

Friday
7th December, 1956



PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

(Part I- Questions and Answers)

1956

**PARLIAMENT SECRETARIAT
NEW DELHI**

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LOK SABHA

Friday, 7th December 1956

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

[MR. SPEAKER in the Chair]:

ORAL ANSWERS TO QUESTIONS

COAL MINING MACHINERY

*927. **Shri Chattopadhyaya** : Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the plant and machinery worth Rs. 22 lakhs for which orders were placed on M/s. Machino-export, Moscow have since been received; and

(b) whether any further orders have been placed for coal mining machinery?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir. Except some accessories which have been consigned from U.S.S.R. and are on the way to India.

(b) No, Sir.

Shri Chattopadhyaya: May I know what is the nature of the machinery that has been indented for, and for what purpose?

Dr. K. L. Shrimali: They are for coal exploration and they are drilling machines.

Shri Chattopadhyaya: May I know whether his machinery will be utilised for the Korba coal fields or for the Naiveli Lignite mines?

Dr. K. L. Shrimali: I could not give the exact details of where the machinery would be used. But, as I said, it will be used for coal exploration.

578LSD—1

Oil Refinery

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*928. { **Shri T. B. Vittal Rao**;
Dr. Ram Subhag Singh;
Shri Bibhuti Mishra;
Shri Kajrolkar;
Pandit D.N. Tiwary;
Shri Debendra Nath Sarma;
Shri M. Islamuddin;

Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the Experts Committee appointed to decide the location of the fifth oil refinery to be set up by the Assam Oil Company has since submitted its report;

(b) if so, the site recommended; and

(c) whether a copy of the report will be laid on the Table?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) Not yet, Sir.

(b) and (c) Do not arise.

Shri T. B. Vittal Rao: May I know what further examination is necessary in view of the fact that some representatives of the Ministry were associated with the Committee?

Dr. K. L. Shrimali: The report is nearly final, and will be submitted to Government very shortly.

Dr. Ram Subhag Singh: Since most of the crude oil produced by the Assam Oil Company is produced in the State of Assam, may I know why this controversy is allowed to go in the country for a long time and why the refinery is not finally decided to be located in Assam?

Dr. K. L. Shrimali: As I said, the Committee is examining the whole question, and final decision can be taken only after the report has been submitted.

Shri Debendra Nath Sarma: Will the hon. Minister say whether it is a fact that the question of location of the refinery for the new-found oil of Assam had to be referred to the Expert Committee on the insistence of the Assam Oil Company that a refinery in Assam would be a technically unsound and economically losing proposition?

Dr. K. L. Shrimall: I shall need notice.

Shri Debeswar Sarmah: Has the attention of Government been drawn to the tendentious reports in various newspapers lately? If so, what is the reaction of Government to these reports?

Mr. Speaker: How tendentious?

Shri Debeswar Sarmah: Lately certain newspapers are carrying on a propaganda inspired, presumably, by interested quarters that the refinery is not feasible in Assam and that it will be a losing concern. Has the attention of Government been drawn to this, and if so, what is their reaction to this?

Dr. K. L. Shrimall: Government cannot take any decision in the matter unless the report has been submitted by the Expert Committee.

Shri Debeswar Sarmah: My question was different.

Mr. Speaker: The Expert Committee will take notice of it.

Dr. Ram Subhag Singh: Now-a-days a tendency has developed whereby the personnel of the Government do not intend to leave the big cities like Delhi, Calcutta, Madras etc. May I know whether Government realise this, and if so, whether they will check this tendency?

Mr. Speaker: How does it arise?

Dr. K. L. Shrimall: That matter will be looked into.

Shri Debeswar Sarmah: It is being shifted to Calcutta.

Dr. Ram Subhag Singh: That is the crux of the problem. All the big concerns are located in the big cities. The Damodar Valley Corporation or the Coal Commissioner's office and the coal mines are in the far-flung area, but the officers and even the Corporation Chairman do not want to leave the big capitals. Therefore, this question arises because that is the crux of the problem.

Shri Chattopadhyaya: In view of the very strong feelings expressed by the people of Assam, do Government propose to expedite examination of the report of the Committee?

Dr. K. L. Shrimall: Yes.

Shri Debendra Nath Sarma: May I know whether Government will locate the refinery in Assam, if it is found that the location of the refinery in Assam will be technically sound and economically profitable?

Mr. Speaker: It is a hypothetical question. The hon. Minister need not answer it.

Dr. K. L. Shrimall: It is under examination...

Mr. Speaker: Now there is an Expert Committee. They are awaiting its report.

Shri K. P. Tripathi: Is it a fact that the report has already been submitted, and it is said that the profit would be 7 annas per gallon, if it is established in Assam and that technically the proposition will be completely sound.

Dr. K. L. Shrimall: The report is still awaited.

Shri T. B. Vittal Rao: Do Government propose to publish the report as soon as it is received? Why await examination by the Ministry?

Dr. K. L. Shrimall: This matter can be considered only after the Government have examined the report.

Nagas

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*229- { **Shri Bhagwat Jha Azad :**
Shri D. C. Sharma:
Shri Bibhuti Mishra:

Will the Minister of Home Affairs be pleased to state—

(a) the amount of compensation paid to the dependants of Government Servants who have been killed by Nagas; and

(b) the progress made so far towards the rehabilitation of loyal Nagas?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) A sum of Rs. 33,680 has been paid by the Government of Assam.

(b) A statement giving the required information is laid on the Table of the House. [See Appendix III, annexure No. 133].

Shri Bhagwat Jha Azad: How many families of such governments servants who have been killed in the area have been compensated?

Shri Datar: Eight families have been compensated in respect of those who have been killed.

Shri Bhagwat Jha Azad: May I know whether in recent months there have been organised attempts at terrorisation and victimisation of loyal Nagas by the rebels?

Shri Datar: Government are taking all steps to meet such organised attempts.

Shri Bhagwat Jha Azad: May I know what percentage of such loyal Nagas, who have fled from their hearths and home are still unsettled? The statement does not indicate that.

Shri Datar: Only a small percentage has not yet returned to their village.

Nepal Five Year Plan

*930. { Shri Bhakt Darshan:
Shri Krishnamacharya Joshi:
Shri Bibhuti Mishra:

Will the Minister of Finance be pleased to state:

(a) whether Government have received a copy of the Nepal's Five Year Plan;

(b) if so, its main features;

(c) the total amount of aid given so far by India in this connection; and

(d) whether any technical help in addition to financial aid is also being given?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari):

(a) Yes Sir.

(b) Nepal's Five Year Plan envisages an outlay of about Rs. 33 crores with a view to raise production, provide employment, raise the standard of living and promote the general well-being of their people. About a third of this expenditure will be for the development of transport and communications and an expenditure of somewhat similar order will be incurred on rural development projects. Roughly one-fifth of the provision is for Power schemes and for industry and commerce. The balance is covered by other development schemes in the fields of health, education etc.

(c) About Rs. 4.2 crores upto end of March 1956. For the Plan, financial assistance to the extent of Rs. 10 crores has been agreed to.

(b) Yes, Sir.

श्री भक्त दर्शन : अभी हाल में नेपाल के प्रधान मंत्री हमारे देश की राजधानी में थे। क्या मैं जान सकता हूँ कि क्या हमारे प्रधान मंत्री जी और वित्त मंत्री महोदय ने उन से इस बारे में कोई परामर्श किया और उसके फलस्वरूप क्या नेपाल की पंच-वर्षीय योजना में कुछ और सहायता देने का निश्चय किया गया है ?

Shri T. T. Krishnamachari: No Sir. I have not.

श्री भक्त दर्शन : मेरे प्रश्न का पूरा उत्तर नहीं दिया गया है। श्रीमान्, भक्तवतों में निकला है कि हमारे प्राइम मिनिस्टर और नेपाल के प्राइम मिनिस्टर में बातें हुईं और ज्यादातर बातें नेपाल की डेवलपमेंट स्कीम

(विकास योजनाओं) के बारे में हुईं। मैं जानना चाहता हूँ कि क्या यह सत्य है और क्या इसके फलस्वरूप नेपाल की स्कीम को बढ़ाने के बारे में विचार किया गया है ?

Shri T. T. Krishnamachari: I believe they had several discussions. I have not had any information from our Prime Minister on this matter, but I presume that these development projects must have formed part of their discussions

Shr L. N. Mishra: May I know whether any of these projects of the Nepal's First Five Year Plan are to be financed jointly by India and the U.S.A. and, if so, what are the names of those projects and their total cost?

Shri T. T. Krishnamachari: The information that I have does not give me any indication. But if the hon. Member wants definite information he may put a question.

Shri C. D. Pande: Apart from India Nepal has also approached other countries like China. Are there any other countries which have been approached for such aid and is there any political implication in such approaches?

Shri T. T. Krishnamachari: So far as any information that we might have in regard to Nepal approaching other countries, I do not think I am in a better position than the hon. Member himself. We know that the Prime Minister of Nepal had been to China and if he had been promised some aid it is just probable. And, there are other countries which are interested in Nepal because Nepal comes within the Colombo Plan.

As for the other details about the political implications, I am not in a position to answer the question and it must be put to the Prime Minister.

श्री भक्त दर्शन : अभी बताया गया कि नेपाल को एक तो भारत सरकार सहायता दे रही है और उधर चीन की सरकार सहायता दे रही है और संयुक्त राज्य अमेरिका का सरकार भी सहायता दे रही है। क्या इन सहायताओं के बीच में कोई सामंजस्य स्थापित करने का प्रयत्न किया जा रहा है ताकि घास में ओवरलैपिंग (प्रतिछारिता) न हो ?

Shri T. T. Krishnamachari: I am afraid that when help is received from different quarters it is the recipient that must co-ordinate all these.

Loans to Foreign Countries

933. { Shri Ram Krishan
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Shri Bansal:

Will the Minister of Finance be pleased to state the amount actually given to foreign countries so far as loan and grant, country-wise?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): Since independence, two loans of Rs. 3 lakhs and Rs. 75,000/- have been given to Indonesia. Grants totalling about Rs. 4.05 crores have been given to Nepal and a provision of Rs. 1.45 crores exists in the current year's budget for the same purpose.

Shri Ram Krishan: May I know the total amount of the grant given to Indonesia?

Shri T. T. Krishnamachari: I said two loans of Rs. 3 lakhs and Rs. 75,000 have been given. The total is Rs. 3,75,000/-.

Shri Bansal: May I know if any loan or grant has been sanctioned to the Government of Burma?

Shri T. T. Krishnamachari: Yes Sir. We had agreed to give a loan of Rs. 20 crores. But that was not availed of during the period for which we said we would give the loan. Now, the same agreement is being repeated.

Naval Exercises

934. { Shri D. C. Sharma:
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Shri Bhagwat Jha Azad:

Will the Minister of Defence be pleased to refer to the reply given to the last supplementary raised on Starred Question No. 994 on the 13th August 1956 and state the names of the countries which took part in those naval exercises during 1956?

The Deputy Minister of Defence (Sardar Majithia): India, the United Kingdom, Australia, Ceylon and Pakistan.

Shri D. C. Sharma: May I know if we are on terms of reciprocity with countries other than the Commonwealth countries, and if so what are the names of those countries?

Sardar Majithia: I do not quite grasp what the hon. Member means by reciprocal arrangements. It is well-known that India has got very friendly relations with all the countries in the world.

Shri D. C. Sharma: I mean countries other than those mentioned by the hon. Minister and, if so, how many of them reciprocate in this?

Sardar Majithia: If the hon. Member wants to know whether our Navy has taken part in exercises with other Navies as well, not last year but years previous to that we have paid visits to other countries and we have taken part in exercises with their Navies.

Shri D. C. Sharma: I have not been able to hear the answer given.

Mr. Speaker: He said that year before last and years before we have taken part in exercises with other countries.

Sardar Majithia: Every year our Navy goes out on a cruise and during that cruise exercises are carried on in conjunction with other Navies of the world.

Shri Joachim Alva: It was reported by a particular Labour Member in the House of Commons that as a result of the Anglo-French attack, ciphers and codes were seized or known to the U.S.A. May I know whether there is any, and if so, what, effect on our own vessels taking part in these exercises by this seizure of the ciphers and codes?

Sardar Majithia: That only took place recently and none of our ships were there during that time. Therefore the question does not arise.

European Free Trade Area

935. { Shri Bansal:
↑
Shri Sadhan Gupta:
Shri Velayudhan:
*935. { Shri D. C. Sharma:
Dr. Ram Subhag Singh:
Shri H. N. Mukerjee:
Shri K. P. Tripathi:

Will the Minister of Finance be pleased to state:

(a) whether Government have received a Plan from the United Kingdom Government regarding the formation of a European Free Trade Area;

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

(c) whether Government have taken any decision in this regard?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) Yes.

(b) The main features of the proposal as at present known to us are:

(i) There is to be an outer ring of a Free Trade Area around the customs union of the six countries of the European Coal and Steel Community.

(ii) Within the Area, tariffs are to be gradually eliminated; but the freedom of levying and varying tariffs on trade with outsiders is to be preserved for each country in the Area.

(iii) Agricultural products in general and foodstuffs, in particular drink and tobacco are to be excluded from its scope.

(c) The proposal is still in a tentative form and fuller details, I understand are being worked out. The Government of the United Kingdom are in consultation with Commonwealth countries including India and the first reaction of all these countries, including ourselves, has been, I understand, favourable.

Shri Bansal: May I know at what level will a final decision be taken as to whether India will be a party to this plan or not?

Shri T. T. Krishnamachari: There is only one level at which decisions of this nature can be taken by India and that is at the highest government level.

Shri Bansal: My question was whether there will be a conference of Commonwealth countries where these proposals will be discussed and a decision taken or will the Government of India notify their decision unilaterally to the sponsors of the plan?

Shri T. T. Krishnamachari: With regard to the summoning of a Commonwealth Conference at which these questions can be discussed, it is not a matter for us either to suggest or even sponsor. So far as our own reactions are concerned, I have told them as I have said that so far as we are concerned, I do not see any particular harm to Indian trade if the commodities in which we are interested are being safeguarded under the category of foodstuffs.

Shri K. P. Tripathi: It is said that the whole scheme is about a European Free Trade Area. Obviously, it will clash with imperial preference or commonwealth preference. How is it that the hon. Minister said that he saw no harm in this scheme and India's interest was safeguarded?

Shri T. T. Krishnamachari: So far as those preferences in the commodities in which we are interested are safeguarded—that is, if whatever GATT arrangements and imperial preference there are safeguarded—I see no objection to it and that is what I said we have indicated.

Shri D. C. Sharma: May I know if the recent Suez crisis has, in any way, affected the outline of this plan and is any modification of this plan being undertaken?

Shri T. T. Krishnamachari: Which plan, the free trade plan? I said the whole plan itself is still in a stage of being discussed and there is no finality about it so as to entail our thinking of modification.

Shri Sadhan Gupta: May I know whether Government have studied the implications of this plan in all its bearings and in particular how the plan would affect the balance of trade of India with countries which propose to participate?

Shri T. T. Krishnamachari: Government does not express an opinion on a thing like this or indicate its opinion without studying the pros and cons. As I have said, subject to the safeguards that we have indicated, it would not affect us adversely if they carry through a plan of European Free Trade Area in which Britain is participating.

Shri Velayudhan: May I know whether the GATT Organisation was consulted in this matter, and what was India's view point about this particular issue?

Shri T. T. Krishnamachari: We were not called upon to state our view point before the GATT in this connection.

Shri K. P. Tripathi: May I know if it was not a fact that the present opinion of the Government was based on the present pattern of trade, when the pattern of trade is fast changing with industrialisation? If so also is it not a fact that if this free trade of Europe comes into being during the changing pattern of trade, it will go against Indian interests?

Shri T. T. Krishnamachari: Any opinion we express or any conclusion we come to is not merely based on the present pattern of trade but also on the pattern of trade that we will develop in the immediate future, but it will be impossible to ask any country to safeguard a position that might develop in the remote future.

Shri Bansal: May I know if the Government, before notifying their reaction to this Plan, consulted competent non-official bodies or committees concerned with commerce and industry of this House?

Shri T. T. Krishnamachari: So far as I am aware no.

Shri Velayudhan: Apart from the trade facilities which the U.K. is enjoying on the basis of the Imperial Preference, will there be any additional preference to be given to her if this suggestion is accepted by India?

Shri T. T. Krishnamachari: Does the hon. Member mean India giving some additional preferences?

Shri Velyudhan: Yes, Sir.

Shri T. T. Krishnamachari: No, Sir.

Shri Punnoose: Can the hon. Minister please indicate what changes will have to be made in our pattern of trade agreements if these proposals are accepted?

Shri T. T. Krishnamachari: I do not contemplate any serious changes being made in our pattern of trade because of the European free trade coming into being.

Offices of Rajpramukhs and Uprajpramukhs

*936. **Dr. Ram Subhag Singh:** Will the Minister of Home Affairs be pleased to state the savings which will accrue to the Government Exchequer from the abolition of the offices of Rajpramukhs and Uprajpramukhs in the country from the 1st November, 1956?

The Minister in the Ministry of Home Affairs (Shri Datar): The approximate savings which will accrue for the current year and from next year (i.e. 1957-58) onwards are given below:

Current year: Rs. 12,58,000.]

From next year onwards; Rs. 30,20,000 per annum.

Dr. Ram Subhag Singh: May I know whether along with these savings which have been effected by the hon. Minister, there is going to be some sort of an atmosphere where more austere and simple life will be led by the new office holders?

Shri Datar: Austere life cannot be enforced. It is for the ex-rulers themselves to take to it.

Shri A. M. Thomas: May I know what would be the net savings because the Governors will have to be paid in some States?

Shri Datar: The net savings would be about Rs. 24,00,000, because three more Governors have been appointed for Kerala, Rajasthan and Mysore, and their cost would roughly amount to Rs. 6,94,000.

Shri Chattopadhyaya: May I know whether the present Governor of Mysore is granted privy purse in addition to his remuneration as Governor?

Shri Datar: He gets the privy purse.

Shri Kamath: Is it a fact that despite the abolition of the offices of Rajpramukh and Uprajpramukh, the privy purses

that they were entitled to before the passing of the Constitution and soon after are still being paid to them, and if so with a view to further savings, do Government propose to amend the Constitution in this respect?

Shri Datar: So far as privy purses are concerned, they have nothing to do with the office of Rajpramukh or Uprajpramukh. So far as Rajpramukhs and Uprajpramukhs are concerned, they were not getting any pay or remuneration, but they were getting a consolidated allowance. That has now been stopped, and at present there is no proposal before Government for the purpose that the hon. Member has in view.

Shri Bhagwat Jha Azad: May I know whether with the abolition of these offices all the financial facilities and concessions that are granted to the Rajpramukhs will be withdrawn or any of them will be retained in any other form?

Shri Datar: Whatever concessions they were getting as Rajpramukhs or Uprajpramukhs will have disappeared. Whatever concessions they get as ex-rulers will continue.

Shri Ramachandra Reddi: May I know what has happened to the appeal made by the Prime Minister to the Rajpramukhs asking them either to reduce their privy purses or to abandon it?

Shri Datar: That appeal is there still for response by them.

Shri Kamath: May I know who gets the fattest privy purse at present?

Shri Datar: I believe the Nizam gets the largest privy purse.

Shri Kamath: How much?

Shri Datar: I believe it is Rs. 59 lakhs.

Shri Kamath: Even now?

Shri Datar: Even now he is getting it.

अतिरिक्त शिविर क्षेत्र

*१३७. श्री भक्त बहान : क्या प्रति-
रक्षा मंत्री २७ अगस्त, १९५६ के तारंकित
प्रदन संख्या १४८० के उत्तर के सम्बन्ध में
यह बताने की कृपा करेंगे कि उत्तर प्रदेश
में अतिरिक्त शिविर क्षेत्रों के उत्सर्जन के
बारे में इस बीच क्या प्रगति हुई है ?

