sir, continue tomorrow.

Mr. Deputy-Speaker: The hon. Member might continue tomorrow. Now we will take up private members' business.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-SIXTH REPORT

Shri Altekar (North Satara): I beg to move:

"That this House agrees with the Fifty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 25th July, 1956."

This is in connection with the categorisation of the Bill of Shri S. V. Ramaswami to enforce monogamy in India and to punish people indulging in polygamy. So far as that Bill is concerned, it is given Category B because it is not so urgent or important as to be put in category A.

The next question is whether the Bill sought to be introduced by Shri K. K. Basu to amend the Constitution should be allowed. He wants to amend the Constitution so that preventive detention can be retained only for the purpose of taking action against enemy agents. He says that

only that provision should be retained and the rest of article 22 should be deleted. In this connection, the recommendation made by the Committee on Private Members' Bills and Resolutions in its Forty-second Report was that this should await the decision on the discussion of the working of the Preventive Detention Act, which was to come in the next session. In the next session it was discussed and the House has resolved that the Act should continue till the end of 1957. Now, in view of the decision of the House, the Committee recommends that there is no necessity to introduce this Bill at this time.

On the question of making the directive principles justiciable the Committee is of the opinion that in view of the present circumstances and the financial condition we cannot make them justiciable because at this time we cannot give work to everybody or maintain everybody. Of course, every attempt is being made to do so but the time is not ripe to make them justiciable.

So far as the allotment of time is concerned, I commend that the House should accept this Report.

Mr. Deputy-Speaker: Motion moved:

"That this House agrees with the Fifty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 25th July, 1956."

There is an amendment to this Report by Shri Basu.

Shri K. K. Basu (Diamond Harbour): I beg to move:

That at the end of the motion the following be added:

"Subject to the modification that permission be granted to Shri Kamal Kumar Basu to introduce his Bill to amend the Constitution."

My amendment is very simple. I find that article 368 of the Constitution, which deals with the manner

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in which a Bill to amend the Constitution should be moved, says that an amendment can be initiated only by the introduction of a Bill in either House of Parliament and that the Bill should be passed in the House in a certain manner, which we all know. I am also fully aware that under the rules of our House we have certain provisions which describe the functions of the Committee, which the Speaker was pleased to appoint, on broader principles. According to the rules, the functions of the Committee shall be to examine every Bill seeking to amend the Constitution, notice of which has been given by a private member, before a motion for leave to introduce the Bill is included in the list of business. The second clause, which relates to Bills other than those to amend the Constitution says:

"to examine all private members' Bills after they are introduced and before they are taken up for consideration in the House and to classify them according to their nature, urgency and importance into two categories, namely, category A and category B."

Therefore, my argument is that so far as this provision is concerned, it applies only to Bills other than Constitution (Amendment) Bills and there the scope of this particular Committee has been specifically put down; first to examine and then to classify. The examination of the Bill seeking to amend the Constitution should be a minor one. As it seeks to amend a sacrosanct document, our Constitution, they have to see whether the Bills are properly drafted and whether some other legal difficulties are there—some clauses which should also be put in ancillary to the particular amending provision,

I feel, and I am sure the House will agree with me, that the right to amend the Constitution is the right of every member, which is given to us

by the fundamental rights, which even all the rules which you might have adopted cannot modify. Then, in the democratic set up of Government that we have adopted it is absolutely necessary that private members must have an opportunity to introduce a Bill to amend the Constitution.

The position seems to be mistaken by this Committee. The Committee thinks that unless the Committee recommends, no leave should be granted so far as the right to introduce a Bill to amend the Constitution is concerned. The position seems to have been taken that since the resolution that the Preventive Detention Act may continue, as provided, till 1957 was passed in the House, there is no necessity for that Bill. But I have tried to amend it in a particular way as I feel that in the present context of things the time has come when we should restrict the scope of the Preventive Detention Act. Even if the House has considered and adopted a resolution, still every member has a right to introduce a Bill to restrict the scope of the working of the Act.

Regarding article 37, I want the directive principles.....

MR. Deputy Speaker: According to the rules the hon. Member can take only five minutes.

Shri K. K. Basu: I feel that it is duty of every member to come forward before the country and say that the time has come when the directive principles should be made justiciable. Naturally, the Parliament will in its wisdom decide whether the time is opportune. The Government party will always say that the time has not come. With regard to primary education, for instance, they have said that the time has not come.

Therefore, I urge upon the House that the fundamental right of the member should not be taken away and every member must have the right to introduce a Bill to amend the

Constitution. At a later stage, if the House has time to discuss this particular Bill, it will have ample opportunity to decide whether such amendment should be allowed. Therefore, I submit that the motion may be accepted with the amendment which I have moved.

Mr. Deputy Speaker: Amendment moved:

That at the end of the motion, the following be added:—

"Subject to the modification that permission be granted to Shri Kamal Kumar Basu to introduce his Bill to amend the Constitution."

Shri Kamath (Hoshangabad): I rise to support the amendment moved by my hon. friend Shri K. K. Basu. This involves an important point as regards the rights and privileges of Members of this House in regard to introduction of Bills in this House. I fail to understand how or why the Business Advisory Committee has said with regard to this Bill.....

An Hon. Member: Committee on Private Members' Bills and Resolutions.

Shri Kamath: I am sorry. There are so many Committees presided over by you. It is not a reflection on the Committee.

I believe the Committee has exceeded its powers in making this suggestion or recommendation. It is the inherent right of a member of this House to introduce any Bill and if the House so desires it can refuse leave to that member to introduce the Bill. There have been precedents in this House for that. When I sought leave to introduce a Bill in the last Parliament, this House, certain members of this House opposed its introduction. Ultimately, of course, the then Speaker said that the convention was that the Bill should be introduced and at a later stage, if necessary, it may be thrown out. It is an inherent right, a fundamental right, I may say.

If a member is prevented from introducing a Bill by this Committee, that is a very serious interference with the rights of members of this House.

There is another point in this respect. It appears from what my friend Shri Altekar said that it is almost the monopoly of the Treasury Benches to amend the Constitution. I seriously contest that proposition. Perhaps, my hon. friend means that the Constitution should not be trifled and tinkered with time and again. But the Government itself has set an example in this respect. An amending Bill has been introduced even with regard to quorum in the House. There is a Bill pending which seeks to amend the Constitution in that respect. Government has gone out of its way to toy to trifle with the Constitution and to tamper with the Constitution, and then it seeks to arrogate to itself the monopoly of amending the Constitution. I would, therefore, request you and the House to ensure that this right of a Member to introduce a Bill, even to amend the Constitution, is not curtailed or abrogated in any manner.

Shri Altekar: I cannot accept this amendment that has been tabled by my friend Mr. Basu. The point is, as he says, that every Member has got a right to amend the Constitution and to bring a Bill to that effect. Nobody denies that right to an hon. Member. The Rules of Procedure lay down, according to rule 44(1)(a), that the Committee shall "examine every Bill seeking to amend the Constitution notice of which has been given by a private member, before a motion for leave to introduce the Bill is included in the list of business." When such a Bill is brought to amend the Constitution, it comes before the Committee on Private Members' Bills and Resolutions. They examine the Bill and discuss the pros and cons and they make only a recommendation to this House. It is for the House to decide the matter. The Bill is before the House; the recommendation of the Committee is there; and whether to

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allow it or not, it is for the House to decide. The Committee does not go to the length of what it does in the case of other Bills which do not relate to the Constitution; they are classified and allotted a particular category. The Committee does not do that in the case of Constitution Amendment Bills. It only examines the Bill and places it before the House to decide whether it should be allowed to be introduced or not. That is the situation.

Under that position the Bill was examined and the recommendation in that respect has been placed before the House. I beg to point out that the right of a Member to introduce a Bill or to bring a Bill for the purpose of amending the Constitution is not altogether taken out. Even if the Bill does not go to the Committee and comes straight to the House for being allowed to be introduced, the House may accept it or reject it. From that point of view, the only preliminary ground of looking to all the aspects of the Bill, has been covered by the Committee, and the Bill is before the House with that recommendation. The right of an hon. Member to bring a Bill to that effect has not in any way been taken away. Therefore, I submit that the right, which is conferred by article 368 of the Constitution is not in any way affected. It is only a matter of procedure, and the preliminary particulars are placed before the House by the Committee. The Committee has not exceeded the powers conferred on it by rule 44(1) (a). They only make a recommendation to that effect and they do not go to the extent of classifying it as they do in the case of other Bills.

I have already stated why and in what respects and for what reasons the Committee thinks that this Bill should not be allowed to be introduced. I will not reiterate the same over and over again. The question is whether this amendment which seeks to amend the article relating to preventive detention should be allowed.

We have already discussed this matter fully during the last Session, and the decision of the House is already there. It has been resolved to continue the Preventive Detention Act up to the end of 1957, as it is. So, another discussion by way of this amendment is unnecessary, and it is unnecessarily taking the time of the House. So far as that point is concerned, that is the recommendation of the Committee.

With respect to making the Directive Principles justiciable, I have already made a long statement last time, and again I am prepared to meet the argument of making them justiciable at this stage by taking article by article of Chapter IV of the Constitution. To go on with such a discussion at this time is quite inopportune. From that point of view also I submit that the whole amendment which is sought to be made by my hon. friend Shri Basu cannot be accepted, and I recommend that the House should reject it and accept the original recommendation of the Committee.