प्रतिरक्षा उपमंत्री (सरदार मजीठिया) :
५० शिविर क्षेत्रों में से जिन की नीलामी
२१-८-५६ को शुरू हुई थी, जैसा कि
२७-८-५६ के तारांकित प्रश्न संख्या १४८०
के उत्तर में बताया गया है, अब तक २१
शिविर क्षेत्र नीलाम हो चुके हैं।

राज्य सरकार ने तब से बाकी ४४
शिविर क्षेत्रों में भी रुचि दिखाई है। उन्हें
१५-११-५६ तक अपना आखिरी फैसला
बताने को कहा गया था पर उनकी प्रार्थना
पर यह मियाद १५-१२-५६ तक बढ़ा
दी गई है।

इन के अलावा ३३ शिविर क्षेत्रों की
नीलामी की भी अब मंजूरी दे दी गई है
जो उनके कानूनी भारों के न हटने तक
रोक दी गई थी और जिसका जिक्र १७-४-५६
के तारांकित संख्या १५०८ के उत्तर में
किया गया था।

श्री भक्त बर्षान : क्या यह सत्य है
कि इन कैम्पिंग ग्राउंड्स (शिविर क्षेत्रों)
के बारे में लगभग पिछले ढाई साल से उत्तर
प्रदेश की सरकार के साथ लिखा पढ़ी की
जा रही है और क्या आखिर कोई मियाद
भी है इस सब की ?

Sardar Majithia: As I already said,
we have now, on the U.P. Government's
request, extended the date to the 15th
December, 1956, and I should like to
add that this date will not be extended
any further.

श्री भक्त बर्षान : अभी माननीय
मंत्री ने बतलाया कि जिन कैम्पिंग
ग्राउंड्स को राज्य सरकार नहीं ले रही
उनकी नीलामी की जा रही है, इससे
पहले जहां तक मुझं स्मरण है यह
घोषित किया गया था कि स्थानीय संस्थाओं
जैसे म्युनिसिपल बोर्ड या नोटीफाइड ऐरिया
कमेटीज वगैरह को तरजीह दी जायेगी
तो क्या इस नियम का पालन किया जा
रहा है ?

सरदार मजीठिया : जी हां, इसका
पालन किया जा रहा है।

Army Medical Services Exercise and Conference

*938. **Shri Bibhuti Mishra:** Will
the Minister of Defence be pleased to
state:

(a) whether it is a fact that Indian
army medical officers attended the Army
Medical Services Exercise and Conference
at Mytchett in U.K. in October, 1956;
and

(b) if so, the benefit derived there-
from?

**The Deputy Minister of Defence
(Sardar Majithia):** (a) Yes.

(b) Important lessons have been
learnt as to the assistance which military
medical units may have to provide to the
civil during times of military emergency.

श्री बिभूति मिश्र : मैं यह जानता हूं
कि यह जो डिफेंस (प्रतिरक्षा) के अफसरों
की कान्फ्रेंस (सम्मेलन) होती है तो वहां
पर जो बातें आपस में की जाती हैं और
विचार विमर्श किया जाता है, उसके सम्बन्ध
में सरकार कुछ धाम जनता को भी बतलाने
का काट करेगी ?

Sardar Majithia: The exercise deals
with how the Military have to give assis-
tance to the Civil in times of emergency.
I hope there will not be any emergency
in India, but in any case, those refer to the
Civil and will certainly be looked into.

Pandit D. N. Tiwary: May I know
the expenditure that has been incurred
on the officers that went to attend this
Conference?

Sardar Majithia: I have not got
the details of the expenditure, but it is
the normal passage, D.A. and T.A.

श्री बिभूति मिश्र : मैं यह जानना
चाहता हूं कि यह डिफेंस के मामले में जो
कान्फ्रेंस होती है उसके अलावा भारत सरकार
कुछ सीक्रेट (गोपनीय) बातें ट्रेनिंग (प्रशि-
क्षण) के लिये अपने अफसरों को बतलाती
है कि नहीं बतलाती है ?

Sardar Majithia: So far as I know
about this Conference, it is purely discus-
sion on medical matters, and so far as those
matters are concerned, there is nothing
secret about it.

Searches by Customs Officials

*942. **Shri D. N. Tiwary:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that complaints have been made about the way in which customs officials carry out the searches at the Bombay air port; and

(b) if so, whether any steps have been taken for carrying out of inspection and searches in a more dignified way?

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): (a) A complaint Register maintained by the Bombay Custom House shows that there were only three complaints of this nature since August 1955. All the three, on investigation, were found to be baseless or grossly exaggerated.

(b) The existing procedure already provides every precaution for searches being done in a dignified manner so as to avoid unnecessary harassment of passengers. For instance, such examination is invariably done in the privacy of a separate room earmarked for the purpose at the airport. The examination is also required to be done under the supervision of a senior officer as far as possible. Also, there are standing instructions that the utmost decorum should be observed in the search of passengers and their baggage, and instructions have also been issued by the Central Board of Revenue from time to time that the greatest courtesy should be shown to passengers. These instructions and the procedure alluded to have been adhered to in practice and to my knowledge there has not been any serious violation thereof.

Pandit D. N. Tiwary: May I know whether, besides the complaints registered there, the Government have received any complaints from tourists?

Shri A. C. Guha: No, Sir. I do not think there is any such complaint. Only three foreign passengers were subjected to such searches in the Bombay airport. There have not been such cases in any other airport. So, I feel that our officers have been acting with proper courtesy and caution.

Shri C. D. Pande: Are the Government aware that our customs for malities are more difficult and tortuous than those in other countries? Those of us who have experience of foreign customs feel that we make it very difficult to pass the luggage of *bona fide* passengers and in certain cases where the luggages are not accompanied by the passengers, it takes a lot of time, sometimes two months, to get these things.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I quite concede that the standards that we

maintain in our country leave room for improvement. As my colleague has just now said, we do propose to see if any improvement can be made. I do not want the House to go by the impression that we are going to hold out a case that we have an exemplary customs arrangement here. We have not. But, it takes time and in any event the foreign customs authorities use methods and my hon. friend is familiar with them. They have been doing this kind of work, searching passengers and finding out things, for a very long time and are able to identify the culprit even by looking at his face. We have not developed that technique. In due course we shall also do it. I am only giving this assurance to the hon. Members here that we shall try to see that better standards are adopted in these places as time goes on.

Shri Chattopadhyaya: But, Sir, it is the passengers who, looking at the face of customs officials, can find out who are the culprits among them?

Shri T. T. Krishnamachari: That is the poetic way of looking at life.

Shri Chattopadhyaya: That is the custom with the customs.

Shri Matthen: May I know if the hon. Minister has received complaints from Ceylon evacuees coming to India about the customs harassment at Mandapam in the railway trains? What is he doing about it?

Shri A. C. Guha: That is altogether a different question. We know that Ceylon evacuees who have been coming from Ceylon have certain difficulties. We issued certain modified orders. In any case, we cannot eliminate all the difficulties which these passengers may have to face, in the very nature of things. We have modified certain instructions.

Shri Matthen: I want to know whether he would look into those complaints and see that the customs officials carry out the instructions.

Shri A. C. Guha: I shall ask for the help of my hon. friend; if he can give me any specific case, surely we shall try to improve and rectify the defects. When we issue any instruction, we mean that it will be strictly followed by our officers. Any deviation will surely be taken notice of.

Dr. Ram Subhag Singh: We are very thankful to the hon. Minister for his assurance. He said that it would take some time to improve matters. We want to know whether it is not possible for the quarter dozen junior Ministers to go and see the conduct of these officers so that matters could be improved immediately.

Shri T. T. Krishnamachari: May I tell him that apart from the quarter dozen the one outside the quarter dozen himself is prepared to do it provided he gets a little time.

Nagas

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 *945. { **Shri Kamath:**
Shri Bhagwat Jha Azad:
Shri A. K. Gopalan:
Shri Jhulan Sinha:
Shri Krishna Charya Joshi:
Shri Gidwani:
Shri Bibhuti Mishra:
Shri Jethalal Joshi:
Shri Raghunath Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether the armed revolt in the Naga Hills still continues;

(b) if so, the details of the present situation; and

(c) if not, the details of measures that are being taken to restore normalcy, remove the causes of discontent and to rehabilitate the people in that region?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) and (b). Sporadic hostile activity in the shape of sniping on road convoys and outposts, ambush of patrol parties, kidnapping of village headmen, interpreters and other loyal Nagas, extortion of food and money from undefended villages and occasional attempts to raid shops in the bordering plains are continuing.

(c) The Army, Assam Rifles and Armed police columns are operating against the Naga hostiles. With the cessation of the rains, they are moving deep into the interior, clearing areas and attacking strongholds etc. simultaneously relief by way of cash grants, foodgrains, salt, blankets, temporary shelter and medical relief are being provided. Grants of money, seeds, implements, house-building materials etc. are being made to rehabilitate the people who were compelled to leave their villages by the hostiles or whose villages were damaged or destroyed due to hostile action or during operations. Apart from the demand for independence for the attainment of which Zapu Phizo and his followers organised an armed rising, there are no causes of discontentment in the area.

Shri Kamath: Is it not a fact that the revolt in the Naga Hills has been, or is being, only militarily suppressed and in such a ruthless manner that the politico-psychological sores are festering or perhaps exacerbating and the Prime Minister's, and I believe the Home

Minister's urge to deal with it as a human and political problem which has been enunciated in this House so often has not found full expression there?

Shri Datar: May I point out to the hon. Member that the whole position was made clear by the Home Minister in a statement he made to this House on 31-7-1956. While rebellion has to be sternly curbed, I am quite confident that humane methods are adopted wherever necessary.

Shri Kamath: Is the Minister in a position to assure the House that Shri Phizo and his associates have, as a result of the Government's activity, now abandoned their demand for complete independence and will now be content with a large measure of local and cultural autonomy without any element of Assamisation, to which the Prime Minister referred in this House during last session?

Shri Datar: Their former demand for independence is to a very large extent fizzling out and they are coming round to the realities of the situation.

Shrimati Renu Chakravartty: In view of the answer which has been given by the hon. Minister, it seems that there is yet wide-spread discontent among the followers of the movement led by Shri Phizo. May I take it that in spite of the statements made that the situation is improving, large sections of Nagas are still followers of Phizo and his movement?

Shri Datar: I am not sure that large sections are his followers. A certain section is following him. Gradually, the situation is improving.

Shri Bhagwat Jha Azad: Since such armed revolts are still continuing may I know whether Government have examined the origin and nature of these arms and ammunitions that have been seized in these armed encounters?

Shri Datar: The Government are examining and reviewing the whole question at every time.

Shri Bhagwat Jha Azad: I want to know the nature of the arms and ammunitions seized, whether they are foreign or Indian make.

Mr. Speaker: He wants to know the nature of the weapons used.

Shri Datar: I answered one question on this point. So far as this area is concerned, there were certain weapons, arms and armaments dumped by the Japanese during the last stages of the war. Some of them have been recovered and some are still in the hands of the hostiles. Attempts are being made to take as many of them as possible.

Shri Sarangadhar Das: May I know if Government has considered the desirability and feasibility of filling the three Naga seats in the next general elections.

Shri Datar: I did not follow the earlier part of the question.

Mr. Speaker: He is asking about the filling up of the three Naga seats.

Shri Datar: That is a hypothetical question at this stage.

Shrimati Renu Chakravartty: No, Sir.

Mr. Speaker: Apart from that, how does it arise out of this ?

Shrimati Renu Chakravartty: In view of the fact that today the situation is improving—that is what the hon. Minister said—the House would like to know whether there is a possibility of elections being carried out for filling the three seats that have remained vacant throughout this period.

Shri Datar: Every attempt will be made to carry out the elections.

Loan from World Bank

Mr. Speaker: Next question, Shri Raghunath Singh, No. 946.

श्री रघुनाथ सिंह : मैं चाहता हूँ कि भवैश्चन नम्बर ६५७ को भी भवैश्चन नम्बर ६४६ के साथ ले लिया जाये। वह भी वर्ल्ड बैंक के बारे में है।

Mr. Speaker: All right. Question No. 957 also may be answered.

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*946. { **Shri Raghunath Singh :**
 Shri K. P. Tripathi |

Will the Minister of Finance be pleased to state whether it is a fact that the World Bank has been approached to finance the Indian Railways under the Second Five Year Plan ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): Yes, Sir.

World Bank

†
957. { **Shri Ragaunath Singh:**
 Dr. Ram Subhag Singh:
 Shri Sadhan Gupta:
 Shri N. B. Chowdhury:
 Shri Bheekha Bhai:
 Shri Bibhuti Mishra:
 Shrimati Tarakeshwari Sinha:
 Shri Shree Narayan Das:
 Shri M. Islamuddin:
 Shri Shivananjappa:
 Shri Buchikotalah:
 Shri Debendra Nath Sarma:
 Sardar Iqbal Singh:
 Sardar Akarpuri :
 Shri K. P. Tripathi:

Will the Minister of Finance be pleased to state:

(a) whether Government have received the views of the World Bank on the report of the Bank's Economic Mission which recently visited India;

(b) if so, the main points of their views; and

(c) whether Government have considered them and arrived at any conclusions ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) and (b). The reply is in the affirmative to the extent that these views are dealt with in the letter from the President of the Bank, dated the 5th September, 1956. This letter has already been published and a copy is placed on the Table of the House. [See Appendix III, annexure No. 134].

(c) Yes, and again I would say that where Government have come to some conclusions in this regard, they are set out in my reply to the Bank's President's letter. A copy of my reply, which has also been published, is placed on the Table of the House. [See Appendix III, annexure No. 134].

I am also taking this opportunity of laying on the Table of the House copies of a subsequent letter from Mr. Black and of my answer. [See Appendix III, annexure No. 134].

श्री रघुनाथ सिंह: स्टेटमेंट (विवरण) देखने से पता चलता है कि रेलवे के वास्ते और शिपिंग (नौवहन) के वास्ते भी इसमें से आप कुछ देंगे। मैं यह जानना चाहता हूँ कि आप वर्ल्ड बैंक (विश्व बैंक) से कितने कर्ज की उम्मीद करते हैं और उस कर्ज में से आप शिपिंग के वास्ते कितना रुपया देंगे, उसका क्या अनुपात होगा ?

Shri T. T. Krishnamachari: The Proposals have not been finalised.

Shrimati Tarkeshwari Sinha: In reply to Question 957 the hon. Minister replied that the World Bank Mission's view was considered. Now, one of their points was that the target of deficit financing that has been put under the Plan is too wide a target. May I know, in view of that stand taken by the World Bank Mission, whether Government have revised the target of deficit financing and if so, how much?

Shri T. T. Krishnamachari: The Government's attitude in regard to the World Bank's comments on the Indian economy is contained in my first letter to Mr. Black.

Shri K. P. Tripathi: From the letters published in regard to the controversy it seems there were substantial points of difference between the Finance Minister here and the World Bank. May I know which of the comments of the World Bank have been accepted by the Government and which of the points made by the Finance Minister have been accepted by the Bank?

Shri T. T. Krishnamachari: There is no question of any substantial differences. There are points of view which certainly differ. But what I am concerned with the Bank is in regard to the financial aid by way of loans that I am getting from the Bank and on which there could be no difference of opinion. We have put up our applications for the loans, and we have had a reply from them that these are being considered and the problem is being examined. Therefore, there is no question of any difference here. Of course, on the overall question Mr. Black has got certain views, I have got certain views, my views happen to coincide with the views of the Government of India and there it remains. But that is not a matter which vitally affects the question of relationship between the Bank and the Indian Government and India as a whole.

Shri Joachim Alva: In the newspapers appearing today, there is a reference to help that may be given for our transport and shipping. May I know whether any reference has been made for giving help to our aircraft industry or for civil aviation?

Shri T. T. Krishnamachari: The reply of Mr. Black to my letter broadly indicates the proposals that they are examining and they are willing to examine. So far as civil aviation is concerned, am not sure if we have any idea of borrowing from the World Bank for the internal airlines and in respect of Air-India International there was some idea, but I do not think that project has really been pushed

to the state of our making an application either to the World Bank or any other body for financial assistance.

Shrimati Tarkeshwari Sinha: May I know whether it is a fact that representatives of the World Bank have arrived in India and they are discussing the financial outlay and their loan in connection to the Railways; if so, may I know if any other subjects are being discussed and the decisions so far taken in those matters?

Shri T. T. Krishnamachari: I do not know if the hon. Member is referring to some people who came to India sometime back. At the present moment, I do not think, we have anybody from the World Bank here. We are expecting a team to come to look into the Railway proposals.

Shri A. M. Thomas: There are four items which have been indicated by the Chairman of the World Bank on which assistance can be sought. May I enquire from the hon. Finance Minister the quantum of help that would be obtained and whether any further schemes have been put forward by the Government of India.

Shri T. T. Krishnamachari: This is a continuous process. So far as the broad indications contained in the letter of the President of the World Bank are concerned, therein are indicated the types of projects which they would be willing to consider for the purpose of giving loan. We have put forward some schemes in regard to loan for development of Railways and loans for the purpose of power projects. There is some idea of asking loans in regard to shipping, and I do not think there is any definite proposal in regard to the expansion that might come. I think these matters will have to be discussed here, proposals formulated and foreign exchange component assessed. It is for the foreign exchange component, primarily that we go to the World Bank.

श्री विभूति सिन्हा : वर्ल्ड बैंक के प्रेजिडेंट के पत्र को देखने में पता चलता है कि वह प्राइवेट सैक्टर पर ज्यादा जोर देते हैं। मैं जानना चाहता हूँ कि वर्ल्ड बैंक हिन्दुस्तान को जो रुपया कर्ज देगा उसमें से कम् से कम् कितना फीसदी सरकार प्राइवेट सैक्टर (सरकारी क्षेत्र) पर खर्च करेगी और कितना फीसदी पब्लिक सैक्टर (सरकारी क्षेत्र) पर खर्च करेगी ?

Shri T. T. Krishnamachari: So far as the negotiations under discussion are concerned, the loan for the Indian Iron and Steel Company is for the private

sector. The loan for the Trombay scheme is for the private sector, but it is a power project and we generally apply for loan for power projects. The Tata Iron and Steel Company have had a very substantial loan from the World Bank sometime back. The rest are all in the public sector.

Shri K. P. Tripathi: May I know if there has been any attempt by the World Bank to suggest anything about the economic and social policies followed by the Government of India and if so, what is the reaction of the Government of India thereto?

Shri T. T. Krishnamachari: My hon. friend will realise that we have a Plan in which we have stated certain definite objectives. We are inviting all people to make their remarks on the Plan. Maybe, that our Plan has its shortcomings, but for fundamental objectives are our own and of our own making. I do not suppose any country which has certain definite objectives changes its objectives on the advice of somebody else. I have indicated very clearly in my letter that, though other people might have different opinions, we emphasise certain aspects of our policy, as being more important than certain other aspects which, from a purely economic point of view might be not quite so worth-while, because we have certain definite social and ideological objectives to fulfil. On these matters, there is no use calling for advice or accepting them or rejecting them. When people advise on things which we are determined to do, well, the advice is welcome, but it does not make any impression on us.

Shri L. N. Mishra: The World Bank Mission, while examining our demands for loan for development of the railways, have made certain useful and helpful suggestions regarding the administration of the system of our railways. May I know whether, before utilising the loan granted, the Government will try to implement some of those suggestions which were very helpful?

Shri T. T. Krishnamachari: As I said, it is a matter for the administration to determine. We had a team which came under the TCM aid—I think it is firm of consultants Sanderson and Porter and made certain recommendations or an interim report, so far as the railway administration is concerned. I have gone through that report very carefully. There are many aspects of the report which are capable of being utilised and adopted. I have had some discussion with the railway authorities and also my own financial advisers, in that regard. But a final report is coming later on. But we cannot afford to wait till that report comes. We have to go on.

As I said, this is a matter which, I think, the Bank understands very clearly, and their present attitude is as helpful as is possible for them to adopt in order to help our programmes so far as the foreign exchange component is concerned.

Shri Matthen: I understand that the World Bank is to finance us for the development of our shipping which needs finance very badly. What proposals is the hon. Minister going to make in this connection?

Shri T. T. Krishnamachari: I said the proposals have not been formulated precisely.

Shri T. S. A. Chettiar: May I know the legal position? The World Bank advances money in one case for the State projects and in another case for certain private projects like the Tatas. In the latter case, is it the understanding that the World Bank need not contact the Government of India for such purposes, and that in the case of private persons, the aid is given direct to the private firms?

Shri T. T. Krishnamachari: No, Sir. The World Bank never gives loans direct to the private persons in any country unless it is sponsored by the Government of the country and by the Government of India in so far as projects in India are concerned. We are the guarantors for those loans and therefore we possess all the rights that a guarantor possesses in such matters.

Shrimati Renu Chakravartty: May I know whether it is possible for the hon. Minister to give the total figures relating to the amount of loans which have been given to the private sector by the World Bank and the amounts which the Government of India propose to ask for the State sector?

Shri T. T. Krishnamachari: I am sorry I do not have those figures with me. If the hon. Member puts a separate question I shall certainly endeavour to give her the full facts that are available with me.

Shri Kamath: I request you to exercise your discretion and, in the national interest, call upon the Law Minister to answer Question No. 963. The national interest demands an answer to that question. It stands in the name of 16 hon. Members.

Mr. Speaker: Let me see. All the hon. Members who have tabled that question may not be here.

International Guide Commissioners' Meeting

*947. { Shri Raghunath Singh:
Shri Shivnanjappa:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Asian Area International Guide Commissioners' meeting was held in Delhi during the month of October, 1956; and

(b) if so, whether decisions on the opening of a World Guide Centre in Asia and the formation of a sub-committee of the World Committee in an Asian country were taken?

The Deputy Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) The Government of India have no information about the decisions arrived at the meeting.

Jantar Mantar

*949. **Shri H. G. Vaishnav:** Will the Minister of Education be pleased to state:

(a) whether any damage has been caused to the famous "Jantar Mantar" observatory in Delhi, because of heavy rains during October, 1956;

(b) whether it is a fact that some of the instruments in the observatory have been submerged because of the rise of the sub-soil water; and

(c) whether Government have taken any final decision for declaring this monument as a protected monument of national importance?

The Deputy Minister of Education (Dr. M. M. Das): (a) and (b). No, Sir.

(c) Yes, Sir.

भवनों का निर्माण

*१५०. श्री जू० बं० सोबिया : क्या शिक्षा मंत्री अपने मंत्रालय के वर्ष १९५५-५६ के प्रतिवेदन के पृष्ठ ५९ और ६० पर उल्लिखित निर्माण कार्यक्रम के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) किन-किन भवनों का निर्माण आरम्भ हो चुका है, और १९५६ के अन्त तक किन-किन के बन कर तैयार हो जाने की आशा है; और

(ख) इनमें से प्रत्येक पर कितना व्यय होने का अनुमान है ?

शिक्षा उपमंत्री (डा० बं० सो० दास) :

(क) (१) राष्ट्रीय प्रजायबधर भवन और प्राणि-विद्या सम्बन्धी नमूने रखने के लिये भारतीय प्रजायबधर, कलकत्ते का अदाह्य भवन का निर्माण कार्य पहले ही आरम्भ हो चुका है।

(२) कोई नहीं।

(ख) राष्ट्रीय प्रजायबधर भवन पर ७७.६३ लाख रुपये और भारतीय प्रजायबधर भवन पर १९.५० लाख रुपये।

श्री जू० बं० सोबिया : अन्धे और बहरे धादमियों के लिये इसी सम्बन्ध में जो केन्द्र बनने वाले थे, क्या उन के बारे में कोई काम हुआ है ?

Dr. M. M. Das: So far as the construction programme of the Ministry of Education of the Government of India is concerned, there are four programmes for this year. The building for the National Academy, the building for the National Theatre, the National Museum and the Indian Museum. In the case of the last two—the National Museum and the Indian Museum—the work has been taken up.

अनुसूचित जाति कल्याण

*१५२. श्री लक्ष्मण प्रसाद : क्या गृह-कार्य मंत्री निम्न जानकारी देने वाला एक विवरण पटल पर रखने की कृपा करेंगे कि :

(क) प्रथम पंचवर्षीय योजना के अन्तर्गत दिल्ली में अनुसूचित जातियों के कल्याण के लिये कितना धन व्यय किया गया; और

(ख) इस सम्बन्ध में हरिजन कल्याण बोर्ड द्वारा किये गये कार्यों का व्यौरा क्या है ?

गृह-कार्य मंत्रालय मंत्री (श्री बातार) :
(क) प्रथम पंचवर्षीय योजना के अन्तर्गत दिल्ली में अनुसूचित जातियों के कल्याण पर १,६६,७२७-७-३ रुपये की धन राशि व्यय की गई ।

(ख) किये गये कार्य का व्योरा तथा हर कार्य पर किये गये खर्च का एक विवरण न्ना-पटल पर रख दिया है । [बेसिखे परिशिष्ट ३, अनुबन्ध संख्या १३५]

श्री नवल प्रभाकर : पहली पंच-वर्षीय योजना के लिये कितनी राशि री गई थी ?

श्री बातार : जैसा कि मैं ने अभी बताया है, एक लाख और कुछ रुपया ।

श्री नवल प्रभाकर : उस में से खर्च किताना किया गया ?

श्री बातार : जहां तक मैं जानता हूं, वह सब खर्च हुआ है ।

श्री नवल प्रभाकर : पहली पंच-वर्षीय योजना के लिये बजट में कतना रुपया रखा गया था ?

श्री बातार : मुझे मासम नहीं है ।

General Elections

Mr. Speaker: Is it the pleasure of the House that we may pass on to Question No. 963 now?

Several Hon. Members: Yes, Sir.

Mr. Speaker: Question No. 963 may be answered.

The Minister of Law and Minority Affairs (Shri Biswas): I request my hon. colleague to answer the question.

Mr. Speaker : Yes.

†
Shri Kamath:
Shri D. C. Sharma:
Shri Bansal:
Shri Bhagwat Jha Azad :
Shri Sadhan Gupta:
Shri Ram Krishan:
Shri Bibhuti Mishra:
*963. { Shri M. S. Gurupadswamy:
Shri M. Islamuddin:
Shri Shivananajappa:
Shri Shree Narayan Das :
Shri Wodeyar:
Shri Nettur P. Damodaran:
Shri Buchikotiah :
Sardar Iqbal Singh :
Sardar Akarpuri:

Will the Minister of Law be pleased to refer to the reply given to Starred Question No. 1007 on the 13th of August 1956, and state:

(a) whether the question of next General Elections has since been considered and the programme prepared for the same;

(b) if so, the nature of the programme ;

(c) whether Lok Sabha will be dissolved before the next General Elections;

(d) if so, when ; and

(e) whether there will be any legal conventional difficulty in doing so ?

The Minister of Legal Affairs (Shri Pataskar) : (a) and (b). Government have been considering the programme for the next General Elections. But under the law, it will be for the Election Commission to recommend to the President and the Governors of States the actual dates for the issue of the initial notifications, calling upon the constituencies to elect. Thereafter, the various dates, including the dates of polling in particular constituencies will be notified by the Election Commission. Government, however, think that the suitable dates for polling would be from the 28th February to the 14th March, 1957.

(c) No.

(d) and (e). Do not arise.

Shri Kamath : Is it a fact that though the Delimitation Order has not been published as yet, in those States where delimitation has been finalised certain members and units of the party in power, the Congress party have secured those proposals while no party in the Opposition has been able to have access to the Orders in those States ?

Shri Pataskar : It is too long a question. I do not know how to answer it.

Shri Kamath: The question arises now, in view of the elections. With a view to facilitate the early holding of elections, it was decided that delimitation would be finalised very soon and published also very soon. But it has been postponed from November to the end of December—I mean the gazetting of the Order. Is it a fact that in some States where the Delimitation Order has been completed only the Congress Party has been able to secure copies of the Orders in those States, while other parties have been kept in the dark?

Shri Pataskar: The insinuation is unjustified. The fact is that the delimitation is just nearing completion and it is expected that within about a fortnight, all this will be put forth in the gazette itself. I do not know what more can be said.

Shri Kamath: Do Government think it is fair to all parties concerned that there should be a time-lag of only two months between the date when the final Delimitation Order is published and the first polling day? That is what it comes to.

Shri Pataskar: All these things will be taken into account when the final notification is issued.

Shri Kamath: Is it fair to all? There is too much of delay.

Shri Pataskar: I do not understand what is unfair in this.

Mr. Speaker: The Minister says that this matter will also be considered before a final notification is issued regarding the fixation of a final date.

Shri Kamath: Has the Government recommended it?

Shri Sadhan Gupta: The hon. Minister stated that the Lok Sabha will not be dissolved before the general elections. He has also stated that the general elections would be between 28th February and 14th March. There was an item in the newspapers that the last part of the general elections in Himachal Pradesh will be held in May. May I know whether that report is correct and, if so, whether the Lok Sabha will be dissolved before that time or after that time?

Shri Pataskar: In reply to part (c) of the question: whether the Lok Sabha will be dissolved before the next General Elections, I have replied "no".

Shri Sadhan Gupta: Does the answer refer to 14th March or May when the last part of the General Elections will be completed in the snow-bound areas of Himachal Pradesh?

Shri Pataskar: Is the hon. Member referring to Himachal Pradesh?

Mr. Speaker: Yes.

Shri Pataskar: I have no information about that.

Shri V. G. Deshpande: Our question is, in view of the fact that there will be very small time left between the publication of the Delimitation Order and the holding of the elections, is it fact that Congress Party has been supplied with the Delimitation Order by the Election Commission?

Some Hon. Members: No. No.

Shri Pataskar: I repudiate it.

Dr. Ram Subhag Singh: May I know whether the Election Commission has sent its recommendation regarding the time-table of the election to the President and the State Governments and if so, whether some of the State Governments' consent has been received so far?

Shri Pataskar: I have already stated that it is for the Election Commission to recommend to the President and the Governors of States the actual dates for the issue of official notifications; the Government does not come in.

Dr. Ram Subhag Singh: I want to know whether that recommendation has been sent.

Shri Pataskar: Not, to my knowledge.

Shri Chattopadhyaya: A very serious allegation has been levelled against the Government by Mr. Kamath; that has not been answered.

Mr. Speaker: It has been answered. The question Hour is over.

SHORT NOTICE QUESTIONS AND ANSWERS

Cracker Explosion in Delhi

S.N.Q. 2. { **Shri Kajrolkar:**
Shri Gidwani:
Shri Bhe: 111
Shri Raghunath Singh:
Shri M. C. Agarwal:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there was a cracker explosion at Ramlika Grounds at the time of Civic Reception to the Prime Minister of China on the 30th November, 1956;

(b) if so, the number of persons injured; and

(c) whether any arrests have so far been made?

The Minister of Home Affairs (Pandit G. B. Pant): (a) Yes.

(b) Six persons were arrested as a result of the crackings.

(c) Some arrests have been made in the course of the investigation, which is still proceeding.

Shri Gadgil: May I know from the Home Minister the nature of the cracker-crackers, whether they were crackers or something more serious?

Pandit G. B. Pant: I am told that it was a cracker and not a bomb; a bomb has a mineral container and this did not have any such mineral container.

Shri Kajrolkar: May I know if the services of any police officer from Bombay State have been secured for the investigation?

Pandit G. B. Pant: So far it has not been considered necessary.

Shri D. C. Sharma: May I know whether in view of the frequency of these explosions, the Government has tightened up the supervision by the police in the routine as well as in some special way?

Pandit G. B. Pant: The Government is fully aware of the situation and also of its responsibility.

Shri Bansal: May I know if as a result of the police not being able to apprehend the people who are supposed to be responsible for frequent throwing of bombs, there has been recently a shake up in the police hierarchy and if it is connected with this incident that has taken place?

Pandit G. B. Pant: Some supervisory staff has been replaced and some action has also been taken in the lower ranks. But, it is not absolutely necessary to connect it with this or the serious of incidents.

Shri Joachim Alva: While wholly appreciating the Government's alertness and promptitude in dealing with this matter.....

Some Hon. Members: No, no.

Shri Joachim Alva: ...do Government realise that these acts are rehearsals of something dangerous that is yet to come?

Pandit G. B. Pant: They are in no way desirable, but are disagreeable and very dangerous too.

Pandit D. N. Tiwary: May I know whether any foreign national was arrested in this connection?

Pandit G. B. Pant: Well, perhaps yes.

Dr. Ram Subhag Singh: May I know whether the persons who have been arrested in this and other bomb and cracker explosions in Delhi and other parts of India are having any political connection?

Pandit G. B. Pant: The matter is under investigation.

Shri Sadhan Gupta: May I know whether Government have yet found any motive behind the throw of crackers at the meeting and if so whether the motive is a political motive?

Mr. Speaker: That has been answered just now. The matter is under investigation.

Shri Chattopadhyaya: I want to know whether this incident has been traced back to some sort of imperialistic machination?

Pandit G. B. Pant: I think not.

Shri Kamath: Does the comparative examination of various crackers or bombs that have been thrown in and around this area in recent months disclose or show the operation of a common gang or one plan or mind behind these incidents?

Pandit G. B. Pant: So far as crackers are concerned, they are also sometimes used by innocent people. There were occasions when some crackers exploded and when the police made enquiries, they found that there was no evil design behind them. But, when the persons who are responsible for such explosions are not traced, it is difficult to define their motive. But Government hopes that with the co-operation of all and with the labours of the police, we may be able to reach some definite conclusions later.

Shri Gadgil: Is it not a fact that such disclosure in this House often hampers the police enquiry itself?

Pandit G. B. Pant: I should think that hon. Members of this House are fully seized of that aspect of the problem.

Mr. Speaker: The hon. Member himself wanted to know whether it was a cracker or a bomb.

Workers Retrenchment Compensation

S.N.Q. 3. { **Shri M. S. Gurupadaswamy:**
Shri Gadgil:
Shri K. P. Tripathi:
Shri N. Shreekanth Nair:

Will the Minister of Labour be pleased to state:

(a) whether it is a fact that the Supreme Court Judgment delivered on the 26th November, 1956 in the case of Shree Dinesh

Mills Ltd., and Barsi Light Railway Company Ltd., nullifies completely the Industrial Disputes Amendment Act granting retrenchment compensation;

(b) whether this will not contravene Sections 25F and 25FF of the Industrial Disputes Act; and

(c) what steps Government have taken to apply retrospectively the payment of retrenchment compensation?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). In a judgment delivered on 27-11-56, the Supreme Court held that the term retrenchment means the discharge of surplus workmen in a continuing or running industry and it does not apply where the services of all workmen have been terminated on a real and bona fide closure. It also held that no retrenchment compensation is payable where the services of all workmen have been terminated on the business or undertaking being taken over by another, thus rendering section 25FF of the Industrial Disputes Act, 1947 inoperative.

(c) The implications of the judgment are being studied carefully with a view to determining what action, if any, should be taken.

Shri M. S. Gurupadaswamy: May I know whether legislative action will be taken shortly or if necessary the Constitution will be amended to lay down categorically that retrenchment compensation will be given to employees even in cases of bona fide closures of mills and also in cases of transfer of ownership of mills?

Shri Abid Ali: That is exactly what we are considering.

Shri M. S. Gurupadaswamy: How long will the Government take to come to a decision? May I know whether there is any possibility of bringing a measure in the present session?

Shri Abid Ali: It should not take long.

Shri Gadgil: In view of this judgment, may I know whether the amount of Rs. 30 lakhs which has been withheld from payment to the Barsi Light Railway Co., will continue to be withheld till the Government decision is taken?

Shri Abid Ali: Out of Rs. 30 lakhs, Rs. 15 lakhs are with the Railway Board and Rs. 15 lakhs are kept in the Bank on account of two lawyers of the parties. With regard to the action to be taken by the Government, I have already submitted that all these factors are under consideration.

Shri K. P. Tripathi: May I know if it is a fact that if the Government does not take action immediately all that money,

Rs. 30 lakhs, may be transported out of the country in which case there will be no way of catching it? Will the Government consider the passing of some Ordinance so that the status quo may be maintained while considering this question?

Shri Abid Ali: I have already submitted that all these points are under consideration.

Shri Punnoose: The Deputy Minister was pleased to say that Government is considering this matter as to what step has to be taken. In the meanwhile, there are some cases pending, for example, the cashew industry in Kerala where 25,000 workers have been thrown out. The case is pending before the Government. Will the Government see that the owners of factories do not transfer their property, etc., so that by the time the Government takes steps to fill up the lacuna, they may not escape payment?

Shri Abid Ali: This judgment was delivered only on the 27th of last month.

Shri Punnoose: After that?

Shri Abid Ali: With regard to the cashewnut industry, the matter is already before the tribunal.

WRITTEN ANSWERS TO QUESTIONS

Transactions by Government Servants

*931. **Shri Gidwani:** Will the Minister of Home Affairs be pleased to state:

(a) whether any further preventive measures have been adopted to check bribery and corruption among Government servants;

(b) whether it is a fact that a directive has been issued asking Government servants to report transactions entered into by them involving movable property; and

(c) if so, what is the nature of that directive?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) The measures so far adopted to check bribery and corruption has been fully explained in the Report on the Administrative Vigilance Division for the period ending the 31st March 1956 which was presented to Parliament in May last. The Administrative Vigilance Division continue to function on the lines indicated in the said Report.

(b) and (c). Government Servants Conduct Rules require Government servants to report to the prescribed authority all

transactions concerning movable property which exceed one thousand rupees in value. Besides this, no other directive has been issued on this point.

Prohibition in Defence Services

*932. **Shri Dabhi:** Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 852 on the 8th August, 1956 and state:

(a) whether Government have now taken any decision regarding the introduction of prohibition in the Defence Services; and

(b) if so, the nature thereof?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). In furtherance of the Government policy in respect of prohibition, effective steps have already been taken to reduce progressively the consumption of liquor by men in the Armed Forces. The decision regarding the introduction of prohibition in the Armed Forces will depend on the policy adopted by Government in this regard for the country as a whole.

Olympic Games

*939. **Shri Keshavaiengar:** Will the Minister of Education be pleased to state the method of selection of Indian athletes for the Olympic Games?

The Deputy Minister of Education (Dr. M. M. Das): Selection of the athletes is made by the sports Federations concerned.

Primary School Teachers in Tripura

*940. **Shri Dasaratha Deb:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the Government of India have not yet sanctioned for the current financial year the salaries of about 200 Primary Teachers of Tripura who got their appointment in 1955-56;

(b) if so, what are the reasons for this; and

(c) whether Government propose to make the appointments of these Primary Teachers permanent in the near future?

The Deputy Minister of Education (Dr. M. M. Das): (a) The teachers in question are being paid the salaries regularly.

(b) Does not arise.

(c) The matter is under consideration by the Tripura Administration.

Hindustan Aircraft Factory

*941. **Shri R. P. Garg:** Will the Minister of Defence be pleased to state:

(a) the number of technical personnel of the Hindustan Aircraft Factory that will be trained for newly developed wing for the manufacture of integrated coaches by the M.A.N. (Maschinenfabrik Augsburg Nuernberg) at Nuernberg, in West Germany;

(b) the number of technicians and engineers that will be sent by M.A.N. to train Indian technicians at the Hindustan Aircraft Factory; and

(c) the cost that Government and Messrs M.A.N. shall have to incur respectively?