Shrimati Bena Chakravarty (Basirhat): May I just make one or two points? Earlier, when we discussed the report of the Committee on Private Members' Bills and Resolutions, I had reason to point out that we wanted no curbs or fetters in the introduction of any Bill, but rather that such a Committee should only be for the purpose of easing the procedure, how best to carry on the procedure. Here a very serious position has arisen where the Committee has taken upon itself to tell the House what it thinks is necessary and what it thinks is unnecessary. I feel that that is not something which should stand between the Member who wants to introduce the Bill and the House. The Committee can only advise us as to the classification and about the number of hours to be allotted. But to prevent a Member to introduce a Bill, a right which was conceded at that time when we were told that the

right was not being taken away, that, I think, would not be right. It would be infringing upon the right of Members in a sort of indirect way, putting the weight of the Committee against the House passing such a measure. And as such I think we should not allow the Committee to put before us this particular aspect whether they think it is necessary or unnecessary. It is only for the House to decide that, after the entire thing has been argued on the floor of the House.

Shri H. N. Mankarjee (Calcutta North-East): Could I ask Mr. Altekar for a clarification?

My difficulty is, he seems to think that if the House passes its verdict in regard to a certain matter, then any legislation in connection with that will not normally be permitted to be introduced. Because preventive detention was discussed in this House and accepted as a necessary provision we are told that this particular amendment of the Constitution is unnecessary.

Now, on that analogy all kinds of wrong things might happen. For example, the Industrial Disputes Act has recently been amended in a particular way, and we had a fairly full discussion. I am sure there are Bills pending in this House where certain matters relating to industrial disputes which were collaterally discussed during the proceedings of that Bill would have to be considered by the House. It is, therefore, not a question to be considered by the Committee, of which Mr. Altekar is in charge, as to whether a particular matter has already been adjudicated upon by the House. It is a question as to whether the Member concerned has a right under the Constitution and under the Rules to introduce the Bill. In regard to the amendment of the Constitution, Members have a right, which is perhaps of a higher quality than the right of moving ordinary, private Members' Bills. Therefore, I think that in regard to this

matter we should proceed very circum-spectly, and the implications of what Mr. Altekar has said as being the grounds motivating the Committee's decision are very important. And that is why I venture to intervene in the proceedings and to point out that perhaps something wrong is being sought, unconsciously, to be done by the Committee.

Mr. Deputy-Speaker: The position is that an hon. Member, Mr. Basu in this particular case, wishes to introduce a Bill; he wants the permission of the House to introduce it. There is a Committee on Private Members' Bills and Resolutions, appointed by this House. It has not taken any decisions. It is not that the Committee has exceeded its powers or transgressed any constitutional provisions or done anything improper. The House has appointed the Committee to facilitate its procedure in this House. We cannot say that a Member has an absolute right to introduce a Bill in this House. But the first stage that comes is that he asks for permission of the House to introduce that Bill. It is for the House to decide it may refuse that permission or it may grant that permission. In order to facilitate and help the House in coming to a decision, that Committee is there to make any recommendation. It is not that that decision of the Committee is binding on the House. It is not that their decision is to be brought here as an appeal to the House. Only, it has made a recommendation for the House to consider. And now it is before the House, whatever decision it takes. It would not make much difference whether Mr. Basu is allowed to say formally, "I may be granted permission of the House to introduce this Bill" or the House considers it in the Committee first and then in this House whether the permission should be given in this case or not.

Shri Kamath: That makes all the difference.

Mr. Deputy-Speaker: I do not think there is any difference. Even if the vote has to be taken, and Shri K. K. Basu insists that it must be in that form, ultimately it would come to the same result. There would be no difference.

Shri K. K. Basu: It all depends.

Mr. Deputy-Speaker: This argument that the Committee has exceeded its rights, that it has infringed any provisions of the Constitution, that any right of the Members is being taken away by this procedure, I think, has no substance and is not of any great value. Only the recommendation has come before the House. It is for the House to decide whether this permission is to be given or not. This is all what it amounts to, so far as I can see. The only difference that is sought to be made,—Shri H. N. Mukerjee has stressed this point and though I have tried to make it clear, I want to repeat—is that it is a right of the Member to introduce a Bill. As I pointed out, so far as I can make out, it is not his right to introduce a Bill, but it is his right to ask for permission. That is where, I think, the difference lies. Nobody can object to Shri K. K. Basu going to the Committee. It is our own procedure that we have agreed among ourselves to adopt. Therefore, Shri K. K. Basu also went there and discussed with the Committee. It is by mutual agreement. If this House so desires or the Members so decide that it would be no use to have a Committee, we can scrap it out. The House can do it. The ultimate sovereignty lies with the House. If the House thinks that this recommendation should not come, it can do without it. Ultimately the House shall have to decide, whether permission should be given or not. I think that question is going to be decided now when I put it to the House.

Shri Kamath: On a point of clarification Sir, what harm would have accrued if Shri K. K. Basu's motion for introduction of the Bill had appeared on the Order Paper, and then

the House considered the motion and refused leave for introduction of the Bill? That would have been much better.

Mr. Deputy-Speaker: Absolutely no harm would have accrued. I agree. But, we have decided among ourselves to proceed like this. We have appointed a Committee and it shall be put before the Committee first. The Committee shall make a recommendation and that recommendation shall come before the House. We are following a course that we have laid down for ourselves. Nothing beyond that.

Shri A. K. Gopalan (Cannanore): It is true that the House has given the power to the Committee to make the procedure easier. But, is it not also the duty of the Committee to see that, as far as the right of the Members to introduce a Bill is concerned, he is allowed to go before the House to seek the permission of the House? Not that we are questioning the right of the Committee. As far as this matter is concerned, the Committee would not allow him to go before the House. There may be difference of opinion also. On this question of introducing the Bill and asking for permission to introduce, I think the Committee should have allowed, at least when there was discussion with Shri K. K. Basu in the Committee, him to ask for the leave of the House and left it for the House to decide. Not that we always agree with what the Committee says. This is a very important thing.

Shrimati Rewa Chakravarty: You have said that leave or permission is to be granted by the House. One point I want to bring to your notice. Up till now, as far as Private Members' Bills are concerned, there has not been one single instance—I may stand corrected—where leave has been refused by the House when it has come directly to it. This is the sort of convention that, we have built up. Whenever leave was asked, it was given.

Shri Kamath: In my case, one Member objected; but leave was not refused.

Mr. Deputy-Speaker: I have no example to give to Shrimati Renu Chakravarti where leave was refused to a Private Member's Bill. There is this difference. Shri Kamath says that leave was not refused. I think it was the House which refused leave.

Shri Kamath: It was opposed by a Member. The Speaker Shri Mavalankar said that it was a convention and it should not be opposed.

Mr. Deputy-Speaker: It was here refused in this House. There was no recommendation of the Committee. I recollect the permission was not granted when he asked for leave.

Shri Kamath: My recollection is otherwise.

Mr. Deputy-Speaker: Here is another instance also.

Shri K. K. Basu: If the House refuses to give me leave, that is one thing. I remember distinctly there was a Bill by my hon. friend Shri Madhao Reddy about privy purse. Some Member opposed. The Speaker Shri Mavalankar was there. The Prime Minister also said that leave should be granted. Naturally when the Prime Minister said so, the other Benches granted leave. The practice has been to grant leave. Then it comes to the House. Of course, nobody can get through a Bill.

Mr. Deputy-Speaker: That the Prime Minister said in a certain case that leave should be granted is a different thing. It is for the House to decide whether leave should be granted or not. This is before the House now.

The question is:

That at the end of the motion, the following be added:

"Subject to the modification that permission be granted to Shri Kamal Kumar Basu to introduce his Bill to amend the Constitution."

Those in favour will please say 'Aye'.

Several Hon. Members 'Aye'.

Mr. Deputy-Speaker: Those against will please say, 'No'.

Several Hon. Members: 'No'.

Mr. Deputy-Speaker: I think the 'Noes' have it. The motion is negatived.

Some Hon. Members: The 'Ayes' have it.

Mr. Deputy-Speaker: I would request the Members in favour to stand in their places.

Shri Kamath: Under the rules of the House, the bell has got to be rung.

Mr. Deputy-Speaker: All right, let the bell be rung.

4 P.M.

The question is:

That at the end of the motion, the following be added:

"Subject to the modification that permission be granted to Shri Kamal Kumar Basu to introduce his Bill to amend the Constitution."

Those in favour will kindly say "Aye".

Some Hon. Members: "Aye".

Mr. Deputy-Speaker: Those against will kindly say "No".

Some Hon. Members: "No".

Mr. Deputy-Speaker: The "Noes" have it.

Shri K. K. Basu: The 'Ayes' have it.

Mr. Deputy-Speaker: Then I request the hon. Members in favour to stand up in their seats. There are 20. Those against. There is an overwhelming majority. The amendment is lost.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Fifty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 25th July, 1956."

The motion was adopted.

SADHUS AND SANYASIS REGISTRATION AND LICENSING BILL*

Shri Radha Raman (Delhi City): I beg to move for leave to introduce a Bill to provide for the registration and licensing of Sadhus and Sanyasis in India.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the registration and licensing of Sadhus and Sanyasis in India."

The motion was adopted.

Shri Radha Raman: I introduce the Bill.

INDIAN ADOPTION OF CHILDREN BILL

Mr. Deputy-Speaker: The House will now resume further discussion of the motion moved by Shrimati Jayashri Raiji on the 18th May, 1956:

"That the Bill to provide an adoption procedure to safeguard the interests of adopted children and the rights of their natural and adoptive parents, be taken into consideration."

Out of the two hours allotted for the discussion of the Bill one hour and 35 minutes were taken up on the 18th May, 1956 and 25 minutes are still available.

Shri M. D. Joshi may now continue his speech, but I may remind

the hon. Member that the hon. Minister has to reply and then the hon. Mover has to give a reply. Therefore, all these stages have to be gone through within 25 minutes. He will condense his remarks as much as possible.