The Deputy Minister of Defence (Sardar Majithia): (a) to (c). It will not be in the interest of the Hindustan Aircraft (Private) Limited to give out the particulars asked for.

Primary School Teachers of Tripura

*943 { **Shri Biren Dutt :**
Shri Dasaratha Deb:

Will the Minister of Education be pleased to state:

(a) how many Primary School Teachers of Tripura have been served with the notices of termination of services from January to October, 1956;

(b) whether any new appointments have been made to those posts; and

(c) if so, the reasons for such action?

The Deputy Minister of Education (Dr. M. M. Das): (a) Nine.

(b) Seven out of nine posts have been filled up.

(c) The teachers had been appointed on purely temporary basis and their services were terminated according to rules.

बिबेशी बीमा समवाय

*९४४. **श्री अनिरुद्ध सिंह:** क्या बिबर मंत्री यह बताने की कृपा करेंगे कि :

(क) इस देश में बीमा व्यवसाय के राष्ट्रीयकरण से पूर्व कौन-कौन से विदेशी बीमा समवाय अपने कर्मचारियों को निवृत्ति-बेतन (पेंशन) देते थे ;

(ख) क्या सरकार ने ऐसे विदेशी सम्-
चार्यों के, जो अपने कर्मचारियों को निवृत्ति-
वेतन देते थे, निवृत्ति वेतन खाते में जमा
रकम अपने अधिकार में ले ली है; और

(ग) यदि हां, तो वह कितनी है ?

बिस्त तथा मोहा और इत्याद जंजी
(श्री सि० सि० कृष्णमाचारी) : (क)
उपलब्ध सूचना के अनुसार निम्नलिखित
१ विदेशी बीमा कम्पनियों में, जिनका
नियंत्रित कारबार कारपोरेशन ने अपने
हाथ में ले लिया है, कर्मचारियों के लिये
किसी न किसी रूप में पेंशन योजना थी :

- (१) ग्रेहम लाइफ एंशोरेंस सोसा-
इटी लिमिटेड।
- (२) नार्थ ब्रिटिश एण्ड मर्केन्टाइल
इन्शोरेंस कम्पनी लिमिटेड।
- (३) फोनिक्स एंशोरेंस कम्पनी
लिमिटेड।
- (४) स्काटिश यूनियन एण्ड
नेशनल इन्शोरेंस कम्पनी।
- (५) सनलाइफ एंशोरेंस कम्पनी
भाऊ कनाडा।
- (६) यार्कशायर इन्शोरेंस कम्पनी
लिमिटेड।

(ख) और (ग). केवल एक को
झोड़ कर बाकी सब में पेंशन उनकी चालू
घामदनी में से दी गयीं। पेंशन दायित्व
की सही सही रकम अभी नहीं आंकी गयी
है पर अनुमान है कि वह लगभग १५
लाख रुपये होगी।

Public School at Mannar

*948. **Shri A. K. Gopalan:** Will the
Minister of Education be pleased to state:

(a) the reasons for starting a Public
School at Mannar in Kerala State;

(b) whether Government propose to
sanction any grant to this Public School;
and

(c) if so, the amount sanctioned or
likely to be sanctioned in 1956-57 ?

**The Deputy Minister of Education
(Dr. M. M. Das):** (a) The Government
of India are not concerned with the start-
ing of a Public School at Mannar.

(b) No, Sir.

(c) Does not arise.

Development Works in Manipur

*951. **Shri Rishang Keishing:** Will
the Minister of Home Affairs be pleased
to state:

(a) whether Government are aware
of the fact that several development works,
like irrigation channels, wells, inter-village
paths etc., completed by the tribal villagers
of Manipur during the period 1953-55 on
the order of the State Government have not
been paid for uptill now;

(b) whether it is a fact that there are
over 300 such cases in Manipur;

(c) the reasons why payments for the
development works completed by the
tribal villagers have been so much delayed;
and

(d) the steps Government have taken
for immediate payment for the development
works completed ?

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

Toddy Shops in Kerala

*953. { **Shri Punnoose:**
Shri V. P. Nayar:

Will the Minister of Home Affairs
be pleased to state:

(a) whether it is a fact that the Govern-
ment of Kerala State have decided to close
down a certain percentage of toddy shops
in certain districts;

(b) if so, the percentage and also the
specific areas; and

(c) how many tappers and other
workers are estimated to lose work by
such measure ?

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

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

Solar Cooker

- *954. { Shri T. B. Vittal Rao:
Shri R. P. Garg:
Shri Velayudhan:
Shri D. C. Sharma:
Shri Kamath:

Will the Minister of **Natural Resources and Scientific Research** be pleased to state:

(a) whether it is a fact that Government have abandoned the idea of popularising Solar Cooker; and

(b) if so, the reasons therefor?

The Deputy Minister of Education (Dr. K. L. Shrimali): (a) Solar cookers are being manufactured by two private firms and it now rests with them to popularise the cooker.

(b) The question does not arise.

Hindi Scholarships

*955. **Shri Krishnacharya Joshi**: Will the Minister of Education be pleased to state:

(a) whether the scope of the scheme of scholarship for higher studies in Hindi in non-Hindi speaking States has been enlarged; and

(b) if so, the number of scholarships to be awarded under the revised scheme during 1956-57?

The Deputy Minister of Education (Dr. M. M. Das): (a) Yes, Sir. The scheme now provides for post-Matriculation studies upto the post-Graduate degree.

(b) 110.

Aid from Newzealand

*956. **Shri D. C. Sharma**: Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 997. on the 13th August, 1956 and state:

(a) whether any intimation has since been received in regard to the aid proposed to be given to India by Newzealand during 1956-57;

(b) if so, the amount thereof; and

(c) how it will be distributed on the various projects?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) No Sir.

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

Foreign Wrestlers in India

*958. **Shri Bibhuti Mishra**: Will the Minister of Education be pleased to state:

(a) the total number of foreign wrestlers who visited India during 1955-56;

(b) whether Government gave any assistance for the purpose; and

(c) if so, the nature thereof?

The Deputy Minister of Education (Dr. M. M. Das): (a) According to the information available with Government, a wrestling team of 16 players from Iran visited India during December, 1955 to January, 1956.

(b) and (c). A grant of Rs. 6,042/- was sanctioned to cover Railway Fare and Board and Lodging expenses of the team during its stay in India.

Compensatory Allowance

- *959. { Shri Dasaratha Deb :
Shri Biren Dutt :

Will the Minister of Home Affairs be pleased to state:

(a) whether compensatory allowances to the Government employees of Tripura have been stopped since October, 1956; and

(b) whether it is a fact that the prices of essential commodities have risen very sharply in Tripura?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) The prices in Tripura have risen in the same proportion as in the rest of India. There was also a temporary rise during the Puja Festival. Every effort is being made to keep prices down by air-lifting essential commodities.

Impersonation during Elections

*960. **Shri Kamath**: Will the Minister of Law be pleased to state the steps that are being taken by the Election Commission to prevent impersonation of "pardanashin" women and of absent or deceased voters at the polls?

The Minister of Law and Minority Affairs (Shri Biswas): A statement furnished by the Election Commission is laid on the Table of the House. [See Appendix III, annexure No. 136.] Attention is also invited to the amendments recently made in rules 26, 27 and 35 of the Representation of the People

(Conduct of Elections and Election Petitions) Rules, 1956, a copy of which has already been laid on the Table of the House.

Coal Mining at Tripura

*961. **Shri Biren Dutt** : Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether any step has been taken to start coal mining at Tripura;

(b) if so, which is the agency that has been entrusted with this work;

(c) whether it is also a fact that the Assam Government had sent some experts to survey the coal area of Tripura; and

(d) if so, what are their findings ?

The Deputy Minister of Education (Dr. K. L. Shrimali) : (a) No. coal mine is proposed to be exploited in Tripura in the public sector during the Second Five Year Plan.

(b) Does not arise.

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

Income Tax from Jammu and Kashmir State

*962. **Shri Krishnacharya Joshi** : Will the Minister of Finance be pleased to state :

(a) whether assessment of income-tax has been completed in Jammu and Kashmir after the Indian income-tax Act, 1922 was made applicable to the State; and

(b) if so, the results of the assessments ?

The Minister of Revenue and Defence Expenditure (Shri A.C. Guha) : (a) Yes.

(b) The number of assessments completed under the Indian Income-tax Act from the year 1954-55, the year for and from which the Indian Income-tax was applied to Jammu and Kashmir State, upto the 31st October, 1956 of the current financial year was 8,943. The total amount of tax demanded and that collected during the same period were Rs. 19.19 lakhs and Rs. 16.30 lakhs respectively.

Casteism in Educational Institutions

*964. **Shri Bibhuti Mishra** Will the Minister of Education be pleased to state:

(a) whether Government have formulated any scheme for educational institutions to shun casteism in the Second Five-Year Plan; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) and (b). A statement is laid on the Table of Lok Sabha. [See Appendix III, annexure No. 137].

Oil Exploration

*965. { **Dr. Ram Subhag Singh** :
Shri Bheekha Bhal :
Shri Wodeyar :
Shri Nettur P. Damodaran :

Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether a delegation of geologists and geophysicists led by him recently visited Canada, the U.S.A. and France to study the working of petroleum industry and petroleum laws in those countries; and

(b) if so, in what way the oil exploration programme in India is going to be affected by that study ?

The Deputy Minister of Education (Dr. K. L. Shrimali) : (a) Yes, Sir.

(b) The experience gained and the contacts made during this study are expected to help :

(i) in the formulation of Regulations for the exploration, exploitation and refining of mineral oil and natural gas in the country,

(ii) in applying the latest methods of oil field practices in our field and laboratory investigations connected with oil exploration,

(iii) in using the best type of instruments and technique in our Geological, Geophysical and drilling investigations, and

(iv) in establishing contacts with experts in the field of Petroleum, Geology, Geophysics and drilling Engineering.

Sessions Judge at Tripura

*966. **Shri Biren Dutt** : Will the Minister of Home Affairs be pleased to state:

(a) whether a Sessions Judge has been appointed for Tripura;

(b) whether due to functioning of a sub-Judge of Tripura as Sessions Judge, the cases heard by him as sub-Judge cannot be heard in the Session's Court now; and

(c) if so, the steps Government propose to take in the matter ?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) Yes.

(c) The State Governments have already been approached to lend the services of a suitable officer.

Warships

716. Shri Ram Krishan : Will the Minister of Defence be pleased to State:

(a) whether the scheme to build warships in India during the Second Five Year Plan has been finalised; and

(b) if so, the details thereof ?

The Deputy Minister of Defence (Sardar Majithia) : (a) A programme for the acquisition of warships for a period which includes the Second Plan period has been accepted by Government and is being implemented in stages. This programme includes the construction of certain types of war vessels in India.

(b) It will not be in the public interest to reveal details of the programme.

Engineering College in Assam and Orissa

**717. { Shri Ram Krishan :
Shri Gadilingana Gowd :**

Will the Minister of Education be pleased to state :

(a) whether the scheme for the establishment of two engineering colleges, one in Assam and another in Orissa, as approved by the Eastern Regional Committee of All India Council of Technical Education, has been finalised ;

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

(c) the action taken so far by Government in this regard ?

The Deputy Minister of Education (Dr. M. M. Das) : (a) to (c). A statement giving the required information is laid on the Table of the House. [See Appendix III, annexure No. 138].

Oil Survey

**718. { Shri Ram Krishan :
Shri Bhagwat Jha Azad :
Shri R. P. Garg :
Shri S. C. Samanta :
Sardar Iqbal Singh :
Sardar Akarpuri :**

Will the Minister of Natural Resources and Scientific Research be pleased to refer to the reply given to Starred Question No. 685 on the 3rd August, 1956, and state :

(a) whether the report of aeromagnetic survey of oil in Jaisalmer conducted by a team of Canadian Experts has since been received ; and

(b) if so, the details thereof ?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) and (b). The report is still awaited. (It will be purely a technical report).

Mica and Graphite

719. Shri V. P. Nayar : Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the Government of India have recently investigated the possibility of resuming the mining of Mica and Graphite in Kerala State; and

(b) if not, whether the Government of India have any plans to start an investigation in the near future ?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) and (b). A preliminary investigation of graphite in parts of Nadumangad and Muvattupuzha in Kerala State has been completed. Detailed mapping of graphite and mica deposits is being carried on in the current field season as part of the Geological Survey of India's field programme for 1956-57. When this work has been completed, it will be possible to assess the mining prospects of graphite and mica in this area.

Pyrites

720. Shri V. P. Nayar : Will the Minister of Natural Resources and Scientific Research be pleased to refer to the para of page 372 of the Second Five Year Plan and state :

(a) whether any detailed investigation with a view to proper assessment of the quality and quantity of pyrites known to occur in Malabar Area of Kerala State has been made;

(b) if so, the number of Geologists who investigated this ;

(c) the results of the analysis of sample ores;

(d) the quantity estimated to be available; and

(e) the quality of the pyrites as revealed in the investigation ?

The Deputy Minister of Education (Dr. K. L. Shrivall) : (a) Yes, Sir.

(b) Four.

(c) The ore averages less than 3% sulphur and 2 cwt. of gold per ton.

(d) and (e). The important Alpha Mine which was partly examined in detail was estimated to contain about 13,000 tons of ore averaging 2.91% of sulphur.

ज्ञान सरोवर

७२१. श्री ह० रा० नचानी : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ज्ञान सरोवर के सभी खण्ड प्रकाशित हो चुके हैं ;

(ख) यदि नहीं, तो अब तक कितने खण्ड प्रकाशित हो चुके हैं ;

(ग) शेष खण्डों के कब तक प्रकाशित होने की सम्भावना है ;

(घ) अब तक प्रकाशित हुये खण्डों पर कितना धन खर्च किया गया है; और

(ङ) शेष खण्डों पर कितना धन खर्च होने की सम्भावना है ?

शिक्षा उपमंत्री (डा० म० मो० दास) :

(क) नहीं, जी ।

(ख) केवल प्रथम खण्ड ।

(ग) ३० दिसम्बर, १९५६ तक ।

(घ) केवल ४०,४७८ रुपये ।

(ङ) लगभग १,६२,००० रुपये ।

भारत में अमरीकी नागरिक

७२२. श्री ह० रा० नचानी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि इस समय भारत में कितने अमरीकी नागरिक व्यापार, अध्ययन और धर्म-प्रचार कार्य कर रहे हैं ?

गृह-कार्य मंत्रालय में मंत्री (श्री दातार) : आन्ध्र प्रदेश, जम्मू तथा काश्मीर और हिमाचल प्रदेश तथा त्रिपुरा के संघीय क्षेत्रों की छोड़ कर, जिनके बारे में सूचना अभी उपलब्ध नहीं है, पहली जनवरी, १९५६ को भारत में रजिस्टर्ड अमरीकी नागरिकों की कुल संख्या ३६०० थी । इनमें १६२६ धर्म प्रचारक, १८४ व्यापारी तथा ६८ विद्यार्थी थे ।

Nagas

723. { Shri Bhagwat Jha Asad :
Shri A. K. Gopalan :
Shri D. C. Sharma :
Shri Gidwani :
Shri Amar Singh Damar :
Shri Raghunath Singh :

Will the Minister of Home Affairs be pleased to state:

(a) the total number of Nagas killed so far since the start of operations;

(b) the total number of other persons killed or injured;

(c) the total number of Nagas who have surrendered so far; and

(d) the total number of fire-arms surrendered by Nagas or captured by Authorities?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) The number of hostile Nagas killed or believed to be killed is 686 and 146, respectively; while the number of Nagas killed by hostiles is 171.

(b) 23 killed and 30 injured, excluding military personnel.

(c) 134.

(d) 515 fire-arms were surrendered by hostile Nagas and 637 were captured from them.

Timber for Railway Coaches

724. { Shri T. B. Vittal Rao :
Shri Gidwani :
Shri Gadilingama Gowd. :

Will the Minister of Home Affairs be pleased to state :

(a) whether it is a fact that Government have received complaints regarding alleged supply and acceptance of low quality timber for coach manufacturing in the railways; and

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

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) Investigation by the Special Police Establishment is now in progress. It will be against the public interest to disclose any details at this stage.

Decimal Coinage

725. Shri Krishnacharya Joshi : Will the Minister of Finance be pleased to state the steps Government have taken to produce adequate stocks of new types of small coins under the decimal coinage system ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : The three mints of the Government of India have been put on work at their full capacity on a 54 hour week. The combined output of the Mints is approximately 80 million pieces of coins a month.

It is not possible at this stage to estimate what the possible demand from the public may be for such coins and whether the quantities made available will be adequate to meet all the demands but in any case no inconvenience to the public is likely to arise in view of the fact that the existing coins will continue to be legal tender, along with the new decimal coins, for a period of at least three years from 1st April, 1957.

Defence Services Delegation to China

726. { Shri Krishnacharya Joshi :
Shri Bibhuti Mishra :

Will the Minister of Defence be pleased to state:

(a) whether the Indian Defence Services Delegation headed by Lt. General J. N. Chaudhury visited China in October, 1956; and

(b) if so, object of the visit ?

The Deputy Minister of Defence (Sarder Majithia) : (a) Yes.

(b) It was a goodwill visit undertaken at the invitation of the Chinese Government.

New Gold Mine in Mysore

727. Shri Jhulan Sinha : Will the Minister of Natural Resources and Scientific Research be pleased to state whether it is a fact that another Gold Mine has been found to exist in Mysore near the Kolar Gold Fields ?

The Deputy Minister of Education (Dr. K. L. Shrimall) : No, Sir.

Basic Education Assessment Committee

728. { Shri D. C. Sharma :
Shri Bibhuti Mishra :

Will the Minister of Education be pleased to state the recommendations of the Basic Education Assessment Committee which have been implemented so far ?

The Deputy Minister of Education (Dr. M. M. Das) : A statement is laid on the Table of the House. [See Appendix III, annexure No. 139]

Indo-Pakistan Financial Issues

729. { Shri D. C. Sharma :
Shri Krishnacharya Joshi :
Shri Ramachandra Reddi :
Shri Amar Singh Damar :

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 392, on the 3rd August, 1956, and state :

(a) whether any date has since been fixed for the meeting of the Finance Ministers of India and Pakistan to resolve the outstanding financial issues between India and Pakistan ; and

(b) if so, what is that date ?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : (a) No.

(b) Does not arise.

All-India Council For Secondary Education

730. Shri D. C. Sharma : Will the Minister of Education be pleased to refer to replies given to Starred Question No. 689 on the 9th December, 1955 and Unstarred Question No. 2096 on the 16th

May, 1956 and lay a statement showing the action taken by Government on the recommendations made by the All India Council for Secondary Education at its first and second meetings?

The Deputy Minister of Education (Dr. M. M. Das) : A statement is laid on the Table of Lok Sabha [See Appendix III, annexure No. 140].

Multi-purpose Schools in Punjab

731. **Shri D. C. Sharma** : Will the Minister of Education be pleased to state:

(a) the number of Multi-Purpose Schools established during the First Five Year Plan period in the Punjab State; and

(b) the amount of grant given to the Punjab during the First Five Year Plan period and the amount to be given during the Second Five Year Plan period separately for converting Secondary Schools into Multi-purpose Schools?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Thirty Five High Schools were selected for conversion into the Multi-purpose type, but these have not yet actually started functioning.

(b) (i) First Five Year Plan—Rs. 48,61,857.

(ii) Second Five Year Plan—Rs. 2,54,71,000.

Khadi

732. **Shri D. C. Sharma** : Will the Minister of Defence be pleased to state:

(a) the quantity and value of *Khadi* purchased by each of the Units i.e. Army, Navy and Air Force during 1955 and 1956 so far;

(b) the purposes for which it was purchased; and

(c) the quantity and the value of non-*khadi* cloth purchased during these years and for what purpose?

The Deputy Minister of Defence (Sardar Majithia) : (a) 1955-56

	Quantity (Yards)	Cost (Rs.)
Army	Nil	Nil
Air Force	Nil	Nil
Navy	63,805	40,322

1956-57

Army	3,681	5,400
Air Force	Nil	Nil
Navy	Nil	Nil

(b) For the manufacture of Napkins and for cleaning purposes.

	Quantity (Yards)	Cost (Rs.)
(c) 1955-56		
Army	94,74,532	1,89,59,017
Air Force	56,027	2,62,173
Navy	7,13,538	14,32,612
1956-57 (up to Oct/Nov. 1956)		
Army	62,33,847	1,44,84,123
Air Force	76,800	2,16,974
Navy	15,826	17,567

Purpose : Purchased for manufacture of uniforms, clothing equipment etc., for the Services.

Cultural Delegations

733. { **Shri D. C. Sharma** :
Shri Ram Krishan :
Shri R. P. Garg :

Will the Minister of Education be pleased to lay a statement on the Table showing:

(a) the number of Cultural Delegations received in India during 1956 so far;

(b) the number of cultural pacts concluded with foreign countries during the same period and their nature; and

(c) the amount of expenditure incurred by Government on these Delegations?

The Deputy Minister for Education (Dr. M. M. Das) : (a) to (c). A statement is laid on the Table of the House. [See Appendix III, annexure No. 141].

UNESCO Committees

734. **Shri D. C. Sharma** : Will the Minister of Education be pleased to state the number of Committees of the UNESCO in which Indian delegates have participated during the year 1956 so far?

The Deputy Minister of Education (Dr. M. M. Das) : Fifteen.

University Grants Commission

735. **Shri D. C. Sharma** : Will the Minister of Education be pleased to state:

(a) the main activities of the University Grants Commission during 1956-57 so far; and

(b) the amounts sanctioned by it to the various Universities during the same period?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) and (b). The Hon'ble member should await the statutory report prescribed in Section 18 of the University Grants Commission Act, 1956.

Welfare Extension Projects in Punjab

736. **Shri D. C. Sharma** : Will the Minister of Education be pleased to state whether the Punjab State Social Welfare Advisory Board has launched any Welfare Extension Project in the Scheduled areas of the State?

The Deputy Minister of Education (Dr. M. M. Das) : The information is being collected and will be laid on the Table of the Sabha as soon as possible.

Smuggling

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

(a) the number of smugglers arrested on the West Bengal border during the months of July to November 1956;

(b) the total value of goods confiscated; and

(c) the major items among them; and

(d) the number of smugglers convicted?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : (a) No smuggler was arrested on the West Bengal border during the months of July to October, 1956.

(b) The total value of goods confiscated during that period is Rs. 4,45,777.

(c) The major items involved were betelnuts, strawmats, gold, silver, Indian & Pakistan currency and cotton textiles.

(d) No smuggler was sent up for trial in a court of law during that period.

Information for the month of November 1956 is not yet available.

Mineral Wealth of Punjab

738. **Shri D. C. Sharma :** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether the attention of Government has been drawn to the data collected so far by the Directorate of Geology and Mining in the Punjab about the mineral wealth of the State; and

(b) if so, whether the Government of India propose to undertake the geological survey of the areas concerned in detail under the Second Five Year Plan?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) No such data are available with the Government of Punjab.

(b) A list of items regarding Punjab included by the Geological Survey of India in the Second Five Year Plan is however laid on the Table of the House. [See Appendix III, annexure No. 142].

UNESCO

739. **Shri D. C. Sharma :** Will the Minister of Education be pleased to state whether UNESCO has established an international organisation to study problems concerning children and young persons in their relation to the Press, Radio, Films and Television?

The Deputy Minister of Education (Dr. M. M. Das) : No, Sir.

Social Welfare Projects in Rajasthan

740. **Shri Bheekha Bhai :** Will the Minister of Education be pleased to state:

(a) the number of Social Welfare Projects to be opened in the scheduled areas of Rajasthan during the Second Five Year Plan; and

(b) the places of their location?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) and (b). The location of Welfare Extension projects is decided on the basis of several considerations such as the needs of the area anticipated, extent of public contribution etc.

Since no preference is given to scheduled areas the number of such projects to be established during the Second Five year Plan in these areas cannot be indicated.

Tax Evasion

741. **{ Dr. Ram Subhag Singh :
Shri K. K. Basu :**

Will the Minister of Finance be pleased to state :

(a) the approximate estimated quantum of tax evasion in the country at present; and

(b) whether any fresh steps are being taken to improve the tax collection machinery of Government?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : (a) and (b). Attention is invited to the Note placed on the Table of the House on the 30th May 1956 along with the report of Prof. Kaldor. The Directorate of Inspection (Investigation) has been dealing with important cases of tax evasion and the investigation is being done in special circles which are manned by specially selected officials of the Department.

Public Borrowing

742. **Dr. Ram Subhag Singh :** Will the Minister of Finance be pleased to state:

(a) whether the programme of public borrowing for the year 1956-57 as envisaged in the Second Five Year Plan is progressing according to schedule; and

(b) if so, the amount of gross public borrowing so far raised in the country during the current financial year by the Central and the State Governments?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari):

(a) Yes, Sir.

(b) Rs. 226.26 crores.

Double Taxation on Income

743. Dr. Ram Subhag Singh : Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 628 on the 12th March, 1956, and state:

(a) whether the Governments of India and Ceylon have since ratified the agreement regarding the avoidance of double taxation on income; and

(b) when the agreement will become effective?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari):

(a) Not yet.

(b) The agreement will become effective after :—

(i) the necessary resolution is passed by the Ceylon Senate, a similar resolution having already been passed by the House of Representatives of Ceylon; and

(ii) necessary notification is made in the Government of India Gazette as required by section 49A of the Indian Income-tax Act.

Tribal Students

744. Shri Dasaratha Deb: Will the Minister of Education be pleased to state the total number of tribal students reading in IX and X classes in Tripura Schools at present?

The Deputy Minister of Education (Dr. K. L. Shrimall) : 143.

Girl Tribal Students of Tripura

745. Shri Dasaratha Deb : Will the Minister of Education be pleased to state:

(a) whether there is any boarding house for the girls tribal students of Tripura ;

(b) whether Government received any representation from Ganatantric Nari Samity, Tripura, for establishing two such boarding houses at Agartala and Khawal; and

(c) if so, the action taken thereon?

The Deputy Minister of Educa (Dr. M. M. Das) : (a) No, Sir.

(b) Yes, Sir.

(c) The information is being collected and will be placed on the Table of the House in due course.

Chakra Triba Zumias

746. Shri Dasaratha Deb : Will the Minister of Home Affairs be pleased to state:

(a) the total number of Chakra Tribal Zumias rehabilitated in Tripura during the last three years;

(b) whether it is a fact that hundreds of Chakra Zumias have applied for rehabilitation at Mam and Deo Valley, Tripura; and

(c) what steps are being taken to expedite their rehabilitation?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) 253 families.

(b) No, Sir. Only 196 families have applied for rehabilitation in these valleys.

(c) Tripura has not been cadastrally surveyed. Every application for settlement on land, therefore, requires local enquiry by a responsible officer before settlement is sanctioned so that there may not be any dispute with the adjoining land owners. In spite of this handicap, 137 of the 196 families have been rehabilitated. The Tripura Administration is taking all necessary steps to settle them as early as possible.

Welfare of Children and Destitute Women

747. Shri R. P. Garg : Will the Minister of Education be pleased to state:

(a) the number of institutions, if any, directly run by Central Government for the welfare of children and destitute women;

(b) the number of inmates of each and the cost of maintenance;

(c) whether any new institutions to look after destitute women and children are proposed to be set up in the near future; and

(d) if so, the number State-wise and the expenditure involved therein?

The Deputy Minister of Education (Dr. M. M. Das) : (a) to (d). The information is being collected and will be laid on the Table of the Sabha as soon as possible.

Opium

748. **Shri Bibhuti Mishra** : Will the Minister of Finance be pleased to state:

(a) the total output of opium in 1955 and 1956 so far and income derived out of it; and

(b) the names of the States where production of opium has since been banned or banning is under contemplation?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) : (a) A statement giving the requisite information is laid on the Table of the House. [See Appendix II, annexure No. 143].

(b) Poppy cultivation has been banned in the State of Himachal Pradesh from 1st October, 1954. Government do not intend to prohibit cultivation of poppy for production of opium in any of the States of Uttar Pradesh, Madhya Pradesh and Rajasthan where poppy is cultivated for production of opium.

Osmania University

749. { **Shri Krishnacharya Joshi**;
Dr. Rama Rao :

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 1287 on the 9th April, 1956 and state when Government is going to take over the Osmania University?

The Minister in the Ministry of Home Affairs (Shri Datar) : The Central Government is awaiting the report of the Committee of Educational Experts set up to examine the proposal from the academic and allied aspects. The question of taking over of the Osmania University will arise only after the report of this Committee is received and considered by the Central Government.

Sanskrit Commission

750. **Shri Krishnacharya Joshi** : Will the Minister of Education be pleased to state :

(a) the places visited so far by the Sanskrit Commission; and

(b) whether any interim Report has been submitted by it?

The Deputy Minister of Education (Dr. M. M. Das) : (a) None.

(b) No. Sir.

Vice-Chancellor, Travancore University

751. { **Shri Velayudhan**;
Shri A. K. Gopalan :

Will the Minister of Education be pleased to state:

(a) whether any extension has been given to the Vice-Chancellor of the Travancore University;

(b) whether a pro-Chancellor has been appointed; and

(c) if so, his name?

The Deputy Minister of Education (Dr. K. L. Shrimall) : (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Suspension of three Police Officers in Travancore-Cochin

752. **Shri Velayudhan** : Will the Minister of Home Affairs be pleased to state:

(a) whether three police officers in the former Travancore-Cochin State were suspended and enquiry is being made into their misconduct;

(b) if so, who is enquiring into the matter;

(c) the nature of misconduct of the officers; and

(d) where did the incident that led to their suspension take place?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes. The enquiry has been completed.

(b) The former Deputy Inspector-General (Anti-Corruption) assisted by the Assistant Superintendent of Police (Crime Branch) conducted the enquiry.

(c) Immorality.

(d) In the Government Rest House at Mavelikkara.

Invisible Earnings

753. **Shri Tulsidas** : Will the Minister of Finance be pleased to state:

(a) the annual earnings for the last five years from invisible items separately for banking, insurance, shipping and tourist traffic; and

(b) what steps are being taken to develop our exchange earnings on these items?

The Minister of Finance and Iron and Steel (Shri T.T. Krishnamachari):

(a) No separate figures are available on the earnings from banking or shipping. Nonetheless, the latter form the bulk of earnings from transportation. Figures of these, as also those from insurance and tourist traffic, are given below:—

	Insu- rance	Trans- porta- tion	Tourist traffic
1951 . . .	10.5	39.9	7.7
1952 . . .	9.5	36.6	9.8
1953 . . .	8.7	31.8	7.1
1954 . . .	7.8	33.7	8.4
1955 . . .	9.3	38.2	10.2

(b) As to banking, four new offices have been opened by Indian banking companies during the last three years in British East Africa and one new office in Burma.

As regards insurance.

- (i) the Life Insurance Corporation of India is already registered in the Federation of Malaya and Colony of Singapore, Hong Kong, Fiji, Kenya and Uganda;
- (ii) it is seeking registration in Aden, British East Africa, Nyasaland and Mauritius;
- (iii) it is also proposed to register the Corporation in Burma and Ceylon, provided on queerous conditions are imposed; and,
- (iv) it has been decided to set up a Reinsurance Corporation in India, which also is expected to increase our foreign earnings from insurance.

As to shipping,

- (i) the Eastern and Western Shipping Corporations have been set up;
- (ii) loans have been granted for the acquisition of overseas ships at concessional rates of interest;

(iii) Preference has been given to Indian ships in the allotment of government controlled cargoes, which saves foreign exchange expenditure;

(iv) Indian lines have been helped in securing admission to various overseas Conferences. As a result of these steps the total gross registered tonnage of Indian shipping employed in overseas trade has increased from 1,73,505 tons at the end of 1951 to 2,67,422 tons as on October 31, 1956.

Finally, in the matter of tourist traffic the following steps have been taken:

- (i) tourist offices have been opened in 12 Indian cities and in New York, San Francisco, London, Paris, Colombo and Sydney; three more offices are to be opened in three Indian cities;
- (ii) tourist literature has been produced in Indian and foreign languages and distributed;
- (iii) travel films have been distributed; and publicity has been given through such organs as press, radio, television, exhibitions, fairs and shows;
- (iv) travel facilities within the country are being improved;
- (v) government formalities for travellers have been simplified;
- (vi) greater facilities in respect of purchases in India are being given to special groups of tourists; and
- (vii) money changing facilities are being made available at hotels, travel agencies, etc.

Partly, as a result of these measures, the number of foreign tourists visiting India is estimated to have increased from 20,000 in 1951 to 44,000 in 1955.

Strength of Kerala High Court

754. Shri A. M. Thomas : Will the Minister of Home Affairs be pleased to state :

(a) what would be the total strength of the judges of the Kerala High Court; and

(b) whether any new appointment would be made to that High Court ?

The Minister of Home Affairs (Pandit G. B. Pant) : (a) The strength of the Kerala High Court has been fixed at eight Judges.

(b) There are two vacancies to be filled.

Assistants in Central Secretariat

755. Shri D. C. Sharma : Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 850 on the 22nd August, 1956 and state :

(a) whether it is a fact that although a number of persons have obtained more than the prescribed minimum number of marks i.e. 40 per cent in the November, 1955 test, they have not even been declared qualified ; and

(b) if so, the number of such persons and how many of them are in Government service?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) It is entirely within the discretion of the Union Public Service Commission to prescribe a qualifying standard in terms of marks for each of the competitive examinations held by them, and they do not announce these standards. But, with respect to the last Assistants Grade Examination, it is seen that 1136 candidates who had secured 45 per cent of the aggregate marks have been declared qualified by the Commission.

(b) The information is not available as only the dossiers of qualified candidates are with the Ministry of Home Affairs.

'Sandwich' Course Scheme

756. Shri D. C. Sharma : Will the Minister of Education be pleased to state :

(a) whether it is a fact that the Government of India have formulated an Industrial Training Scheme known as "SANDWICH" Course;

(b) if so, whether the centres for the same have been selected;

(c) the number of centres, seats for each and the places of their location; and

(d) when the scheme is likely to be started?

The Deputy Minister of Education (Dr. M. M. Das) : (a) Yes.

(b) and (c) The necessary details are being worked out.

(d) The scheme will be introduced as soon as the necessary arrangements have been completed.

Indian Olympic Association

757. Shri M. Islamuddin : Will the Minister of Education be pleased to refer to the reply given to Question No. 1467 on the 27th August, 1956 and state the amount of assistance rendered during 1955-56 and 1956-57 so far to the Indian Olympic Association indicating separately the amount under each head?

The Deputy Minister of Education (Dr. M. M. Das) : A grant of Rs. 1,57,496/2/3 and a loan of Rs. 1,10,500/- has been made for meeting expenditure in connection with the transport, board and lodging, out-of-pocket expenses etc. of players and Chef-de-Mission for 1956 Olympic Games in Melbourne during 1956-57. No separate allocation was made for each item. No grant was paid in 1955-56.

Special Police Establishment

758. Dr. Satyawadi : Will the Minister of Home Affairs be pleased to state :

(a) whether it is a fact that the Special Police Establishment, Intelligence Bureau and the Delhi State Police are being maintained as separate organisations under the control of separate Inspectors-General of Police in Delhi which is a Centrally administered area;

(b) whether it is also a fact that there is disparity of grades of pay of non-gazetted ranks in these organisations and if so, the reasons thereof; and

(c) whether Government have considered the desirability of combining the three organisations under one cadre?

The Minister in the Ministry of Home Affairs (Shri Datar) : (a) Yes.

(b) There is no disparity in the grades of pay admissible to the non-gazetted staff in the Delhi Police, Special Police Establishment and the Intelligence Bureau so far as the officers taken on deputation are concerned. There is, however, a slight disparity between the scales of pay admissible to the directly recruited officers in the Delhi Police on one side and such officers in the Intelligence Bureau and the Special Police Establishment on the other. The reason for this disparity is that the non-gazetted staff of the Delhi Police is borne on the joint Punjab-Delhi Cadre and the scales of pay obtaining

in Punjab are applicable to the Delhi Police. The Intelligence Bureau and the Special Police Establishment have their own scales of pay which are slightly higher than those in the Delhi Police.

(c) It would be impractical to combine the cadres of the three organizations.

Bomb Explosions in Delhi

759. **Dr. Satyawadi:** Will the Minister of Home Affairs be pleased to state the nature of bombs thrown in Delhi in June and August, 1956 as reported by the experts in the Explosives Department of Government?

The Minister in the Ministry of Home Affairs (Shri Datar): During this period there were five explosions. In the first three explosions, according to the Explosions Expert, country-made explosives of the type of crackers were used, while in the last two cases military hand-grenades were used.

Development of Tribal Areas of Bihar and Orissa

760. **Shri Deogam:** Will the Minister of Home Affairs be pleased to state:

(a) the amount of money sanctioned for the development of the Tribal Areas of Bihar and Orissa separately for the years 1953-54, 1954-55, and 1955-56;

(b) the amount allowed to lapse in any of the above periods;

(c) if so, the reasons thereof; and

(d) whether the amount lapsed was later made available for the purpose?

The Minister in the Ministry of Home Affairs (Shri Datar): (a) A statement is laid on the Table of the House. [See Appendix III, annexure No. 144].

(b) to (d). The information is being collected and will be laid on the Table of the House in due course.

Hindi in Tribal Areas

761. **Shri Deogam:** Will the Minister of Education be pleased to state:

(a) whether the amount of Rs. 130 lakhs allotted for the purpose of propagating Hindi during the Second Five Year Plan in non-Hindi areas will be spent also in those tribal areas or scheduled areas where people speak Tribal languages;

(b) whether a special allotment other than the above is also made for propagation of Hindi among the tribals;

(c) if so, the amount so allotted for tribal areas State-wise for the Second Five Year Plan period; and

(d) the details of progress and work done in tribal areas of each State during 1955-56?

The Deputy Minister of Education (Dr. M. M. Das): (a) to (d). Financial assistance is given by the Government of India to the various non-Hindi speaking States for the propagation of Hindi under Second Five Year Plan. Propagation of Hindi in the tribal areas other than N.E.F. A. is the responsibility of the State Governments concerned. The information in respect of N.E.F. is being collected and a statement will be laid on the Table of the House in due course.

Excise, Cess and Custom Duties

762. **Shri K. K. Basu:** Will the Minister of Finance be pleased to state:

(a) the total collection from Excise, Cess and Custom duties during the last three years; and

(b) what proportion of each such tax was collected from the different income groups?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): (a) The information in respect of Central Excise and Custom Duties is as follows:—

Year	(Central Excise) Amount of duty (Rs. 000)	(Customs duty including cess) Amount of duty (Rs. 000)
1953-54	85,93,16	1,61,13,74
1954-55	1,00,13,82	1,88,42,00
1955-56	1,39,93,01	1,70,55,33

As regards cess collected by the Central Excise Department complete information is not readily available.

(b) The information is not available.

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)



LOK SABHA SECRETARIA.
NEW DELHI

SIX ANNAS (INLAND)

TWO SHILLINGS (FOREIGN)

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LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

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LOK SABHA

Friday, 7th December, 1956.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12-02 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER ALL INDIA SERVICES ACT

The Minister in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table a copy of each of the following Notifications, under sub-section (2) of section 3 of the All India Services Act, 1951:

(1) Notification Nos. S.R.O. 2389 and 2390, dated the 27th October, 1956.