Shri M. D. Joshi (Ratnagiri South): Last time when I was on my legs I pointed out certain inconsistencies in the Statement of Objects and Reasons. I do not want to go into that question again because my time is very limited, but I shall now turn to the object proper of the hon. Mover of the Bill.

What is the object? The object is humanitarian. It is not facilitating the satisfaction of parents or people who have no children, satisfaction such as Hindu childless parents had when they adopted children, but the satisfaction of having helped a poor child or an indigent child or a child without any means of livelihood or which was uncared for. That is the moral and higher motive which has actuated the Mover to bring this Bill.

Under the Hindu law, childless parents only—childless parents is a misnomer—childless people only can adopt, but under this Bill people who have got children can adopt. Under the Bill people of any religion can adopt children of any religion. Persons of any sex can be adopted. So, this Bill is very wide in its scope. Then, if the parents of the child which is proposed to be adopted are alive, their consent will be necessary. Then, if the child is above the age of ten, its own consent will be necessary. And further on it contemplates adoption through the intervention of the court. If the court passes a decree allowing the adoption, then the adoption will take place. A child over 18 years of age cannot be adopted. That means a major person cannot be adopted. All this is with the best of motives and I think the Bill should be assented to by Government. I do not know what the attitude of the

*Published in the Gazette of India Extra-ordinary Part II—Section 2. dated 27th July, 1956. pp. 617—620.

Minister of Legal Affairs will be. However, I request him to look to the motive that has actuated the Mover to bring forward this Bill.

However, I find some difficulties facing me. The first difficulty will be: what religion will the adopted child have? Suppose the adoptive father is a Hindu and the adopted child is a Muslim, then there will be the question of conversion. Some people will say conversion does not matter, because it is the welfare of the child that we are concerned with and not conversion, because the child may belong to any religion. That is all very well, but when it comes to introducing a measure of social reforms, and certainly this is a measure of great social reforms, all factors have to be taken into consideration, and this will be one of the stumbling blocks in the path of this Bill.

I should like the Bill to have another provision like the one contained in article 21 of the draft Bill prepared by the Hindu Law Committee. They restricted the right of the adopting parents to dispose of their property in the event of a specific agreement to that effect. Supposing people adopt a child and then leave it penniless, there is no sense in adopting the child, in giving the child a family name, in educating it and leaving it without any means of subsistence or livelihood. Therefore, there should be some such provision. Of course, that would not limit the right of the parents who adopt a child to dispose of their property as they like. Therefore, I think if some such provision has been incorporated in the Bill, it would have been better.

I do not want to dilate more on this subject because the time is limited, but considering the humanitarian motives that have actuated the Mover in bringing forward this Bill, I request the Minister of Legal Affairs to accept it.

The Minister of Legal Affairs (Shri Pataskar): I have no doubt whatso-

ever that the Bill has been brought forward with the most laudable of motives. The only question is whether in the first place the Bill is necessary and in the next place whether really it is a Bill which will apply to all communities.

Now, as is well known, it is only among the Hindus that there is adoption recognised by law. As regards Muslims and Christians, the other two major communities in our country, there is no adoption in the sense in which there is adoption among the Hindus. I know there are countries in the world which have laws covering adoption, but they are of a different nature, but by and large so far as our country is concerned, as soon as you utter the word "adoption", the conception is mostly confined to Hindus because, as you know there is a *shastric* saying:

यद्वैवात्मा तथा पुत्रः
पुत्रस्य दुपिता समा ।

The idea of this was that having a son or a daughter was just an extension of oneself. But after our having started with that basis, considering the fact that there have been many changes in the law that applies to the Hindus, naturally, in course of time, the daughter came to be eliminated. And I had to become a Ghaznavi to bring her back into line with the son. But the idea has been there, and adoption as a procedure has a significance, so far as the sentiments are concerned, with respect to the Hindus.

But I find that this Bill lays down naturally because this is a complicated question, that:

"Provided that nothing contained in this Act shall affect the provisions of Hindu Law relating to the adoption of a son."

After having experienced the difficulties with respect to making some changes which have become a necessity in the law of the Hindus, I feel that the time is not ripe now, when

[Shri Patalkar]

we could have a law which will apply in this matter to communities amongst whom there is no adoption at present, whether they be Christians, Muslims or Parsis or any others.

There is one other consideration. I know that there is a craze for the child in the case of those who have no children. I know of numerous cases where there is such a craze. So, even if there be no law, there is nothing to prevent a person from bringing up a child which is not born to him or her. The person can take care of that child and rear it. So, I do not think any law is necessary, considering this point of view.

Then, I come to the question of succession. Even now, as the law stands, there is adoption amongst Hindus. But in the case of others also, I think there is absolutely no difficulty whatsoever, if a person wants to adopt or rear up a child, he may not have the legal recognition of the adoption, but he can rear up that child. If he happens to be a person who has property, he can easily will away that property or do whatever he likes with it.

While I agree to the motive which underlies this Bill, I would request the hon. Mover of this Bill to consider that instead of applying this Bill or any Bill of this nature to communities amongst whom there is no adoption prevailing it is much better that we should first have a Bill dealing with the question of adoption amongst the Hindus themselves, because that is the community where there is large-scale adoption prevailing at present; and as I stated a little while ago, it is a matter of long-standing sentiment, religious efficacy and so on. The Hindu law itself needs some amendment in this respect because the law of adoption, as has been interpreted by different courts in different parts of country, has lost uniformity. In conformity with the times, it needs certain changes. In a sense, on account of several factors, it has become rigid, and in order to

be consistent with the modern times, it does need some changes.

I can assure the hon. Mover that probably in this very session, I propose to introduce, if possible in this House, or in the other House, a Bill dealing with the question of the maintenance of orphans amongst the Hindus. After that Bill is passed and it becomes law, I think it would be time enough to consider the question of having a uniform law applicable not only to Hindus but also to other communities in the country. That is the only thing that I would like to submit. Otherwise, so far as the object underlying the Bill is concerned, there is no difference of opinion.

It may be argued that there may be a few hard cases. But I believe, even without the law, there should not be much difficulty for people to rear up children if they want. Even if there is any difficulty, I think the time for having a law of adoption applicable to all communities would be only after we have first tried to improve and codify the law of adoption amongst the Hindus. That is the basis on which we have been proceeding.

The House has accepted it. Besides, our Constitution also lays down that there shall be a uniform civil code. We are proceeding on a gradual basis. As I said earlier, in matters of this nature, it is better that we first try to codify and improve the law relating to adoption amongst the Hindus, and bring it in conformity with the changes in times, and thereafter, we can think of having such a law extended to other communities as well.

In these circumstances, I would request the hon. Mover to withdraw this Bill. Of course, the hon. lady Member has done a great social service by bringing forward this Bill before the House. Thereby, she has drawn the attention of the public to these problems which are really difficult in their nature, no doubt, and to

the cases of these unfortunate orphans. She has made a very good and close study of the subject. She has taken such pains as would not have been taken even by a good lawyer. So, I really appreciate all her efforts for promoting a cause like this which is humanitarian in its nature. At the same time, considering the fact that the time for a law of this nature is not ripe, I would request her to withdraw this Bill for the time being.

Shrimati Jayashri (Bombay—Suburban): I am thankful to all the Members who have taken part in this debate and supported this measure. I am glad that they have appreciated the humanitarian object with which this measure has been brought forward. As the Minister has already said, we have adoption laws at present for adopting Hindu children. But I find that orphans cannot be taken in adoption.

Shri Pataskar: We shall change it now.

Shrimati Jayashri: There is, however, adoption going on side by side, but there is no legal procedure behind this. My idea was that there should be some safeguards for those children who are taken in adoption.

As I said last time, I had collected opinions from many social workers, who had come across adoption procedures in relation to these children. Their opinion was that there is urgent need for a measure of this nature, because in the course of their work, they have experienced difficulties; especially the magistrates in juvenile courts, where destitute children are brought, have experienced difficulties. Unless there is some measure like this, children would be taken in adoption, but there will be no guarantee that those children will be the natural heirs of their parents. That is the most important thing that should be provided for, and that is what I have emphasised in clause 11, where.....

Shri Pataskar: May I say a word? I have considered that matter. In most of these cases, where destitute children are taken in adoption, the persons who come forward to take them in adoption have been found to be mostly Hindus. The new law which I propose to introduce will certainly do away with the difficulty in this regard; of course, I would have to introduce it with the consent of the House, but that is what I am proposing.

Shrimati Jayashri: I am glad the Minister has given this assurance. I hope that the Bill which he has promised to introduce will have incorporated in it all the provisions in my Bill, especially the one enabling girls also to be taken into adoption. At present, only boys are taken into adoption. If our aim is to help children, even girls also require the love of parents. I know that there is a danger that perhaps the girls might be adopted with other motives. But in the clause I have got in the Bill, safeguards are provided against that contingency. This must be done after taking into consideration all the matters and circumstances under which the child is to be adopted. Also there will be a procedure of follow-on so that after the child is adopted, some authority will be taking care of the child. In these circumstances, I think that the apprehension that the girl will be exploited will be removed.

My hon. friend, Shri M. D. Joshi, referred to the fear of conversion. I think here also the court will see that the child is given in adoption only to such parents who will be belonging to the same religion as that of the child. My Bill wants that this adoption law should be for all. It should be common law. If Mohammedans want, they can also adopt Mohammedan children by making use of this measure. The court is there to see that there will be no proselytising behind this adoption. I have said that there should be proper methods of adoption. Perhaps even now there might be adoption by other.

[Shrimati Jayashri]

people where all these measures are not there. There are chances of children being proselytised. In order to safeguard against that, I have brought forward this measure. I hope from that point of view also, the Minister will accept this measure, because it is for all citizens. But in case he wants to bring forward a piece of legislation for Hindus only, he can also think over some of the clauses I have got in my Bill and try to incorporate them in the Bill that he envisages.