(2) Notification Nos. S.R.O. 2555 to 2563, dated the 10th November, 1956.

[Placed in Library. See No. S-520/56.]

REPORT ON TARIFF COMMISSION ON PRICES OF LOCOMOTIVES AND BOILERS, AND GOVERNMENT RESOLUTION THEREON

The Minister of Trade (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:

(1) Report of the Tariff Commission on the prices of Locomotives and Boilers produced by Tata Locomotive and Engineering Co. Ltd. 1956.

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(2) Ministry of Heavy Industries Resolution No. Eng. Ind. 17(17)/56, dated the 23rd November, 1956.

[Placed in Library. See No. S-521/56.]

DEMANDS FOR SUPPLEMENTARY GRANTS.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): Sir, I beg, with your leave, to present a statement showing Demands for Supplementary Grants in respect of the Budget (General) for 1956-57.

MESSAGE FROM RAJYA SABHA.

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 5th December, 1956, agreed without any amendment to the State Bank of Hyderabad Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 21st November, 1956."

BUSINESS ADVISORY COMMITTEE

FORTY-FOURTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move:

"That this House agrees with the Forty-fourth Report of the

[Shri Satya Narayan Sinha]

Business Advisory Committee presented to the House on the 4th December, 1956."

Mr. Speaker: The question is:

"That this House agrees with the Forty-fourth Report of the Business Advisory Committee presented to the House on the 4th December, 1956."

The motion was adopted.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I find from the allocation of time made so far for various Bills and other items of business and taking into account some other Bills awaiting disposal and for which time allocation has yet to be made, that the time available will be considerably short of the time required for the disposal of business.

I am sure, the House has recognised that what has been brought before it so far during the session has been business of an essential character. Foreseeing that parliamentary time will be a more scarce commodity during the current session than it has been even in the past, I have endeavoured to restrict Government's programme to the most essential items.

What remains to be disposed of is no less essential than what has been disposed of hitherto. But, more time than would normally be available under our present calendar and the length of the daily sitting will be required to dispose of all the business. This is practically the last session of this House. Members are bound to be pre-occupied with other things hereafter. I would, therefore, crave the indulgence of this House for a last supreme effort to clear the decks. My calculation is that we require about 30 additional hours of work. If you have no objection, Sir, I would like to suggest that this House

may hold sittings on three Saturdays falling on 8th, 15th and 22nd December and sit one hour extra on other days up to 21st December.

Some Hon. Members: No, no.

Shri Satya Narayan Sinha: This will give us the additional time required. As it is essential that the House should adjourn before Christmas, it is not practicable to extend the session except by one day. The only way to meet the situation is through more intensive work. I shall be grateful, Sir, if you take the sense of the House about my proposals.

Shrimati Renu Chakravartty (Bairhat): May I, Sir, as a Member of the Business Advisory Committee, bring to your notice that none of these things was placed before the Business Advisory Committee which met a few days ago? This is totally wrong for the Minister of Parliamentary Affairs. According to the convention which has grown in this House, all questions of allocation of time and allied matters are first placed before the Business Advisory Committee and then brought before the House. Therefore, I think it is only right that this proposal should not be put before the House just now. It should be put before the Business Advisory Committee, they should consider it and then the matter must come up before the House.

Shri N. C. Chatterjee (Hooghly): I support the suggestion made by Shrimati Renu Chakravartty. You, Sir, presided over the last meeting of the Business Advisory Committee. No such suggestion was put forward by the hon. Minister who attended.

Shri Satya Narayan Sinha: I did not attend.

Shri N. C. Chatterjee: Another hon. Minister was deputising for him. There was not one suggestion like this. This matter should be discussed. We should know exactly what is the programme and what is the priority. Then we will be in a

better position to advise the House as a whole. All sections will be represented there. I think it is far better to keep this pending.

Shri Raghavachari (Penukonda): Sir, I submit that these Bills are taken up in the House according to the suggestion of the Business Advisory Committee. Once the programme of the sittings of the House is scheduled, I submit, as the previous hon. Speaker Shri Mavalankar also said, that we must stick to the programme and not alter it every day by extending the session, etc. In any case, we are meeting once more. That may be the last session. If any more Bills are left over, what is the difficulty in considering them then. Everybody is not pre-occupied; Members may attend a session of Parliament and sit for two or three days more and pass these Bills, rather than sit for extra hours and extra days now.

Shri Kamath (Hoshangabad): I think it is high time that the House cried halt to this planned planlessness of the Minister of Parliamentary Affairs and the Government as a whole. I know, he is not wholly to blame in this matter. But carrying as he does the onerous the ponderous portfolio of Parliamentary Affairs, I think he has, in the scheme of things prevalent here, to bear vicariously much of the odium and criticism which should be addressed to other Ministers. That cannot be helped. In the last session, you will recall, you assured the House that either the House sits one hour longer every day or on Saturdays: not both. We do not get time to work at home in that case. That is the difficulty. According to your suggestion, it was agreed that the House sits every day one hour longer, but not on Saturdays. Moreover, regarding the last suggestion made by the Minister that the House must adjourn before Christmas,—I have got all respect for my Christian friends,—but is it absolutely necessary?

Shri Frank Anthony (Nominated—Anglo-Indians): Of course.

Shri Kamath: Is it the convention that we must adjourn before Christmas? Can we not have two holidays in-between for Christmas and adjourn later? The adjournment before Christmas should not be sacrosanct. Christmas must be a holiday no doubt. All these matters, I submit, must go to the Business Advisory Committee and not be sprung as a surprise on the House by the Minister of Parliamentary Affairs. I would therefore appeal to you to defer this matter for consideration by the Business Advisory Committee, and then it may come before the House with the recommendation in this respect by that Committee, not today.

Shri Satya Narayan Sinha: I have no objection if the matter is brought before the Business Advisory Committee, but I would like to submit that the allocation of time that I have referred to in my statement was decided by the Business Advisory Committee. I have calculated according to the decision of the Business Advisory Committee and therefore I have pointed out the time available taking it that the House sits to the scheduled date 21st December. This is pure arithmetic and nothing else. We have gone by the decision of the Business Advisory Committee, but I have no objection to the reference. Hon. Members must also realise the abnormal circumstances I have referred to. I have not said Members would like to go as early as possible to their constituencies because of their elections.

Shri Kamath: You may.

Shri Satya Narayan Sinha: Not only that. This has been our convention that we do not sit beyond Christmas. If the House wants to sit after Christmas, it is for the House to decide. All that I say is during this session we have got to put through all these Bills.

Shrimati Renu Chakravarty: We have in the Business Advisory Committee again and again requested the Minister of Parliamentary Affairs to

[Shrimati Renu Chakravarty]

place before us more or less tentatively the total business that is coming before the House this session. No new Bills are being proposed. It is only natural that we should know at the Business Advisory Committee meeting what will be the time allocation required. I see absolutely no urgent necessity for having brought forward this sort of a proposal before the House without bringing it before the Business Advisory Committee.

Shri Satya Narayan Sinha: How many times should I make this point clear that the time allocation has been decided by the Business Advisory Committee? On the calculation of the time allocated by the Business Advisory Committee I have made this statement.

Mr. Speaker: We have heard enough. So far as this matter is concerned, the hon. Minister says that he has calculated the time for all the Bills which the hon. Minister wants to place before the House and get through in this session. He must have calculated, and it is a question of arithmetic according to him. Anyhow he is willing that we may find ways and means to get through this work even without the extension. That is what evidently the hon. Members feel on the other side, that if the Business Advisory committee meets, it may take stock of the situation and then try to find out if in the time already allotted all this matter cannot be finished, and if necessary, of course, they will be willing to sit or make other suggestions.

So far as tomorrow is concerned, I would like to have a sitting tomorrow. Let us see for the other weeks. If tomorrow passes, even if we should come to the conclusion that tomorrow will be necessary, we would have lost tomorrow. Tomorrow we shall meet and then let us consider tomorrow afternoon at 4 O'clock. Let there be a meeting of the Business

Advisory Committee from 4 to 5 p.m. In the meanwhile the hon. Minister will place before the Business Advisory Committee any further Bill or any other matter which has to come before the House in this session, so that we may have a comprehensive view of the whole business, and then try to adjust the time.

Shri T. B. Vittal Rao (Khammam): What will be the time for tomorrow's sitting?

Mr. Speaker: Of course, normal, as usual 11 to 5.

Shri T. B. Vittal Rao: Eleven to four. There is no Question Hour.

Mr. Speaker: If there is no Question Hour, then we again one more hour.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): May I make a submission? I have got a National Development Council meeting to attend to which all the Chief Ministers are coming. Tomorrow I shall be most of the time there. I am suggesting if the Chair is pleased, it might not take up the discussion of the Finance Bill tomorrow and on Monday.

Mr. Speaker: I have the least objection, but is there sufficient work for tomorrow?

Shri Satya Narayan Sinha: Other things we will take up.

Mr. Speaker: Very well.

BANKING COMPANIES (AMENDMENT) BILL.*

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill further to amend the Banking Companies Act, 1949.

*Published in the Gazette of India dated 7-12-56, pp. 1061-73.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Banking Companies Act, 1949."

The motion was adopted.

Shri T. T. Krishnamachari: I introduce the Bill.

**FINANCE (NO. 2) BILL AND
FINANCE (No. 3) BILL—contd.**

Mr. Speaker: The House will now take further consideration of the following motions moved by Shri T. T. Krishnamachari on the 5th December, 1956:

(1) "That the Bill to increase or modify the rates of duty on certain goods imported into India and to impose duties of excise on certain goods produced or manufactured in India and to increase the stamp duty on bills of exchange, be taken into consideration."

(2) "That the Bill further to amend the Indian Income-tax Act, 1922, for the purpose of imposing a tax on capital gains and for certain other purposes and to prescribe the rate of super-tax on companies for the financial year 1957-58, be taken into consideration."

Discussion on both the Bills will continue. Time allotted is 8 hours 30 minutes. Time taken 13 minutes. Balance available 8 hours 17 minutes.

The hon. Minister.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I have finished my speech.

Shri Tulsidas (Mehsana—West): Before we proceed with the consideration of this Bill, I would like to refer particularly to my motion with regard to referring this Bill to the Select Committee.

Mr. Speaker: Which one? We have not yet come to that Bill. It is the third Bill.

Shri Tulsidas: Yes. We are taking up both the Bills together.

Shri N. C. Chatterjee (Hooghly): That was decided.

Shri Tulsidas: I would like to raise, if I may use the phrase, a point of order or a point of clarification.

Mr. Speaker: Has he given notice of the motion?

Shri Tulsidas: Yes, I have given notice, and I am moving the motion to refer the Bill to a Select Committee.

Mr. Speaker: Let him make the formal motion.

Shri Tulsidas: I beg to move:

"That the Bill referred to a Select Committee consisting of Pandit Thakur Das Bhargava, Shri Tek Chand, Shri G. L. Bansal, Shri R. R. Morarka, Shri T. S. Avinashilingam Chettiar, Shri C. D. Pande, Shrimati Tarkeshwari Sinha, Dr. Ram Subhag Singh, Shri Fulsinhji B. Dabhi, Shri Jhulan Sinha, Shri H. C. Heda, Shri Bhagwat Jha 'Azad', Shri Shree Narayan Das, Shri A. M. Thomas, Shri C. C. Shah, Shri K. S. Raghavachari, Shri B. Ramachandra Reddi, Shri N. C. Chatterjee, Shri Frank Anthony, Shri T. T. Krishnamachari, and the Mover, with instructions to report by the 17th December, 1956."

This is in respect of Finance (No. 3) Bill.

Shri T. T. Krishnamachari: I wonder if the hon. Member realises that the House rises on the 21st and the Bill should go to the other House also.

Shri N. C. Chatterjee: You can accelerate the date if you want.

Shri Tulsidas: I am only mentioning this because I would like to have your guidance in this matter. I am appealing to you as the custodian of the rights and privileges of this

[Shri Tulsidas]

House as well as of the proprieties relating to parliamentary procedure to give your considered opinion, as to whether it is at all proper for the Government to rush this measure with undue haste by the quick procedure of a Finance Bill even though it contains substantial amendments to the Income-tax Law. The hon. Finance Minister has already said in his speech that most of the measures under Finance (No. 3) Bill are of a permanent character, and they are being brought in under the Finance Bill. All the provisions of the Bill except those proposing an increase in the rate of super-tax on dividends (clause 8) are of a substantial nature, which are intended to make permanent changes in the existing statute law, and if enacted, will have far-reaching effects. As such, they should be considered carefully. The proper thing to do is to adopt these provisions by a separate amending Act. The least that should be done is to refer the Bill to a Select Committee which can be directed to return the Bill within a week in order to save time.

The Bill is obviously carelessly drafted, especially clause 3. As I said before, the provisions in respect of compulsory deposits of corporate reserves have nothing to do with raising of revenues, and as such cannot be reasonably included in the Finance Bill. Moreover, since the provisions are applicable to the next revenue year of 1957-58, it involves a constitutional issue in my opinion. Is this House competent to lay down now the new taxes to be collected for the year 1957-58? Can we commit our successors, whoever they may be, with a *fait accompli* in respect of a revenue year that is within their purview? I think this event is unique in the history of our country. Never has a Government of this country proposed taxes in November or December of a year which are applicable to a revenue year beginning with April of the next year.

We have no precedent to guide us and this is an important constitutional issue and it should be decided carefully by a Select Committee. A similar point has been raised by me in last April, when Shri C. D. Deshmukh, was the then Finance Minister and you were the Speaker. I am quoting your own observations when I raised this particular point:

"The hon. Finance Minister referred to this matter in his speech which he delivered just now. He referred to this matter pointedly. A Finance Bill is intended to raise taxes which would subsist only for that year. The main object is to provide funds for the expenditure which had been voted by the House. That is the simple object of the Bill. Therefore, it is reasonable to say that other provisions relating to statutes, which are of a more permanent character, ought not to be clubbed with it but discussed on the floor of the House in a more leisurely manner. Linking them with this gives an appearance of emergency and, therefore, such kind of thought cannot be bestowed upon this. Though it is not technically incorrect to include a number of Acts for the purpose of amendment in a simple Bill of this kind—as a matter of fact, the Post Office Act is amended, the Excise Duties Act is amended, the Customs Act is amended, and various Acts can be amended in a simple Bill—the object is all for the purpose of raising funds to meet the expenditure which has been voted. Amendments of a far-reaching character must be considered a little more leisurely."

I had raised the point and then you had mentioned at that time:

"Shri Tulsidas appealed to my being in charge of these rules and regulation of the House. When did he discover it? Only now? As soon as he wrote to the Finance Minister, he could have easily

told me. This is a matter of detailed consideration. I am under the impression that this can be done only in the next year; it could not be done this year. These things ought not to be clubbed."

In view of these remarks and in view of the point that I have just made that these proposals under the Finance Bill No. 3 are to take effect in the year 1957-58 and are not to take effect from now on, is it fair for this House to hurry up with this matter in a manner as it has been done here, and without giving proper thought to the different amending clauses to the main statute?

The other point is, as I mentioned, I do not know whether it is constitutionally correct or not when you have several times said that we should have very healthy conventions in the House. Now, is it fair for the next Parliament to be faced with a *fait accompli* from now on? We do not know what the set-up of this House will be after the next election; we do not know whether the present ruling party will be in power; we do not know whether the present Finance Minister will be here. I would like to know whether it is fair for this House to commit the next Parliament to these things. The Finance Bill is something where we normally provide for expenditure for the current year but in this Bill we are asked to vote for the next year's expenditure; we are going to pass something which in my opinion is very improper and against the healthy conventions which we should follow. To you as the custodian of the rights and privileges of this House, I request to take a positive action since you have expressed your own views in the matter and I suggest that the matter be referred to a Select Committee.

Shri N. C. Chatterjee: Mr. Speaker, my stand is somewhat different, from that of Shri Tulsidas. I am supporting this motion for reference to the Select Committee on different grounds. Some years ago, as you know the then Finance Minister, Mr. Liaquat Ali Khan

had thrown a bomb-shell in the shape of a proposal for Capital Gains.

Shri Gadgil (Poona Central): It was a damp squib.

Shri N. C. Chatterjee: My hon. friend says it became a damp squib from the very beginning. I hope the present Finance Minister does not mean it to be a damp squib; it is meant to be an atom bomb. At least the private sector thinks like that. If they had done it to get at only the big bosses of Capital, I would not mind it, but I am afraid, there is a good deal of force in the criticism made that these present tax measures would lead to a contraction of economic activity in the country. The cumulative effect of Shri Krishnamachari's proposals would leave the private sector high and dry in the matter of obtaining funds for necessary development and expansion. I doubt how far his proposals are in conformity with the announcement made by the Prime Minister, who made it perfectly clear that the private sector should be allowed to play its part unimpeded, that they should be given a fair play, but this additional taxation on dividend and Capital Gains Tax runs counter to it.

Shri Gadgil: May I ask whether the point of order raised by my hon. friend Shri Tulsidas is to be discussed now or the main speech is being delivered?

Shri N. C. Chatterjee: I am speaking on that amendment, on Shri Tulsidas' amendment.

Shri Gadgil: It has not been formally placed before the House.

Shri N. C. Chatterjee: He has moved his amendment.

Mr. Speaker: I shall place it before the House.

Amendment moved:

"That the Bill be referred to a Select Committee consisting of Pandit Thakur Das Bhargava, Shri Tek Chand, Shri G. L. Bansal, Shri R. R. Morarka, Shri T. S. Avinashilangam Chettiar, Shri C.

[Mr. Speaker]

D. Pande, Shrimati Tarkeshwari Sinha, Dr. Ram Subhag Singh, Shri Fulsinhji B. Dabhi, Shri Jhulan Sinha, Shri H. C. Heda, Shri Bhagwat Jha 'Azad', Shri Shree Narayan Das, Shri A. M. Thomas, Shri C. C. Shah, Shri K. S. Raghavachari, Shri B. Ramachandra Reddi, Shri N. C. Chatterjee, Shri Frank Anthony, Shri T. T. Krishnamachari, and the Mover with instructions to report by the 17th December, 1956."

I take it that Shri Kilachand has spoken with respect to this and not with respect to the Bills.

Shri Tulsidas: I have only spoken on this motion, Sir.

Shri Gadgil: On a point of order, I may say that he has raised a point of order that the main Income-tax Act should have been amended instead of seeking an amendment to the Income-tax Act in the Finance Bill. I think that that was under discussion.

Mr. Speaker: I have put it to the House. He is entitled to speak; he has reserved his speech on both his motion on the Select Committee and also on the Bills before the House.

I thought he would address himself on the point of order, that the two things should be clubbed together in this Bill.

Shri Raghavachari (Penukonda): With your permission, may I say this: After hearing the submissions on the point of order and after your decision, the next stages might follow. That would be proper.

Shri N. C. Chatterjee: You may remember that when we were discussing one of the Constitution Amendment Bills—I think it was 1 or 2 clauses—the Business Advisory Committee unanimously recommended that no important bill like that should be placed before the House without going through the Select Committee and it was made perfectly clear by you from the Chair that that was only the exception and the general rule

shall be that an important measure which brought in fundamental changes either in the Constitution or in the general set up should not be placed before the House without going through the Select Committee. I am supporting this motion because I think there is a good deal of force in the observation that when taxation proposals like this...

Shri T. T. Krishnamachari: Is he supporting the motion and not speaking on the point of order?

Shri Sinhasan Singh (Gorakhpur Distt.—South): Is the hon. Member supporting the point of order as well as the motion for the Select Committee?

Mr. Speaker: He is making the argument for the motion.