I am glad that he has given an assurance. I am thankful to him for appreciating this Bill. I would have been very happy if he had accepted this Bill. It is a very non-controversial Bill. It is brought solely from the humanitarian point of view. We want to help little children who are destitute, who are neglected, who have no homes and who require the love of parents. We know that at present in our society, there are hundreds of such children. There are not enough homes for them, as I had said, and for them the right thing would be to be adopted by some parents.

Mr. Deputy-Speaker: The hon. lady Member should conclude now.

Shrimati Jayashri: I conclude by saying that I hope that some of the provisions which I have put in in my Bill may be considered for being incorporated in the measure that the Minister intends to bring forward.

Mr. Deputy-Speaker: What does the hon. Member wish to do with the Bill? That is what I want to know.

Shrimati Jayashri: Instead of withdrawing it, I request that it may be postponed.

An Hon. Member: It may be circulated.

Shrimati Jayashri: An Hon. Member says that it may be circulated.

Mr. Deputy-Speaker: That motion cannot be made now. The motion now is for consideration. If she

wants to seek the permission of the House to withdraw it, she may do so. Otherwise, I will have to put the motion to the vote of the House.

Shri Pataskar: She can withdraw it.

Shrimati Jayashri: After the assurance given by the hon. Minister, I beg leave of the House to withdraw the Bill.

The Bill was, by leave, withdrawn.

Mr. Deputy-Speaker: The next item in the list of business is the Unemployment Relief Bill. But Shri V. P. Nayar is absent. So we take up the next Bill, the Ex-Army Personnel's Litigation Bill of Dr. N. B. Khare.

Dr. N. B. Khare (Gwalior): I would request you kindly to allow me to address the House sitting. Also as the subject is very technical, I shall read from my notes very copiously.

Mr. Deputy-Speaker: In view of the condition of his health, I allow him to do so.

Shri Raghunath Singh (Banaras Distt.-Central): On a point of order. My Bill is listed as item No. 7 in the list of business. But actually discussion on my Bill was adjourned last time in April. Therefore, it should be taken up after the first Bill, just like the part-heard Resolution.

Mr. Deputy-Speaker: The rule is that 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 and on receipt of such notice, the relevant precedence of such Bill or Resolution shall be determined by ballot. So it is not his absolute right that because it was adjourned last time, therefore, it should get precedence. It will have to be balloted again, and it has got the order that has been given to it.

EX-ARMY PERSONNEL'S LITIGATION BILL

Dr. N. B. Khare (Gwalior): I beg to move:

"That the Bill to provide remedy and to regulate the ex-army personnel's litigation with respect to their pay, allowances, pension, gratuity and all other emoluments payable under army regulations and usage of the army and punishments inflicted on them without jurisdiction, or in excess of jurisdiction, or in excess of the quantum prescribed by the army laws, be taken into consideration".

This subject of army pension is included in item 71 of the Union List. That means this House has got the exclusive right to take this matter into consideration under article 246 of the Constitution which reads:

"Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the 'Union List')".

It is a fact that we have not or this House has not enacted any laws governing these pensions and the situation now is that these pensions are governed by the rules which were in vogue during the British time, before the British parted with power. Hence my attempt to move this Bill.

The object of this Bill is not to burden the Union with extraordinary legal liabilities nor is it the object to impose upon the Union obligations not created by the Constitution and the existing law. The object is that there must be efficient and expeditious remedy at law so that the obligations imposed upon the Union by the grant of fundamental rights should not stand denied to those ex-officers and soldiers, who, during World War II and up to the date of commencement of the Constitution, formed part of

the Forces called His Majesty's Indian Forces. Nor should the remedy be denied to the ex-officers and soldiers and Airmen of the 'Regular Army'. The fundamental rights to the members of His Majesty's Indian Forces stood recognised by the Imperial Army Act, which being an annual Act, formed the last word of the Legislature and which Act applied to His Majesty's Indian Forces—vide section 180(2) of the Army Act read with the Active Service Ordinance X of 1941.

The Army Act being an Imperial Act, and being in *pari materis* with the Indian Army Act, applied to His Majesty's Indian Forces unless specifically excluded. On this point, section 180(2) read with its clauses (a) and (b) constitutes the authority. This view is lent support to by observations in 8 Madras 365 and 10 Madras 108. Section 180(2) and the clauses (a) and (b) of the Army Act read as under:

"180(2) In the application of this Act to His Majesty's Indian Forces, the following modifications shall be made:

(a) Nothing in this Act shall prejudice or affect the Indian Military Law respecting officers or soldiers or followers in His Majesty's Indian Forces, being natives of India and on the trial of all offences committed by such native officers, soldiers or followers, reference shall be had to the Indian military law for such native officers, soldiers or followers, and to the established usage of the service, but courts-martial for such trials may be convened in pursuance of this Act.

(b) Part Two of the Act shall not apply to His Majesty's Indian Forces....."

By the aforesaid provision in the Army Act itself, it follows that apart from Part II of the Army Act, the

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entire Act applied to His Majesty's Indian Forces. It is obvious that courts-martial may be convened in pursuance of that Act. It is thus clear that cases for which the Indian Army Act did not expressly provide and the Army Act did, the latter applied first and the Indian Army Rules and other domestic rules stood suspended. It is thus clear that where the Indian Army Act was silent as to the manner of subjecting officers, soldiers or other persons to punishment, the manner of subjecting them to punishment could not be the manner which was at variance with the provisions of that Act. This view is made clear by section 69 of the Army Act, which runs as under:

"69. It shall be lawful for His Majesty to make Articles of war for the better Government of officers and soldiers and such articles shall be judicially taken notice of by all judges and in all courts whatsoever:

Provided that no person shall, by such Articles of War, be subject to any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishment as aforesaid, or be subject with reference to any crimes, made punishable by this Act, to be punished in any manner which does not accord with the provisions of this Act."

The Imperial Army Act thus laid down the manner or procedure for subjecting persons to punishment. Notwithstanding the specific provisions as to the manner of subjecting persons to punishment laid down by section 69 of the Army Act, the officers and soldiers of His Majesty's Indian Forces have been subjected to punishment of the nature of 'forfeiture and stoppages' without taking recourse to judicial proceedings. No chargesheet, no trial, no evidence on oath and yet the victim is subjected to 'forfeitures and stoppages'. This

is a manner which, as per observations of His Lordship Mr. Justice Khosla in *Govind Singh vs. the Union* decided on 15th February, 1956, highly irregular. Even for disallowing death and disablement compensations, the provisions of the Army Act were not referred to. In other words, evidence is not taken on oath and judicial notice is taken of inadmissible evidence.

Reference to clause 11 of section 44 of the Army Act will show that judicial proceedings are necessary to subject an offender to forfeiture of service towards pension. This section reads:

"44-(11) In addition to or without any other punishment in respect of any offence, an offender convicted by Court Martial may be subject to forfeiture of any deferred pay, service towards pension, Naval, Military or Air Force decorations or Naval, Military or Air Force rewards, in such manner as may for the time being be provided by Royal Warrant."

It is obvious that for subjecting one to any forfeiture of service towards pension or forfeiture of a Naval, Military or Air Force reward, the essential conditions laid down by the Imperial Army Act are: (i) Conviction by Court Martial and (ii) Royal Warrant laying down the manner to forfeit any service towards pension or any Naval, Military or Air Force reward. In the absence of any of these conditions, no forfeiture of service towards pension could be lawfully effected. The minimum pension payable for the rank has to be admitted and paid without delay. Subjecting of any officer or soldiers on active service to punishments in a manner other than the one enacted by the Imperial Army Act was specifically excluded by section 69 of the Army Act, 1881; excluded by sections 20/43 of the Indian Army Act, 1911 and now excluded by section 71(h)/80 of the Army Act, 1950. Thirdly, in the Indian Army Act, 1911, there

was no remedy against the "near of a manner to disallow death and disablement compensation or to forfeit service for the purpose of pension' Disallowance and forfeitures are judicial acts and as such they should be performed in accordance with the rules of judicial proceedings. The late Army and War Departments of the Government of India did never give effect to the last words 'but Courts Martial may be convened in pursuance of this act', occurring in clause (a) of sub-section (2) of section 180 of the Army Act, 1881 cited before.

The late Army and War Departments of the Government of India evolved a domestic procedure to punish soldiers and officers summarily and thus they bade good bye to the mandates of sections 46(6) and 46(8) in the case of persons and sections 47(3) and 47(4) of the Army Act, 1881 in case of officers. The principle laid down by these sections is that the offender shall be asked if he desires to be dealt with summarily or by a court martial. Even if the accused elects to be dealt with summarily, he has the right to demand that evidence against him should be taken on oath and the same oath or solemn declaration as that required to be taken by witnesses before court martial is required to be administered to each witness in such a case. They have made rules or regulations whereby the statutory manner to punish stands abrogated.

No power for making rules inconsistent with or contrary to the provisions of the Army Act, 1881, was conferred on any authority. A reference to section 70(1) of the Army Act, 1881, will make the matter clear. This section runs:

"71(1) Subject to the provisions of this Act, His Majesty may, by rules to be signed under the hand of a Secretary of State, from time to time make and when made, repeal, or alter or add to provisions in respect of the following matters:....

72(2). Provided always that no such rule shall contain anything contrary to or inconsistent with the provisions of this Act."