Shri N. C. Chatterjee: The two really overlap. The submissions made in respect of the point of order is this, that a Bill of this kind which introduces not merely fiscal changes of a very serious magnitude but will have very serious repercussions on the whole private sector is one that should be discussed in a Select Committee. Supposing there are a few gaps to be made up or we required certain detailed information, it may not be proper in a House like this to discuss it, or say how far foreign trade has been affected or how much it will improve by a certain action. There may be many details which should be discussed only in a Select Committee. In a Select Committee, many things can be put across the Table, and as a result of discussion we may possibly arrive at some kind of adjustment. This is very necessary, especially when Government are demanding, as you know, that the reserves, accumulations and profits above a certain percentage should be made over to the Reserve Bank—including current year's profits.

Mr. Speaker: What has the hon. Member to say on the point of order? The House is anxious to know whether he has anything to contribute regarding this point.

The Finance (No. 3) Bill consists of two portions. In one portion, the rate of tax is fixed, as also the manner in which it ought to be collected, by way of an amendment to the Income-tax Act. Now, the Income-tax Act is a procedural Act. The Finance Act is an Act which imposes the tax or fixes the rate.

I understood the hon. Member Shri Tulsidas to raise two points. Firstly, the Finance (No. 3) Bill is far in advance of the Demands for Grants which have to be voted upon by Parliament. If the taxes are mean to be there generally and for all time, then this may possibly be introduced at any particular time, and the rate may be fixed for all time. But annually the rates are fixed. The rates contemplated here are also intended only for the coming year, that is, 1957-58 and not for all time to come. Is it at all right that such a Bill as the Finance (No. 3) Bill ought to be brought forward now, before the Demands for Grants are granted tentatively or otherwise? That was his first point.

His second point was this. In fact, on a prior occasion, this matter was brought to the notice of the House. Is it all desirable that along with bringing forward some financial provisions, merely because there are financial provisions and some other Acts relating to finance are amended, advantage could be taken of this opportunity to make amendments to some other Acts which are not immediately consequential and on which attention will have to be specially bestowed independently and leisurely?

These are the two points that Shri Tulsidas has raised. What has the hon. Member to say on these? If he has nothing, then I shall hear the Minister of Finance.

Shri N. C. Chatterjee: I am emphasising the second aspect. There are so many drastic amendments which are sought to be made, and which may not be necessary, for, we do not know exactly what would be the financial

requirements next year, what would be the budget, whether it will be necessary to put the whole thing on this footing, and so on.

Therefore, I am submitting that there is a good deal of force in the second point made by Shri Tulsidas. That is also in consonance with the trend of the debate and also your ruling or observations last time. You had stated that this kind of a thorough overhaul of a statute, which will have repercussions for years to come should not be done in this way, by being linked to a financial proposal and rushed through as a money Bill. I would submit that that is a very important point, and for that reason, this Bill should not be rushed through in this manner. If the Minister desires, we may accelerate the work in the Select Committee, and we can even finish it in two days or three days. But it is vital that this should be discussed thoroughly, and possibly, if it comes through a Select Committee, it may be amended so as to restrict its operation to the immediate necessity of the next few months of this year. But there should not be this kind of budget, and such far-reaching consequences on other substantive statutes should not be linked together in this manner and forced upon the House.

Shri Gadgil: Two points have been raised by Shri Tulsidas; firstly, the procedure under which these taxation proposals have been embodied in this Bill, is not legally correct, and secondly, it has not that mark of propriety which it should have.

Shri Tulsidas: I am sorry my hon. friend has not understood the point. My point was that amendments to the Income-tax Act have been made in this Bill, which is not proper.

Shri Gadgil: So far as the first point is concerned, the normal procedure with respect to a Finance Bill is that it seeks to amend several Acts under which taxes are levied. That has been the normal procedure and the normal course. Whether it be the Income-tax Act, or the Sea Customs

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Act, or the Central Excises and Salt Act, every budget proposal and the consequential financial proposals thereto as embodied in the Finance Bill have been of this nature.

Now, the second point is about propriety, that is, whether the House that may succeed this House should be bound down by this House. I think every generation has a right to bind down, morally, legally and constitutionally, the succeeding generation. Now, what is the meaning of the Five Year Plans? Have you not bound down to a reasonable extent the future generations and the generations that will be in this Legislature? If they do not like, certainly they have the right to reverse these things, amend them or modify them or do whatever they like.

Shri Kamath (Hoshangabad): Repudiate them.

Shri Gadgil: Then, the question is whether there are substantial changes proposed in this Bill. I do not agree with my friend when he says that it goes far too much. My grievance is that it does not go far enough. But leave aside my individual view. If there is really a substantial change, then the only remedy or the only way of meeting this situation is to give a little more time for discussion.

The remedy suggested by Shri Tulsidas is that it be referred to a Select Committee, so that the whole Bill can be thoroughly discussed there. So far as the desirability of having a Select Committee, is concerned, that is a matter for the Finance Minister to agree or not to agree to. So far as I am concerned, I find that the views are so stratified that in the Select Committee what can possibly be done is merely some change from the point of view of administrative convenience in the implementation of the provisions of the Bill that may ultimately be enacted, but on the radical and principal aspect of the matter, there is not likely to be any change. So, I think

that it is not necessary to refer it to a Select Committee. The concessions which have already been promised, and whatever is administratively necessary for the private enterprise to function within the framework of the Plan, will certainly be made available by Government.

Thirdly, there is another factor which is far more important than all these. Are we living in normal times? We are all complaining that the inflationary pressure has risen, that the economic situation is worsening and so on. When that is the case, are not Government justified in bringing forward something like an emergency measure? From that point of view, Government are perfectly justified; from the point of view of expediency and principle also, they are justified in bringing forward the present Bills which embody—may be, according to some—far-reaching financial proposals. But there is no illegality in this, and I do not think it can be called improper in any constitutional sense of the word.

For these reasons, I think there is no point of order worth consideration.

Shri Ramachandra Reddi (Nellore): During this year, we have been faced with a number of Finance Bills. So, the procedure that has been laid down in rule 238 has to be considered closely. Rule 238(1) which deals with Finance Bills lays down:

"In this rule 'Finance Bill' means, the Bill ordinarily introduced in each year to give effect to the financial proposals of the Government of India for the next following financial year and includes a Bill to give effect to supplementary financial proposals for any period."

Ordinarily, there should be only one Finance Bill, and that should be introduced before the new year commences. But in this year, we have been faced with more than one Finance Bill. In fact, the Bill to amend

the Central Excises and Salt Act, which was introduced in the last session, was more or less a Finance Bill. I would request you to refer to sub-rule (2) of rule 238 which lays down the procedure to be adopted with regard to Finance Bills. I would like to know whether the Chair is prepared to follow the method of allotment of time suggested in this sub-rule.

Mr. Speaker: Which rule is the hon. Member referring to?

Shri Ramachandra Reddi: I am referring to rule 238. In sub-rules (2), (3), (4) and (5) of this rule, a particular procedure has been laid down with regard to the Finance Bills. I want to know whether the Chair is bound down by these rules or whether it is going to waive these rules and attach no importance to these things. I am interested in knowing this, especially in view of the fact that Finance (No. 3) Bill makes certain proposals to be effective from 1st April 1957, which clearly shows that there is no urgency about this matter, and another session of Parliament, if it meets at all, might be able to take up this matter. Or if a new Parliament is elected by that time, it must be appropriate to that Parliament to take up any financial question like this. In this view, I think the matter has to be deeply considered by you, as to whether the method in which these financial Bills are ushered into this Parliament is correct and whether proposals necessary for 1957-58 should be taken up so early as now.

Shri Raghavachari: I am addressing myself only to the point of order raised. This is Finance Bill No. 2 and Finance Bill No. 3. Therefore, it must strictly conform to the procedure and practice laid down in consideration of Finance Bills.

First and foremost, a Finance Bill gets some emergency, because the Finance Minister feels that the next year's budget as approved cannot be balanced without fresh taxation. Therefore, there is some emergency

about the matter. These proposals do not relate to the next year but to future years too. That is one objection.

Secondly, you will find that under the special procedure and practice that we have, when a Finance Bill is being considered, all things under the sun, all kinds of criticism about matters in all constituencies—in fact, all details—can be relevantly submitted. Now under this Finance Bill, we cannot naturally be permitted to go over the whole grievances that we have in respect of every constituency and every little item therein. The procedure that is usually adopted with respect to a Finance Bill in its consideration involves a general right to submit all the grievances that the taxpayers will ultimately have to face so that it can be decided whether the taxation is necessary or unnecessary.

Then again, this Bill is, no doubt, in the nature of raising some funds. But as Shri Tulsidas pointed out, it is not only raising funds, it is also compelling the deposits to be made; that portion of it will certainly not be raising funds for budgeting. It may be raising funds for investment; that is another matter. Compulsory investment cannot be a matter within the scope of a Finance Bill.

Then the provision for future years can certainly under no circumstances be said to be part of the Finance Bill. Therefore, to clothe this Bill with emergency by calling it a Finance Bill and therefore dragging along with it all these special considerations is not to be accepted, particularly when the present Bill contemplates to amend, add to or modify permanent laws like the Income-tax Act.

I am not questioning, as Shri Gadgil was justifying the emergency, the extraordinary powers of this parliament. Nobody disputes them. He may bring forward a general, ordinary Bill. The emergency might justify its introduction, consideration and passing. But what we are concerned with here is whether at the end of the year a Bill can be proceeded with to raise funds and permanently alter and modify the

[Shri Raghavachari]

permanent laws, under the name of a Finance Bill with special procedure associated with Finance Bills. That is the point.

Therefore, as you have already pointed out last time when a similar matter came up, it is most appropriate that a Finance Bill must confine itself only to taxation for the current financial year and not be permitted to take up general legislation for future taxation.

Pandit Thakur Das Bhargava: (Gurgaon): I will just respectfully call your attention to article 112 of the Constitution which runs thus:

"The President shall in respect of every financial year cause to be laid before both the Houses of Parliament a statement of the estimated receipts and expenditure of the Government of India for that year, in this Part referred to as the 'annual financial statement'."

Normally, the procedure is that, first of all, the House goes through the Demands for Grants and after that is done, the Finance Bill is passed. We find that in the Finance Bill always provision is made for the expenditure of the year. In this Bill, there is no reference at all to the demands or what demands will be in the next year, what is to happen so far as supplies are concerned and so on. Here we find that instead of one Finance Bill, there are three Finance Bills. This is the only year in which we have had more than one Finance Bill coming before the House. I do not know whether we will be justified in saying that these two Bills are really Finance Bills. So far as the nomenclature is concerned, they are certainly not annual financial statements.

You will kindly see that the heading given to these matters is "Procedure in financial matters". Then we have articles 112 to 119. The present question relates to the propriety of having provisions in this Bill which

are of a permanent character, the intention of which, at the same time, is to get money not for the next year but for the coming years. My submission is that nothing will be lost if this Bill is divided into several parts.

Suppose the hon. Finance Minister wants to get money from this House. There is nothing wrong in bringing forward another Bill for amending the Income-tax Act. At the same time, I am quite anxious that if an amendment of that nature is brought forward, an amendment of a permanent character, it ought to go to a Select Committee. The procedure that is now adopted is a wrong procedure. I understand that in previous years the convention was that every Bill of importance—what to speak of a Finance Bill which seeks to amend the Income-tax Act—should be referred to a Select Committee. It was in the Select Committee that it was fully discussed. Now, I find that Shri Gadgil says that this is a matter in which we can devote more time in the House. That means that he does not realise the difference between the deliberations in the Select Committee and more time being devoted in this House.

I am very anxious that all important Bills, irrespective of the other objection which my hon. friend has just now raised, should go to Select Committees so that the matter may be thoroughly thrashed out there; there is no question of acceptance of the Bill in this way. I know that the Government are hard up for time, because they want it to be passed in this House now. But nothing will be lost if three or four days are allowed for this Bill to be considered in the Select Committee and the needful being done.

Apart from this, I think there are certain provisions in this Bill which, as a matter of fact, ought not to go as an amendment to the Income-tax Act also. Measures relating to deposits etc. really form part of the provisions of the Indian Companies Act rather than of the Income-tax Act.

I should, therefore, think that in a matter of this nature, it would be better if the Bill was redrafted. Only such matters as ought to come within the purview of Finance Bills should remain in this Bill. Some of the proposals envisaged relate not to the coming year, but to some other years. That is another objection.

Realising that there are three or four objections to this Bill, which are really overlapping each other—one is not connected with the other—I would respectfully ask you to go through the subject-matter separately and give your ruling in respect of the three matters. The question whether it ought to be referred to a Select Committee is really quite different from these matters. That may be agitated again. But for these matters, a ruling may be given. Then we may discuss the question whether it ought to go to a Select Committee or not.

Shri T. S. A. Chettiar (Tiruppur): I am sure this House cannot accept the view that a Finance Bill cannot be introduced at any part of the year. Whenever there is need for larger expenditure, Government are entitled to come before this House with proposals for fresh taxation. Therefore, there is no point in saying that taxation Bills cannot be introduced now. Another matter I may make by way of suggestion. It will be a different House that will be sitting next year. **Shri Kilachand** asked—these were the words he used—whether this House is entitled to approve proposals for taxation relating to next year. I think the Congress Party and the Finance Minister must be congratulated. Here is a case where we are levying extra taxation when the elections are coming. In spite of the elections being before us, here is the Congress Party which has come forward with a taxation proposal. That itself is a claim for the *bona fides* of the Government that we are prepared to tell the people what we are out for.

13 hrs.

Pandit Thakur Das Bhargava: Who questioned the *bona fides* of the Gov-

ernment or of the Finance Minister?

Shri T. S. A. Chettiar: A suggestion was made that this House is not entitled to pass a legislation like this. There is one aspect to which I would like to mention in the points made by **Shri Tulsidas Kilachand**. There are two kinds of proposals in the Bills before us. One is, technically, taxation measures, that is enhancing the duties. The usual practice is that these matters relating to enhancement of duties are not referred to Select Committees. But there is another part of this Bill which is very important, that is the new clauses that are being introduced relating to compulsory deposit. This is a new principle that is being introduced in the Income-tax law and the point now is whether Government can introduce by way of a Finance Bill new principles of taxation. My humble opinion is that the amendments that are sought to be made to the original sections of the Income-tax Act, not merely for the purpose of taxation, but introducing new principles of taxation, by way of tax or by way of deposits, are very important and I do think that an important piece of legislation like this should be referred to a Select Committee.

You have allotted eight-and-a-half hours for the whole of this Bill. I think we should not hurry up or hustle up amendments to basic Acts like this and in the interest of good tradition, in the interest of good discussion and in the interest of good examination of the basic points that have been freshly introduced in the Income-tax law by way of amendments in this Bill, at least this portion must be referred to a Select Committee; thereby you will be safeguarding the interests of this House.

Shri T. T. Krishnamachari: Sir, I am afraid the dilatory character of this point of order as well as the motion for reference to Select Committee has not been correctly appreciated by hon. Members on my side who supported the motion of my hon. friend

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Mr. Tulsidas Kilachand. Of course, my hon. friend is exercising a right that he undoubtedly possesses of delaying legislation and that is the object of both the point of order as well as the motion for reference to Select Committee.

I may venture to invite your attention to the last Finance Act and the remarks on the composition of that Act, which emanated from the discussions to which reference has been made. Seventeen sections and several sub-sections of the Income-tax Act were amended by the last Finance Bill. I am not saying that there was a case for raising a question of further examination or not. Even so, there it is: what happened is a thing known to this House.

So far as these particular measures which are clubbed together are concerned, the points that have been raised are: one, the Constitution provides for an annual financial statement, so that there can be no Finance Bill in the interval and the Finance Bill can only be introduced once a year, the second point is that by and large the income is going to be expended in the next year and therefore we should not come in with a Finance Bill now, unless we have expenditure ahead of us; the third point—which is a very valid point undoubtedly—is that the mortality of this House is known, and naturally along with that the fact goes that the Government is not immortal, nor am I. I would like to concede that point straightway to my hon. friend Shri Tulsidas Kilachand. A friend who has worked with me for some time, and we have both worked together, was found dead in his bed yesterday. It may happen to me or to my hon. friend opposite. That does not mean that we should delay action.

The mortality of a human being is there and similarly every institution

that we create has got a period and it ends. As my hon. friend Shri Gadgil pointed out however our responsibility is a continuing responsibility. It may be that the next Government that comes may change their promise; so long as I do not change, this policy has got to be continued. It has got to be continued until the last day of this House. It may be necessary for me, if circumstances so warrant it, even to make a breach into conventions and pass an ordinance. The circumstances that prevail may be a justification for my taking action to which the constitutional conscience of my hon. friend Shri Tulsidas Kilachand which has been so highly developed to a very refined degree during the last four-and-a-half years might feel unhappy, or feel injured. The point, therefore, is that this is admittedly a dilatory motion and the reference to the last Finance Bill does not bear out his case, because of the changes to seventeen sections and several sub-sections in that Bill. That Bill amended section 34 of the Income-Tax Act.

Section 34 is a very important factor so far as my hon. friend Shri Tulsidas Kilachand is concerned. Re-opening of cases under section 34, going into books and various other things that are contemplated in the last Finance Act makes me feel that he might have made all attempts to get them changed, which I do not know if he did or he did not.

So far as these particular measures which are before the House are concerned, there is undoubtedly element of urgency in them. The urgency comes from the fact that apart from the question of raising revenues which undoubtedly is there,—it is not incidental, it is primary—there is another reason. The other reason is that there are inflationary circumstances now existing. Certain things are happening which have to be stopped.

There is another fact and there is no point in my not referring to it. It is that the future Government that would come in—assuming that I am not there, or my party is not there—will start operating some time about the middle of May, and my hon. friend Shri Tulsidas Kalachnd, if he has the good fortune to come back, or I have the misfortune to face him, will say: "Oh, on the 15th of May you are imposing taxation; the whole of the half year has gone. You should not impose anything now. This is *ex post facto* legislation, or taxation." That is quite an easy; Usage to make that is a fact which has to be considered.

So far as this measure itself is concerned, my hon. friend Shri Chettiar gave me qualified support. So far as the amendment to the Income-tax Act is concerned, I am not introducing any new principle. I am only amending the procedure in regard to particular section which already exists in the statute. It is very necessary today that I should tell these people that capital gains tax will be imposed and that is the only way by which I can tell people that they cannot indulge in speculative activity, because speculative activity will mean that I will get only a portion of it and the fruits of speculation will not all remain with this speculator. Therefore it is very necessary.

So far as this question of deposits is concerned, I would like to mention this. It is perfectly right—I think my hon. friend will concede—that I can change the rate of tax on dividends. And what is the consequence? The consequence of it is people would not declare dividends and the money would be put into reserves there is a chance of its being abused. We do not want the reserves which are built up as a consequence of my raising the tax on dividends to be abused. In fact, I am not imposing a new penalty, or saying that I shall do this or that if you do not deposit a part of this reserves with us. All I say is if you deposit the money I shall refund it to

you if you need the monies. If you do not do it the penalty is my withholding of privilege, of the tax from concession on the development rebate and the depreciation allowance which I am allowing. I say I will withhold that concession. Should I not say that? Is it not a concomitant on my raising the tax on dividend that the privilege should be withheld? Am I to suit my friend Shri Tulsidas Kilachand and people of his tribe to say, 'I will impose a higher tax that on dividends, all right; you put the money in the reserve fund and spend it as you like and allow somebody else to purchase that company in order to get the reserve fund'. The whole act of Government is a co-ordinated act. My hon. friend thinks that we people have no wisdom and that we act by fits and starts and we act without a plan. My hon. friend Shri Kamath always thinks that we are a set of planless people. I should like to say he has got....

Shri Kamath: Yours is a planned planlessness.

Shri T. T. Krishnamachari: At least there is some plan about it which my hon. friend has not got.