They have evolved the view that the restrictions on the rule-making power imposed vide above provisions of section 70 AA have no application in relation to members of His Majesty's Indian Forces irrespective of the fact whether they were subject to Army Act as officers or soldiers on active service or whether they were serving in peace conditions. This view is *ipse dixit*. The Indian Army Act, 1911, was made by reference to power conferred on the Indian Legislature by section 73 of the Government of India Act, 1933. In the Government of India Act, (1915), power of the Indian Legislature to make laws for officers, soldiers and followers was qualified by the following words occurring in clause (d) of section 65, which ran as follows:

"65(1). The Indian Legislature has power to make laws:.....

(d) for the government officers, soldiers (airmen) and followers in His Majesty's Indian Forces in so far as they are not subject to the Army Act (or the Air Force Act)".

Shri A. K. Gopalan (Cannanore): I wish to draw your attention to a matter of importance and urgency now.

Mr. Deputy-Speaker: As the motion is now being made by the hon. Member, Dr. Khare, I cannot interrupt him. Let him conclude first his motion and then I shall take up your point.

The Deputy Minister of Defence (Sardar Majithia): I heard the hon. Member talking about the Army Act, 1911. May I suggest that he refers to the Army Act, 1950, by which we are governed now?

Dr. N. B. Khare: I have also referred to the Act of 1950 twice or more. Perhaps the hon. Minister has not caught me.

Mr. Deputy-Speaker: Perhaps the hon. Member is not aware that half an hour is the maximum period that can be allowed for moving a motion so far as a Private Member is concerned.

Dr. N. B. Khare: I am at your pleasure, stop me at any time you like.

Mr. Deputy-Speaker: It is only 15 minutes since he has started.

Dr. N. B. Khare: I hope to take about six minutes more.

It will thus be seen that as early as the year 1915, the Imperial Parliament visualised the condition wherein the Indian Forces became subject to the Army Act. It is obvious that when the personnel of His Majesty's Indian Forces were so subject, they were governable by the Imperial Army Act and not by the Indian Army Act rules or other domestic rules. This condition was when the Indian Forces were declared to be on active service, that is to say, when they were engaged in a war. Needless to say that war was the province of the Imperial Government and not of the Government of India. It follows that pay, allowances and pension including death and disablement pensions became governable by the Imperial laws. The Indian Legislature had no power to affect the expenditure incurred on war one way or the other.

The power of the Indian Legislature was further negatively restricted by sub-section 2 of section 65 of the Government of India Act, 1915, which runs as under:

"65(2). Provided that the Indian Legislature has not, unless expressly so authorised by Act of Parliament, power to make any law repealing or affecting (1) any Act of Parliament passed after the year one thousand eight hundred and sixty and extending to India, including the Army Act (the Air Force Act) and any Act amending the same."

In section 84 of the Government of India Act, 1915, the following words were inserted vide section 2(2) of the Government of India (Amendment) 1916:

"A law made by any authority in British India and repugnant to any provision of this or any other Act of Parliament shall, to the extent of that repugnancy and not otherwise, be void."

Notwithstanding the power conferred by section 65(d) of the Government of India Act, 1915, the matter concerning the soldiers' pay, allowance, ordinary pension, death and disablement pension remained the province of the Secretary of State for India, in Council vide section 235 of the Government of India Act, 1935, according to which the proposal of the Governor-General in Council for the appropriation of revenue or money relating to the head of the expenditure classified by the Governor-General in Council as "Defence" and "Political". It follows that the government of the subject of pay and pensions etc., was no concern of the Indian Legislature. This section 67A stands retained by Schedule IX of the Government of India Act, 1935. In the Army Act, the pay of an officer or soldier of His Majesty's regular forces stood protected in the following words:

"136. The pay of an officer or soldier of His Majesty's regular forces shall be paid without any deduction other than the deductions authorised by this or any other Act or any Royal Warrant for the time being or by any law passed by the Governor-General of India in Council."

The mandate of section 136, Army Act, was suffered to stand unaccomplished with inasmuch as the late War Department sought to make rules governing pay, allowances, pension and disablement pension payable to His Majesty's Indian Forces. No

power to make such rules was conferred on the late War Department. The subject was a matter of substantive law and not of statutory rules, much less of domestic rules. This transfer of power made by the late War Department to itself was contrary to section 313(1), section 235, section 300(2) of the Government of India Act, 1935. Such a usurpation of power by a subordinate of the Imperial Parliament constituted contempt of Parliament. The Regulations in dispute are but misnomer of the expressions "regulation" or "rule" defined by clauses 50 and 51 of section 3 of the General Clauses Act, 1897, which applied for the interpretation of all Central Acts and Regulations.

The Constitution *vide* article 13(1) lays down:

"All laws in force in the territory of India immediately before the commencement of the Constitution, in so far as they are inconsistent with any provision of this Part, shall, to the extent of such inconsistency be void."

This command of the Constitution is suffered to stand disobeyed when the ex-soldiers' emoluments are governed by domestic rules—domestic rules not published in the Official Gazette. About this there was a case in the Supreme Court in 1951—the famous Jaipur appeal in opium case—in which it was decided that any punishment given to a person under rules, which were not published in the Official Gazette in the proper way, is abhorrent to all legal conscience. They are consequently inoperative as per observations of their Lordships of the Supreme Court in *Harla versus the State of Rajasthan* published in AIR 1951 467. Section 170(1) of the Army Act says as follows:

"Any action, prosecution or proceedings against any person for any act done in pursuance, execution or intended execution of this Act or in respect of any neglect or default in the execution of this Act shall not lie or be instituted

unless it is commenced within six months next after the act, neglect or default complained of, or in case of a continuance of injury or damage, within six months next after the ceasing thereof".

So, my contention is that the British Act is more liberal than our Army Act. The provisions of section 170(1) which I have read just now and 170(3) are not applied here. This Parliament has got the right to go into the grievances of army personnel. After all, the army has got a vital part to play in the Indian Republic, and we should not disturb the rights of the army personnel and we should regulate, on the other hand, the litigation work of army personnel. This is all that I have got to say.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide remedy and to regulate the ex-army personnel's litigation with respect to their pay, allowances, pension, gratuity and all other emoluments payable under army regulations and usage of the army and punishments inflicted on them without jurisdiction, or in excess of jurisdiction, or in excess of the quantum prescribed by the army laws, be taken into consideration."

DEMONSTRATION NEAR PARLIAMENT HOUSE

Shri A. K. Gopalan (Cannanore). I wish to bring to your notice a matter of urgent public importance. Hundreds of persons are being arrested now. They have already been arrested and taken round the Parliament House, in the precincts of the Parliament House. Hundreds of policemen and police vans are also here. It is difficult for Members to go out and to come in. Also, it is learnt that all these persons from all over Bombay and Maharashtra have come here to represent certain grievances to Parliament. My request is that, as the custodian of the Parlia-

[Shri A. K. Gopalan]

ment, you should be pleased to go out and meet them and talk to them for a while. They have all come here to represent some grievances. But what is happening is that they are all arrested and are taken out in vans. That is what is happening in the precincts of Parliament. So, I request you to interfere and ask you whether you can interfere in anyway or at least to go and meet them and talk to them.

Shri V. G. Deshpande (Guna): May I make one submission? Nearly 2,000 persons amongst whom 200 are ladies have come here and they are being arrested. They have come here, may be for satyagraha, but....

Mr. Deputy-Speaker: I request the hon. Member to state what he wants. We are in the midst of Private Members' Bills.

Shri V. G. Deshpande: I am coming to that. These persons have come to represent their grievances. There is a procedure in the House by which we can hear petitions. When 2,000 persons have come from long distances, the House can take cognizance of their demand. If the House sends some representatives there, or if they are received here, that would be quite in conformity with democratic traditions.

Shri Kamath (Hoshingabad): I request you to adjourn the House for a few minutes so that Members might go and meet them.

Mr. Deputy-Speaker: The hon. Members will appreciate that it is difficult for me to adjourn the House for this purpose. Those hon. Members who want to meet them may certainly go; they have no obstruction or obstacle in the way. They can go out and meet them. I have been asked to go and see them. But the proceedings of the House are to be conducted. It is not possible for me to go. They have all my sympathies. I fully realise the situation.

Shri K. K. Basu: (Diamond Harbour): You can authorise Members to go. The people are in the precincts of Parliament House.

Mr. Deputy-Speaker: I do not think I can in any way authorise Members of the House to go and meet them. Perhaps the hon. Members are aware that this question was raised this morning and the hon. Speaker has given this decision:

"The compound of the Parliament House has not yet been included in the precincts of the House under the rules or orders. Hence, security measures in this area are taken by the executive."

This is what he ruled this morning. So, it is not possible for me to take cognizance of what is happening there. We shall have to continue the business of the House here. Certainly those Members who want to go may go and meet those persons. But it is not possible for me to go. The rules also do not permit or say that I could adjourn the House for such purposes or that I could authorise any Members of the House to go.

Shri Kamath: May we be assured that you sympathise with this cause?

EX-ARMY PERSONNEL'S LITIGATION BILL—contd.

Shri Tek Chand (Ambala-Simla): When I went through Dr. Khare's Bill, the impression left on my mind was that if there could be any piece of legislation subversive of discipline, in contravention of the well-known cardinal principles of jurisprudence, and the cardinal principles of law, this Bill deserves a place of honour. Let us examine the provisions of this Bill and see what will happen if such a Bill could ever become law. The author of the Bill suggests that permission should be given to any member, who falls within the definition of ex-army personnel, to prosecute any person for any act. Not only that, permission is sought to be given to

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prosecute any person for any act of negligence or of a default. Whatever his status, whatever his official capacity, section 190(C) of the Code of Criminal Procedure is no bar. Further, according to the author of this Bill, the sanction which is absolutely necessary for prosecution of judges and public servants under section 197 is also dispensed with. In other words, if any false petition is instituted, or if any wild allegation is made, the author of this Bill wants even such persons who are responsible for making such false allegations to have a free field to prosecute any person, from the lowest officer right up to the Commander-in-Chief. As a matter of fact, "any person" means a person who is outside the category given by the author of the Bill. Any person can be prosecuted, that is to say, a criminal action against any person can be brought forward for neglect or default. It is a peculiar measure which is unheard of.

Not only this. The author of the Bill says in clause 4 that any ex-army person can go straight to the high court even for a trivial matter involving family pension or for any other trifling grievance. The high courts are not supposed to go into small matters—whether the person has got his pension in entirety or whether he has got his pension in adequate measure or not, etc. are high courts are going to sit in judgment as if they are trial courts!

Clause 5 is still worse. The author permits such a person to institute a suit for declaration of his title without the usual notice which is very necessary under section 80 of the Civil Procedure Code. He thinks that even two months notice that is required under that provision should be dispensed with.

5 P.M.

Not only that. He does not want such a person to pay court fee. He should pay that only in the event of his success. Therefore, it is open to such person or persons to institute as many suits as they like, howsoever

frivolous they may be, without paying one pie by way of court fees. It is payable only after the person is successful. So, that leaves a free field to institute any number of frivolous applications as a person may desire.

What is more is that the jurisdiction, according to this Bill, is being conferred upon the High Court to go into all matters and to issue writs. Writs, as everyone knows, are issued under article 32 of our Constitution where a person is being deprived of any Fundamental Right. In very special cases, the High Courts are given jurisdiction under article 226 to entertain writs not only where there is any breach of Fundamental Right but for any other purpose as well. This provision of our Constitution has been the subject matter of any number of precedents by all High Courts and the Supreme Court whereby they define the purview of such a writ. That is to say, such an application has to be entertained very sparingly and in very rare cases and in no case where there is an alternative remedy available. There is the Army Act—sections 47, 50 and 61. They give ample safeguards even if the Army Act of 1950 was inadequate, it is understandable that an amending Bill may be introduced whereby some court of appeal may be allowed to try such cases. As a matter of fact, there is already a right of appeal. Some tribunal may be set up whereby the aggrieved person may have his grievance decided upon. I do not think much of the time of the House is required to show that a measure of this kind is simply inconceivable in any civilised society, where discipline, justice and administrative convenience are matters of some importance.

The Deputy Minister of Defence (Sardar Majithia): I am grateful to my colleague, Shri Tek Chand, for coming out with the most suitable answer to the hon. Mover. This Bill has neither got any justification nor is there any occasion now for such a

[Sardar Mehta]

BILL. The Army Act passed in 1950 by the Parliament gives ample powers to the Ministry and the Army Headquarters to deal with any such situation as the hon. Mover has in mind. Section 47 deals with ill-treatment of a subordinate. The punishment put down is a term of imprisonment which may extend to seven years. Again, section 50 deals with irregularity in connection with arrest or confinement. That also has got a heavy punishment. Section 61 deals with unlawful detention of pay which the hon. Mover referred to. That offence is also punishable with imprisonment extending to ten years. I think it is enough deterrent for the officers to act in a manner which is justifiable. So, if any officer defaults he can be dealt with under these sections. Apart from this, as Shri Tek Chand pointed out, this interferes with the powers of the Supreme Court and the High Court. On all these grounds, this Bill cannot be put on the statute.

The main point is that enough powers rest with the Central Ministry. I go further. I know a number of cases where ex-servicemen have appealed to the highest authority in this land, the President. He has personally sent for the cases and decided about their justifiable nature or otherwise. We are living in a democratic country. It is not an autocratic country about which the mover was talking most of the time. Petitions, either through the hon. Members of this House, or direct, come to the Ministry a number of times. They are thoroughly gone into and given the most careful consideration. I say that due justice is done to each and every petition that is coming up. In these circumstances, I do not feel like wasting any more time of the House and I simply say that this Bill should not find a place on the statute book.

Dr. N. B. Khare: I have given my arguments in my speech. These things are administered under domes-

tic rules which are never publicised anywhere or advertised. As I have said before, the Supreme Court has said that punishing people under laws not popularly advertised or properly passed is not only abhorrent but barbarous. It is the practice at present. Therefore, I do not withdraw my Bill. Government may defeat it.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide remedy and to regulate the ex-army personnel's litigation with respect to their pay, allowances, pension, gratuity and all other emoluments payable under army regulations and usage of the army and punishments inflicted on them without jurisdiction, or in excess of jurisdiction, or in excess of the quantum prescribed by the army laws, be taken into consideration."

The motion was negatived.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Amendment of section 435)

Mr. Deputy-Speaker: The House will now take up the motion for resumption of the adjourned debate on the motion moved by Shri Raghunath Singh on the 29th April, 1955, that the Bill further to amend the Code of Criminal Procedure, 1998, be taken into consideration.

Out of 1½ hours allotted to this Bill, one hour has already been availed of on the 29th April and 5th August 1955 and thirty minutes are now available.

श्री रघुनाथ सिंह (जिला बनारस मध्य) :
उपाध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि येरे
द्वारा २६ अप्रैल १९५५ को पेश किये गए
निम्नलिखित प्रस्ताव पर स्वगित बाद-विवाद
को फिर से चारम्भ किया जाये, यथातः :

"कि क्रिमिनल प्रोसीक्यूटोर कोड, १८९८,
में और अपने संशोधन करने वाले विन पर
विचार किया जाये।"

The Minister in the Ministry of Home Affairs (Shri Datar): Sir, 30 minutes are not necessary, because we are accepting the Bill.

Mr. Deputy-Speaker: That is the maximum prescribed and not the minimum.

Shri Datar: I have suggested certain formal amendments so as to bring it in line with the proper Bill.

Mr. Deputy-Speaker: The question is:

"That the adjourned debate on the following motion moved by Shri Raghunath Singh on the 29th April, 1955, be resumed:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1898, be taken into consideration."

The motion was adopted.

Shri Datar: I suggest that we take clause 2. I have got a number of formal amendments.

Clause 2.—(Amendment of section 435 etc.)

Amendment made: Page 1, line 7—after "the Code of Criminal Procedure" insert:

"1898 (hereinafter referred to as the principal Act)."

—[Shri Datar.]

Mr. Deputy-Speaker: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

New Clause 3

Amendment made: Page 1—

after line 8, add:

"3. In sub-section (1) of Section 438 of the principal Act,—

(a) after the words 'a sentence' the words 'or an order' shall be inserted; and

(b) after the words 'such sentence' the words "or order" shall be inserted."

—[Shri Datar.]

Mr. Deputy-Speaker: The question is:

"That clause 3 be added to the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

Enacting Formula

Amendment made: Page 1, line 3—after "Parliament" insert:

"in the Seventh Year of the Republic of India".

—[Shri Datar.]

Mr. Deputy-Speaker: The question is:

"That the Enacting formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That the Preamble be added to the Bill."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the title stand part of the Bill."

The motion was adopted.

The title was added to the Bill.

Shri Raghunath Singh: I beg to move:

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

Mr. Deputy-Speaker: The question is:

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

The motion was adopted.

INDIAN PENAL CODE
(AMENDMENT) BILL

(Amendment of Section 497)

Shri Dabhi (Kaira-North): Sir, I beg to move:

"That the Bill further to amend the Indian Penal Code, 1860, be taken into consideration."

This is a very short Bill consisting of only two clauses, of which only one is an operative clause. The Bill seeks to amend section 497 of the Indian Penal Code which defines the offence of adultery and makes it punishable. Section 497 reads thus:

"Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. In such case the wife shall not be punishable as an abettor."

It will be seen from the wording of this section that any man who commits adultery with the wife of another person is punishable but the wife of that another person is not punishable as an abettor. My Bill wants to delete that proviso to this section, namely: "In such case the wife shall not be punishable as an abettor". In short this Bill seeks to do away the discrimination in favour of women with regard to punishment for adultery.

Sir, an identical Bill was introduced by me in this House in 1932. That Bill was debated for a few hours on the floor of this House and some Members of this House also took part in that debate. Ultimately I withdrew that Bill. I shall let the House know a little later why I withdrew that Bill.

Before that I will refer the House to the reasons which prompted the authors of the Indian Penal Code to exempt the wife from punishment under section 497 of the Code. This is what the authors of the Indian Penal Code say:

"Though we well know that the dearest interests of the human race are closely connected with the chastity of women and the sacredness of the nuptial contract, we cannot but feel that there are some peculiarities in the state of society in this country which may well lead to a human man to pause before he determines to punish the infidelity of wives. The condition of the women of this country is, unhappily, very different from that of the women of England and France. They are very often neglected for other wives while still young, they share the attentions of a husband with several rivals. To make laws for punishing the inconstancy of the wife, while the law admits the privilege of the husband to fill his Zenana with women, is a course which we are most reluctant to adopt."

You will see from this that the reason given by the authors of this Code for not punishing the wife as abettor was that at that time polygamy existed among all sections of the people, except the Christians and Parsis. My humble submission is that the circumstances which influenced the authors of the Code have ceased to exist and the time is ripe now for doing away with this proviso which makes a discrimination between men and women.

We know that in India polygamy does not exist among Christians and

Parsi. The total population of our country is 35,67,00,000 and out of this, 31,33,00,000 or 80 per cent. are Hindus. By passing the Hindu Marriage Bill, 1955, we have done away with polygamy among Hindus. Of course, polygamy still remains among Muslims, but even before the passing of this Bill, polygamy in this country has become rare even among the Muslims. It is stated at page 75, *Census of India, Vol. I, Part IA* as follows:

"..... Polygamy, though it exists, is known to be very rare..... Out of every 10,000 persons in India, there are 2353 males for every 2357 married females."

Therefore, times have changed and this system of polygamy has ceased to exist. The very cogent ground on which the authors of the Code exempted women from being punished as abettors does not exist at all.

I shall tell you the reason why I withdrew my Bill on 30-7-1952. Hon. Members Shrimati Jayashri and Shri Raghuraj Sahai argued at that time that so long as polygamy existed among Hindus and so long as women were not allowed divorce, it was quite unfair to delete this proviso. So, I withdrew the Bill. Now, as I have said, that the Hindu Marriage Act, 1955, which not only prohibits polygamy but also permits divorce to women, has been placed on the statute-book, the arguments advanced by the authors of the Code do not exist.

There is another point also. We have articles 14 and 15(1) of the Constitution which place men and women on equal footing. So, it can be very well argued that after the passing of the Constitution, no discrimination can be made only on the ground of sex. There is still difference of opinion whether this proviso contravenes articles 14 and 15(1) of the Constitution; but, I have no doubt that this proviso is against the spirit of the Constitution which seeks to confer equal rights on men and women.

5-23 P.M.

[SHRI BARMAN in the Chair]

Apart from the question whether this proviso in the Indian Penal Code is against the Constitution or not, I do not understand why, when a person, whether man or woman, actually commits an offence, the man alone should be punished and not the woman. We must remember that section 497 punishes adultery and not rape. When there is rape, it means that it is against the will of the woman concerned; but in adultery, the real consent of the woman is necessary. Therefore, when polygamy has already been abolished and divorce has been allowed to women, there is no reason why we should not do away with this proviso. It passes my comprehension why a woman, who permits another person to take liberties with her, should not be punished. I want those Members who want to continue this proviso to put themselves in the position of the man whose wife has committed adultery. I would like to ask our sisters one question: Is it or is it not a fact that the interests of the human race are closely connected with the chastity of women? If they reply "no", I have nothing to say. But, if the reply is in the affirmative, I think this proviso should be dropped and woman also should be punishable as an abettor.

Lastly, our sisters were asking for equal rights. Even their self-respect demands that they should not ask for any favours from the point of view of law. What I say should not be misunderstood. Nobody can accuse me of saying anything against my sisters because, as you know, I was for absolutely equal rights for women while the Hindu Marriage and the Hindu Succession Bills were being discussed in this House.

Under these circumstances I think the time has come when we should do away with this invidious distinction between men and women. This clause does not, to my mind, do any good to women, because it gives encouragement to bad-character per-

sons. I hope that this Bill would, therefore, receive the consent of the whole House.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Indian Penal Code, 1860, be taken into consideration."

Shrimati Jayashri (Bombay-Suburban): On the last occasion when this Bill was brought by the hon. Member I remember I had opposed that Bill, not because, as the hon. Member said, we were asking for any favour but because, as I had said then, women were suffering from disabilities at that time. He also said that there was polygamy at that time, and now, as we have got the new Hindu Marriage Act passed in which monogamy is enforced, he thinks that women should be put on an equal footing with men and they should also be punished.

I would like to say that we are willing that men and women should be put on an equal footing. But I see now that there is no necessity of having this clause at all. As we have got provisions relating to divorce also in the Hindu Marriage Act, the aggrieved party can have recourse to that measure for asking for divorce if there is any injustice done. I can understand, as he said, that if there is a rape then there is a necessity of giving punishment. But in adultery, where the consent of each party is there, if the person has got any grievance he can ask for divorce. So there is no necessity now left for having this clause in the Penal Code, and I would suggest that this clause should altogether be removed. Mere punishment is not going to help. If the aggrieved party has got something in his hand and if he wants to punish the other party—wife or husband—he or she can take the matter to the court and ask for divorce. So, now I feel that there is no necessity left for this amendment. I should have expected the hon. Member to have brought a Bill by which he could have asked for the removal of this clause

from the Penal Code. And I recommend to the House that we should have another amending Bill for removing this clause from the Penal Code.

Shri D. C. Sharma (Hoshiarpur): I have a great deal of respect for Mr. Dabhi, and I respect him for his reforming zeal. But I must say that in the presentation of this Bill, his valour has outrun his discretion. He has brought forward many arguments in favour of his Bill. But in all humility I will submit that most of the arguments that he has given are specious and do not convince anybody.

I put it to you, Sir, can we reform human beings by means of passing laws? Of course, we can do so to some extent. But to think that every human-ill, social, economic, political or moral, can be cured by means of legislation is not the right kind of approach. We have passed a Bill against touchability; but have we eradicated untouchability? We have passed a Bill against adulteration of food; but have we been able to prevent the adulteration of food? (An Hon. Member: To some extent). My point is this. I believe that legislative measures to eradicate all kinds of evils are not adequate, and we have to have recourse to things of a different kind.

Mr. Dabhi has given sociological reasons for the eradication of this kind of evil to which he has referred. He has said that this thing came into being when there was polygamy, and now polygamy has been abolished by law, and therefore what was done in the interests of womenfolk at that time is not valid now. I think this argument is too premature. We passed this Hindu Marriage Act of 1955 only last year. Of course, we have abolished polygamy there and we have made provision for monogamy. We have also given the right of divorce to women as well as to men. We have done that. But I have to see yet how this Act works, how this Act is able to counteract those evils to eradicate which it has been passed.

I think, therefore, that the argument based on that plea is not yet so sound, as it may appear to be.

Again, it has been said that women have been given equality. I say women have been given equality in the abstract. Women have been given equality in precept. Women have been given equality in our Constitution. Women have been given equality of that kind. But, I put it to you, have women been given equality in the real sense of the word? You will see that our sense of equality has only been sentimental. Our giving of equality to women is not yet operative all along the line. If you had given equality, do you think there will be only half a dozen women in this House? No. There will be many more than there are today.

An Hon. Member: Next time.

Shri D. C. Sharma: We shall see what happens next time. What I am saying is this. This talk of giving them political equality, this talk of giving them social equality, this talk of giving them economic wealth is more sentimental than real. It is based more on copybook maxims than on actual practice. Of course, when the women of India attain equality in the real sense of the word, I think that would be time for bringing forward a Bill like this. At this time, I do not think that the stage has been set for promulgating a Bill of this kind.

Distinction has been made between rape and adultery. I do not want to go into those questions. I do not think that is valid for the purposes of this Bill. I believe, taking the social situation as it exists in India today, and I say with a due sense of responsibility, that women in India are weak. They are not as powerful, as vocal or as assertive as they should be. An hon. friend here says that I am trying to defame women. I think he could have a right to say this; unfortunately his sex has not changed. He has, therefore, no right to sit in judgment so far as women are concerned. I

would say that in India women are not given that kind of privilege, that kind of authority which they enjoy in some progressive countries of the world.

Pandit K. C. Sharma: (Meerut Distt. South): Question.

Shri D. C. Sharma: When women are able to do so in India, there will be time for passing a law like this. I ask you one question. We were discussing the Indian Administrative Service rules. Why do you discriminate between women who come to this service and men who come to this service? There is discrimination against women.

An Hon. Member: In her favour.

Shri D. C. Sharma: There are so many services which are, of course, open to them on paper, but which are not really open to them. Therefore, I say, when you will treat your women on a footing of equality in matters like this, when the social situation changes, when women are able to claim everything in their own right, you may take up a law of this kind.

We were discussing some days back the right of women to inherit property. I know what was said by my colleagues here.

Mr. Chairman: May I interrupt the hon. Member for a minute? I understand that this is a very delicate subject. At the same time.....

Shri A. M. Thomas (Ernakulam): I want to know the relevancy of all this.

Mr. Chairman: That is what I am driving at. Because it is a delicate matter, the House should be more serious in its deliberations because the consequence of the passing of this Bill is not small. Therefore, I would request the hon. Member—he said that the arguments of Shri Dabhi were specious—not to be specious in his argument, come to the subject directly and give his opinion so that other Members may have an opportunity to speak.

Shri B. C. Sharma: The point I am urging is this. You can have this kind of Bill when women enjoy equality with men in every sense of the word. These conditions do not prevail in India as present. We have been discussing the right of women to property. You know the debate that took place here. You know how women were not given the kind of rights that they demanded. They had to arrive at a compromise. When women do not enjoy parity of status with men in the matter of property, in the matter of services, in the matter of economic conditions, I do not see any reason why in this matter you should say that women should be treated equally with men.

Women are said to be the weaker sex. The question of strength has to be looked at from so many points of view. I do not want to go into all that because, as you have said, the subject is delicate. Taking into account all these considerations, I would say that there is no need for this Bill. Shrimati Jayashri said that there was no need for this Bill. On account of the sociological conditions in the country, I do not think that this Bill should be pressed further. It is premature. I oppose this Bill.

Shri Tek Chand (Ambala-Simla): I rise to support the Bill. When I heard the speech of the Lady Member, it stunned me, it pained me, it hurt me. My reason is this. The offence of adultery is an offence against persons who defile the sanctity of the marital bed. But what the law provides is, the wife may offer allurements, she may entice the man into her bed, her responsibility may be the greatest, nevertheless, it is the man who is liable, it is the man who merits five years' imprisonment. Take an illustration and that would clarify the absurdity of the opposition to this Bill. Mr. A is married to Mrs. A. Mrs. A offers allurements, she is charming, she entices away Mr. B. Mr. A finds both in flagrant delicto. What happens? Mr. A institutes a prosecution against Mr. B, puts up his own

wife as a witness. The wife is allowed to say, "Yes, I tempted him, I allured him and enticed him away, morally I am the guilty party, but give this man five years and let me remain unharmed." This is the law as we have it. It says she is not an abettor. A person is said to be an abettor when he aids, instigates, helps. So far as this woman is concerned, she is directly a participant in this crime. Her contribution may be more than that of the man who may be lured to her bed. Yet, she can be allowed to say: "I created this trap, it is of my working. I brought him into the web of my allurements. I am the witness against him. He gets five years and I can get nothing."

Pandit K. C. Sharma: May I ask my friend to cite any precedents whatsoever of the nature he is mentioning. He is a practising lawyer.

Shri Tek Chand: I give an illustration. This is the law which we are having. This is the law which Shri Dabhi wants should not stay on the statute-book. What objection is there? The objection of the lady Member is that adultery should not stay even as an offence for either party. It hurt me. The implications of her suggestion are: there should be a free permission, there should be a liberty, nay, there should be a licence...

Shrimati Jayashri: I never said that.

Shri Tek Chand: I said the implication is this, that there should be a licence. Adultery as such is no longer a crime according to her contemplation, and therefore if the parties agree to commit adultery, they cannot go to jail and this is according to her conception of a new penal law that she recommends should be brought on the statute-book. She is satisfied if the guilty party has a divorce. That alone is sufficient.

Then I come to the hon. professor, the learned colleague to my left. He confuses between adulteration and adultery. For him adultery is on par with adulteration of food. He thinks adulteration of food is the same

thing as adulteration of blood. This is a most curious argument coming from him.

I am aware of no less than two countries, France and China, where the guilty party, regardless of sex, can be punished. So far as our own country is concerned, there is the Frontier Crimes Regulation III of 1901 where it is a criminal offence not only for the adulterer but also for the adulteress. It is surprising that our law stands as it is.

I can understand one thing that was contemplated at one time. When there was child marriage there could be a child wife and if a child wife committed adultery it could be said that perhaps she was not to the same extent a *particeps criminis*. That being the condition, they said in her case she would not be treated as an abettor, but in a country where the law today is that marriage is only permissible among adults, you cannot say that the wife is not alive to the marital obligations she owes to her husband.

In this country, polygamy has become an offence. Plurality of wives and plurality of husbands are criminal offences. So far as adultery is concerned, both are guilty partners. That is in the very nature of the offence, to distinguish it from the offence of rape. If both are guilty parties, to one guilty party you say: "What is your sex?" "Male". "All right, you get five years." To the other you say: "What is your sex?" "Female". "You get nothing." Yet, she may be the prosecution witness.

There is another danger. There are all sorts of strata of morality in any given society, in any country. There is the risk of a man not so moral, who is callous, who is otherwise capable of being influenced by the lure of lucre, putting up his wife for purpose of allurements, so that somebody may be enticed and he may have the pleasure of seeing him behind the bars, in spite of the fact that the wife can openly

say in a court of law: "Yes, I am responsible. I tempted him, I lured him." The law says: "You did everything. We won't consider you an abettor. You go Scot-free. Go and trap another innocent man. He will get five years. Make a practice of it. You will be absolutely beyond the coils of the law. He alone will be with in the coils of the law."

The hon. Member says, even though an offence, do not treat it as an offence. Let there be a free field. Equality of sexes is being asserted in a peculiar manner from an awry angle. It used to be an offence in the case of males and females. If we are very keen on equality, let adultery be no crime at all.

Mr. Chairman: Her argument was now that the laws are changed, delete the section altogether.

Shri Tek Chand: Therefore, I submit that whatever the newfangled ideas may be, adultery ought to be an offence and adultery ought to be an offence for the guilty people. It is a moral crime for both. If I may say so with the utmost respect, it is a greater crime for a woman who every time lures and entices the man, and that being the position, it will be curious if she goes Scot-free, and the man who falls into the trap, who walks into the spider's web gets a big dose of imprisonment. Then, the law as it is can be abused for purposes of blackmail also.

I congratulate the author of the Bill and I have great pleasure in endorsing what he says and in commending this Bill for the acceptance of the House.

Shri K. K. Basu (Diamond Harbour): Unfortunately, I was away on an important business. So, I could not hear the introductory speech of the Mover while moving this Bill but after hearing half of Shri Sharma's speech and practically the most provocative speech of Shri Tek Chand I am rather tempted to say something on this very important piece of legislation.

[Shri K. K. Basu]

Unfortunately we do not try to look at this problem and especially the provisions of the amending Bill with that amount of seriousness, with that amount of consideration, which the Parliament of India should devote to it. Here is a provision in our country in the criminal law which has been there for a long time, giving due consideration to a certain stage of our social development. We have been told by champions like the Mover that women today enjoy much more rights than under the older scheme and therefore the time has come when every aspect of their legal rights and liabilities should be considered on a par with those of men. I am one of those who strongly believe that adultery should not be committed by any person, whether man or woman, and I believe that has been the attitude of every sensible and civilised man in society not only in our country but throughout the world, but more so in our country where we have extolled the virtues of women from the olden days and considered it a part of our heritage. Even today we consider the status of our women with a much greater amount of sanctity than it is considered in many parts of the world. I do not say these ideas are wrong or right, but we have got to understand and appreciate the condition of our society today before we legislate in such a matter. There is no point in just trying to say that women have these rights, why should they not be punished for this offence. Certainly there should be methods of punishment but we know fully well today that in spite of all the legislation we

have passed, the position of women has not very much improved. The Child Marriage Restraint Act has been there for more than 30 years, but we know what is the reality in the life of Indian society. That has to be judged before we pass this piece of legislation. We are told when the men are punished, why not the women. I remember, when we were discussing the clause regarding the rights of women to property, and the provision regarding the right of inheritance for the illegitimate child, what an amount of fight was put up by Shri Tek Chand to in the matter of allowing the illegitimate child to share normally in the property of the father who was responsible for its birth. It was argued that the illegitimate child could have a right only to its mother's property, as if the mother alone were responsible for its birth. My hon. friend and some others tried to argue that the condition of our society was such that we should not introduce any provision whereby an illegitimate child could be given the right to a share in the property of the father who was responsible for the birth of that child.

6 P.M.

Shri M. D. Joshi (Ratnagiri South):
It is now six o'clock.

Mr. Chairman: Is the hon. Member likely to take some more time?

Shri K. K. Basu: Yes, I would take some more time.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 28th July, 1956.

COLUMNS

COLUMNS

MOTION FOR ADJOURNMENT 1117—18

The Speaker gave his decision on the adjournment motion given notice of by Shri M. S. Gurupadaswamy on the 16th July, 1956 regarding the order of the District Magistrate of Delhi prohibiting the holding of meetings or demonstrations and taking out of processions in the areas around Parliament House and withheld his consent to the moving of the adjournment motion.

PAPERS LAID ON THE TABLE 1118—19

The following papers were laid on the Table :

- (1) A Copy of each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951 :—
 - (i) Report of the Tariff Commission on the fair retention prices (ex-works) of pig iron and steel produced by the Mysore Iron and Steel Works, Bhadravati, 1956.
 - (ii) Ministry of Commerce & Industry Resolution No. IS (4)-2 (161)/56, dated the 16th July, 1956.
 - (iii) Statement under proviso to section 16 (2) of the Tariff Commission Act, 1951, explaining the reasons why a copy of each of the documents referred to at (i) and (ii) above could not be laid within the prescribed period.
- (2) A copy of the Notification No. 32/12/9/55-E.D., dated the 12th June, 1956, under sub-section (3) of section 85 of the Estate Duty Act, 1953 making certain further amendments to the Estate Duty Rules, 1953.
- (3) A copy of the Notification No. 42-I (25)/55-Prop. 1 dated the 5th June, 1956, under sub-section (4) of section 56 of the Administration of Evacuee Property

Act, 1950, making certain amendment to the administration of Evacuee Property (Central) Rules, 1950.

REPORT OF COMMITTEE ON ABSENCE OF MEMBERS FROM THE SITTINGS OF THE HOUSE PRESENTED 1119-20

Sixteenth Report was presented. A list showing names of Members who were continuously absent from the sittings of the House for 15 days or more during the Twelfth Session, 1956 was also laid on the Table.

PRESENTATION OF PETITIONS 1120

- (i) Dr. Lanka Sundaram presented a petition signed by one thousand one hundred and seventy-five petitioners in respect of the States Reorganisation Bill, as reported by the Joint Committee.
- (ii) Shri Kamath presented a petition signed by two thousand one hundred and eighteen petitioners in respect of the States Reorganisation Bill, and the Constitution (Ninth Amendment) Bill, as reported by the Joint Committee.

BILL UNDER CONSIDERATION 1120—21

States Reorganisation Bill as reported by the Joint Committee was further considered. The discussion was not concluded.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED. 1197—1211

Fifty-sixth Report was adopted

PRIVATE MEMBER'S BILL INTRODUCED 1211

Sadhus and Samyasis (Registration and Licensing) Bill by Shri Radha Raman, was introduced.

PRIVATE MEMBER'S BILL
WITHDRAWN 1211—20

Further discussion on the motion to consider the Indian adoption of Children Bill by Shrimati Jayashri, was resumed. After some discussion the Bill was withdrawn on leave of the House.

PRIVATE MEMBER'S BILL 1221—30
NEGATIVED 1232—36

Motion to consider the Ex-Army personnel's Litigation Bill by Dr. N. B. Khare, was moved. After some discussion the motion was negatived.

PRIVATE MEMBER'S BILL 1236—39
PASSED

Further discussion on the motion to consider the Code of Criminal Procedure (Amendment) Bill (*Amendment of Section 345*) by Shri Reghunath Singh, was resumed and the Bill was passed as amended.

PRIVATE MEMBER'S BILL 1239—5
UNDER CONSIDERATION

The motion to consider the Indian Penal Code (Amendment) Bill (*Amendment of Section 497*) by Shri Dabhi, was moved and the discussion was not concluded.

AGENDA FOR SATURDAY,
28th JULY, 1956.

Further consideration of States Reorganisation Bill, as reported by the Joint Committee.