Shri Kamath: You will know it by and by; do not be in a hurry; be patient.

Shri T. T. Krishnamachari: I suggest that there is no very big change. After all, what is it that I have done? The Capital Gains Tax is already there. It is to be brought into operation again with certain modifications which are necessary in the light of the circumstances. Of course, it is a permanent tax; it is already there. I am not introducing a new principle unknown to the tax structure of this country. I am not claiming any originality for it. What I am doing is to raise the rate of Tax on this dividend and the consequence of my raising is to allow it to go to the reserve. I am not saying I am going to impose a penalty. What I am giving is a free gift. I am giving it as a free gift and the money to be set apart for purposes of development rebates and depreciation allowance is to be deposited. I say if you do not want to deposit

[Shri T. T. Krishnamachari]

and want to take away that money for your purposes I shall not give you the free gift. I claim that I am entitled to do that as a consequence of the measures that I have taken.

So far as the Stamp Act is concerned, again, it is a necessary weapon that I need today for the purpose of preventing certain monetary trends and I cannot wait until the next year. These are two integrated pieces of legislation.

The question really is: could it be bettered by going to a Select Committee? I must humbly submit that much as I value the wisdom of my hon. friend Shri Tulsidas Kilachand, much as I value the erudition of my hon. friend Shri Chatterjee, I do not think they are going to contribute in any way to improve this Bill and make this a better instrument than what it now seeks to be.

There is also the time factor. If I had introduced this early in a session which is going to last 3 months, we can take some time provided the law comes into operation immediately. But it is not so now. This reference to a Select Committee is a dilatory motion. It is to be reported on by the 17th December so that the Bill will not be passed this session because it cannot be passed here alone and it has to go to the other House. The hon. Members asked for 8½ hours. I shall certainly not raise any objection or from the point of order if they refer to the fact that the Finance Minister does not sit in the proper way, but sits sideways or something else. Any act of Government, whether it is a right one or wrong is one that can be raised in the Finance Bill and I shall claim no privilege for the purpose of shutting out debate on any action of Government. The Business Advisory Committee have been kind enough to give 8½ hours so that we may discuss this economic policy of Government. That was the view of the hon. Members in the Business Advisory Committee so that we might discuss the entire eco-

nomic policy of Government. I shall welcome any criticism.

I rather beg to submit that the point of order has no point for the reason that the Act sought to be amended is consequential on raising the revenues. I also would like to submit that the particular provision of the Constitution referred to by my hon. and esteemed friend, Pandit Thakur Das Bhargava has no relevance, that there should be only an annual financial statement. There is nothing to prohibit having a supplementary statement as there are supplementary budgets. I would like also to say that I am unable to agree to the dilatory motion in the present context of the economic condition of this country.

Shri Tulsidas: May I point out to the hon. Finance Minister that this is not a dilatory motion because he introduced the Bill only last Friday? It has been on the Order Paper only from day before yesterday. So, I had only very limited time to put in this amendment. If it had been introduced earlier it would have been much better.

Mr. Speaker: I have heard the two sides. So far as the motion for reference to a Select Committee is concerned, it is contended that it is a dilatory motion. Shri Tulsidas contends that the Bill was introduced only a short time ago and so it is not so. I have allowed the Bill to be introduced and the motion to be moved here. It is for the House to accept or reject it by taking into consideration all the points of view expressed from all sides.

So far as the point of order is concerned, two views have been pressed before the House. One point is that it is a Finance Bill and for every Finance Bill there is a particular procedure laid down both in the Constitution and under the Rules, and that must be followed. After the Demands for Grants are voted by the House and the House is satisfied that so much

money is necessary, provision must be made by way of taxation, from year to year. That is the object of the Finance Bill. On that ground these two Bills, the Finance (No. 2) and (No. 8) Bills ought not to be allowed here.

The hon. Minister explains there is an emergency and that this Parliament is not likely to continue and if the fresh Parliament were to come in, it would begin to function only by June. In the meanwhile, the year which is sought to be defined under this Bill, ending 31st day of March 1956, would be over. It would be too late for anybody to have all these accounts and so on. It would then be said that it would be taking people by surprise and so on.

There is the further need of the Plan which has been envisaged or a period of 5 years. This financial statement from year to year should be given not the ordinary import as purely a financial statement for the expenditure in the year only but as a permanent one for the revenue and expenditure for all years under the Plan. It is by that implication, therefore, the hon. Minister says that there is an emergency and that he will be able to satisfy that during the discussion whether that necessitates this or not. It is another matter which could be discussed.

That apart, it is contended that it is just on the eve of any particular year the Finance Bill is brought—on the 28th February, that is, in advance of the coming year. The Act is passed not for that year but for the coming year. Therefore, there is no harm if a Bill is introduced in advance of that—February or March—2 or 3 months in advance so as to come into operation from 1957-58. That objection is not also sound.

There is another point so far as that particular matter is concerned. The expenditure could not be incurred in the circumstances and it will be too late to bring in a Bill of that kind to cover the expenditure. It is likely that there might only be a vote on account.

So far as the other objection is concerned, it is that amending provisions of a substantial Act, the Income-tax Act—and provisions for amending the procedure etc. are included in this—ought to be done by way of a separate Bill and more time and attention ought to be bestowed upon that. I understand from the hon. Minister that so far as the deposits are concerned—especially with respect to which a point has been raised by Shri Chettiar—the provision is ancillary or consequential. I do not say that. That is what he says. The Finance Minister says that in order that no speculation may be indulged in he wants to put this tax so that it may not go from one pocket to another. He thinks that the only way of avoiding it is by imposing this tax and make them deposit the amount and so on. This is a matter which could not be discussed in a minute.

There are some statements here which are not relevant. The hon. Minister who has brought this Bill with respect to an emergency according to him defends the clause regarding deposits etc. Last year, it is true that I said—and I still stick to that view—that in a Finance Bill, only provisions relating to the taxation measures to meet the expenditure that has been voted upon by the House ought to be there. Otherwise, there is no meaning in a Finance Bill. During that discussion opportunity is taken to review the whole administration, whether it has been working right or wrong, whether the funds voted have been handled properly, with respect to the expenditure, whether a year is lean or fat and all that. All these should be taken into account.

So far as this is concerned, that is why though only a few Bills or a few Acts are allowed to be amended, like the Stamp Act, the Postal Act, etc., these are all necessary for the purpose of raising revenue wherever additional tax is put—not the Stamp Act, but the postal rates, sea customs rates, etc. are improved from time to time, they can be improved, and, therefore, they

[Mr. Speaker]

are brought under the annual Finance Bill.

I would normally urge upon the Finance Minister, not only he but also all his successors, to see to it that only those provisions which relate to the raising of taxation should be included in the Bill. The procedure should be followed and no other provisions should be given attention to unless they are absolutely consequential. If we have to provide by way of an amendment to the Income-tax Act or by way of an amendment to a substantial Act, Government must come forward with an independent measure separately, and the House will have ample opportunity to consider it. But in a Finance Bill those things ought not to be normally included. Even though 17 clauses were included last time by way of an amendment to the Income-tax Act, I still hold the view but for the point having been raised and it is a little too late now. I would urge upon the hon. Minister to see that the House should bestow sufficient attention upon all these matters and there ought not to be any impression in any quarter that without knowledge of the full import of the discussion anything was brought in this House. That ought to be avoided, at any cost wherever it can be avoided.

But in the peculiar circumstances of this particular case and having heard the hon. Finance Minister that the clauses that touch or seek to amend the Income-tax Act are only consequential, and also in view of the fact that we are not meeting again shortly and though this Bill is intended to come into operation from the beginning of 1957-58, it is in a way touches upon the income from 31st March 1956 onwards, I do not consider that there is any point of order. I am not going to allow that. I will now allow discussion both on the Bills as also on the motion for reference to Select Committee.

Shri Tulsidas: I was only referring to my motion for reference to Select Committee.....

Mr. Speaker: I am not going to allow another opportunity to him to discuss the Bills. He can, therefore, speak on this motion and on both the Bills. Both the Bills are taken up together.

Shri Bansal (Jhajjar—Rewari): We have taken about an hour and a quarter for discussing this matter, and we think that this time will be added on to the allotted time.

Mr. Speaker: We are meeting to-morrow. This is part of it. Whatever objection has been raised has been raised. Anyhow let us see how many people are interested in this discussion.

Shri T. S. A. Chettiar: This time should not be part of the 8½ hours allotted for this discussion.

Shri Tulsidas: Are we discussing this tomorrow?

Mr. Speaker: No.

Shri Jhunjhunwala (Bhagalpur Central): When will we take it up for discussion again.

Mr. Speaker: On Tuesday next.

Shri Tulsidas: Sir, you have ruled out my point of order because there is an emergency. I would like to point out to the Finance Minister the problems which he has himself pointed out in his speech—the important problem of the price trends about which he himself just said there are the problems of speculation and so many other things. I would like to know whether these measures which he has brought forward are going to solve these problems, whether these measures are intended to solve the problems which he has pointed out in his speech, and which he considers as emergency measures. I can understand an emergency if there was the question of a war or some sort of trouble. What is the emergency here?

I would like to point out to the hon. Finance Minister that by his own statement, the amount which he will

be collecting on account of these measures will be a paltry sum of Rs. 4 or Rs. 5 crores for a total year.

Shri T. T. Krishnamachari: If I may interrupt, it may be paltry to my hon. friend who is probably worth several crores, but it is very big sum so far as I am concerned.

Shri Tulsidas: I am not comparing Shri T. T. Krishnamachari but I am comparing the Government of India. He speaks on behalf of the Government of India, and he himself says that the amount of increase in the Plan will be about Rs. 500 crores, and the amount of money that he hopes to realise by this measure is Rs. 4 or Rs. 5 crores this year, Rs. 10 or Rs. 15 crores next year, and it is not more than Rs. 40 or Rs. 50 crores for the whole Plan period.

Mr. Speaker: Just a word. So far as the time is concerned, we have allotted 8½ hours. We may or may not be able to extend it. It has to be finished within the time schedule, and I would, therefore, suggest that hon. Members, who are leaders of Groups, may have half an hour and others 15 or 20 minutes each.

Shri Tulsidas: Apart from this difference of opinion between myself and the hon. Finance Minister, I must say at the outset that we have got today in the country a Finance Minister of high calibre, very superb nature and versatile experience in Shri T. T. Krishnamachari. He has had the experience of handling the Commerce and Industry Ministry for the last five years and he has managed that Ministry in a most successful manner. I am sure the practical acumen that underlined his handling of the Commerce and Industry Ministry will mark his handling of the Finance portfolio. He will certainly consider the experience he has had in the Commerce and Industry Ministry as a great help in the role that he has now to play. After all, even as a Finance Minister, he has to see that the objectives that we have in the Second Five Year Plan or whatever Plans that we have are achieved in

a manner which will give him the same prestige and respect from the country once more as for his handling the Commerce and Industry portfolio.

13·29 hrs.

[**PANDIT THAKUR DAS BHARGAVA** in the Chair]

This House has every right to expect great things from him. I venture to say that he gives promise of becoming a great statesman, probably the greatest Indian statesman since Kautilya. Let us hope that he continues in office long enough to fulfil this promise.

The practical man that he is, he seems to abhor idealistic concepts....

Shri Asoka Mehta (Bhandara): The Finance Minister is now getting all the encomiums, and I would like you to draw the attention of the hon. Finance Minister to the lot of encomiums that he is now receiving.

Shri T. T. Krishnamachari: I think my hon. friend will tell me that again.

Shri N. C. Chatterjee: The Finance Minister is the second Kautilya.

Shri Tulsidas: I always say that the Finance Minister has been the friend, philosopher and guide of the trade and industry.....

Shri Asoka Mehta: The cat is out of the bag.

Shri Tulsidas:and has also shown in his former speeches that he abhors idealistic concepts such as social welfare, welfare State and socialist pattern of society. Some time back, during the course of the Second Plan debate, he did not seem to like the idea of my referring to social welfare and socialist pattern of society. In his speech he replied to my point of view stating that I spoke very nice words and expressed very nice sentiments. After all, we are thinking of a much better thing; not only a welfare State for something much more progressive and so on. I wish him all the best of luck in this respect.

[Shri Tulsidas]

I personally believe that the social welfare is the ultimate aim of this country; it must be the ultimate aim. There can be nothing else. The patterns are only means to an end. The end or the goal is social welfare. He was sarcastic about it when I spoke, and said that I must have been briefed to speak such things. I do have my own ideas and I can assure my hon. friend, Shri T. T. Krishnamachari, the Finance Minister, that I do not have anything of the scale of the Government departments from which they could get briefs or inspiration. That is the monopoly of the Minister. They are briefed quite enough by the Secretaries who are highly paid.

I have been saying that social welfare alone is the principal social goal. The socialist pattern of society or any other pattern is of no avail if it does not lead to the goal of social welfare. The socialist pattern of society is a convenient term coined by the Government Party to describe the type of socialism towards which they are leading the country; the term has deliberately been kept nebulous to accommodate all sorts of views and enable a wider party affiliation. In any case, the Government are leading the country towards this elusive mirage of socialist pattern of society caring little whether social welfare is increased in the trail.

To maximise social welfare, we should try to maximise the productive effort of the nation. All sections of the people should be enthused into action. In a democratic society, the only way to achieve a common end is to have people's co-operation. For that, they must be enthused. You cannot get the co-operation of the people by force. It is only in a society of my friends sitting to my right, the communists, that they can force the people. Even there, they are failing. People can be enthused by giving them certain encouragement. The Prime Minister, while speaking on the discussion on the

Second Plan, has said that he wants people's co-operation. Before we achieved Independence, we were enthused by the idea that we should get rid of the foreign Government. After that, I do not know whether the same enthusiasm prevails. The policy of the Government is such as not to enthuse the people. They would get enthusiasm if they have a little better things to wear, more food to eat, a better standard of living. When I said so last time, the hon. Finance Minister has said: "Shri Tulsidas Kilachand is wearing nylon cloth." I only wish that every one in this country were in a position to do so. The hon. Finance Minister puts on the Kashmir cloth. I would like every one of my countrymen to have such clothes.....

Shri N. C. Chatterjee: What will happen to your textile mills?

Shri T. T. Krishnamachari: I am wearing sack cloth and I expected you to give me ashes!

Shri Tulsidas: I think that the effects of these budget proposals or taxation proposals will be too adverse on the economy of the country compared to the paltry revenue of Rs. 6 crores or so this year or Rs. 16 crores in the full year that they will yield. Such a small amount is not going to save us from inflation.

The Finance Minister has referred to two important problems in his statement: inflation and foreign exchange. By having these budget proposals.....

Shri Shree Narayan Das (Darbhangha Central): They are taxation proposals; not budget proposals.

Shri Tulsidas: The Finance Bill is brought in after the Budget. Therefore, they are in a way budget proposals.

Anyway, is he going to solve these problems by these proposals? The Finance Bill—No. 2—provides for an increase in customs duties and excise duties. Does he expect that the imports will be reduced by the increase in customs duties or that consumption

[Shri Tulsidas]

will be reduced by increasing the excise duties? I do not think so. It may be a political stunt to have these proposals. But, that is a different thing. I can understand the emergency for that. But, I do not understand the urgency to get these proposals passed at this stage, when they are not going to solve any one of his problems. They can only be solved by an increase in production and a reduction in imports into this country.

He also spoke about the monetary stringency. Who created this problem? The Government had been warned last year of the inflationary potential of the policy and of the Plan which they had before them. They emphasised investment in heavy industries and neglected the problem of consumer goods production even by going to the length of implementing the absurd proposal to restrict the expansion of the mill sector to afford internal protection to the cottage sector. I must admit that the hon. Finance Minister who was then in charge of the Commerce and Industry Ministry cannot be held responsible for that situation inasmuch as he opposed the impractical proposal to restrict mill production. He was always for having the maximum possible consumer goods production in the country. This can be seen from his speech on the demands for grants of the Commerce and Industry Ministry, when he said:

"A dichotomy is, therefore, permissible between consumer goods industries and a different approach in regard to planning for each type....."

I am quoting his own words. He said:

"While a relative flexibility can be maintained in regard to targets for consumer goods which should be treated as the minimum level of production to be attained rather than ceilings, some rigidity in regard to targets for producer goods industries is vital in order to achieve our objective."

His approach to the Plan then, in my opinion, was much more sensible. He had foreseen the danger of inflation as well as of the heavy social cost and sacrifice of human values involved in an over-ambitious programme. I am again quoting from the same speech:

Shri T. T. Krishnamachari: Torn from the context.

Shri Tulsidas: No, it is a separate paragraph. Here he says:

"Speaking for myself with the little knowledge that I possess about planning in other countries, I would not commit this country, if I have any say in it,"

—which he has now—

"to a type of planning which, while it might seem to meet our immediate aspirations, would in actual fact be impossible of achievement. It does not good to flatter ourselves that we can do something more than what is actually possible. It would, in my view, be equally undesirable to undertake an expansion for which we may have to pay a price that is too high in terms of social and may I say—spiritual cost. It is important to assess our physical needs. We must naturally aspire to satisfy them. But if planning has any meaning, we must measure our aspirations against two yardsticks: (1) our financial resources both present and those likely to come into being in the Plan period; and (2) our physical resources specially in terms of personnel."

Now, as Finance Minister, he is confronted with the problem of inflation, physical shortages and the consequent foreign exchange difficulties, which he feared then. I am sure he must be feeling fully prepared to meet the challenge, and that is what he is doing by bringing these emergency measures. I would like to know from him if these are really going to solve the problems.

As I said, the disincentive effect of the tax proposals will discourage not only investment of the people's saving in productive investment, but will also act as a deterrent to foreign investment. The increase in dividend tax will certainly affect investment in the corporate sector.

Shri T. T. Krishnamachari: May I humbly submit, Sir, that the hon. Member can speak about the internal situation. Why should he do propaganda amongst the foreigners also?

Shri Tulsidas: I am not doing any propaganda. I am only giving my opinion. I am sure the hon. Finance Minister is much more qualified than myself to know what the foreign situation is. I am only trying to give my opinion as an ordinary layman.

Shri N. C. Chatterjee: You are not a layman.

Shri Tulsidas: I am only trying to explain to him what I consider proper. I am not doing propaganda for anybody.

Sir, I am sure the Finance Minister is bound to tell me, well, you say that people will be disinclined to invest their savings whereas a few days ago when the shares of Hindustan Lever and Guest, Keen and Williams were offered to the public they were over-subscribed to the extent of five to six times. May I tell him that these offers were there before these proposals came, and I know for certain that many people who had put in applications for subscription wanted to withdraw them. I am merely telling him that, if he thinks that he is going to get people to invest more in the shares he is, in my opinion, rather badly mistaken.

We have, in this connection, large number of shareholders, people who have small savings and who want to invest in the ventures of the different undertakings, particularly in the non-Government sector because they find that in the non-Government sector

there is chance of their getting a little more income than by investing their money in Government securities. There is also a chance of his getting a little more appreciation in the share value. The Finance Minister has tried to plug both these. He has tried to reduce the income of small investors by increasing the dividend tax. Also, if there is a little more dividend paid by the company and the price of shares goes up the capital appreciation will also be taxed. This is what I am trying to explain to him. I am sure he will be able to explain these to me. He would have sympathetically considered my point of view if it was made at the time he was Commerce and Industries Minister. But today as Finance Minister he will not consider this aspect at all at the present stage.

What has he brought in? It is the question of deposits. Let us consider the question of deposits. What is it that is going to happen? On the one hand, he himself point out in his statement that there is monetary stringency in this country, particularly in the banking system, and on the other he has brought in these measures. Let me point out to him that this particular measure which he has brought in, particularly when he is anxious to see that the monetary stringency must be reduced so that trade and industry does not suffer, is, in fact, going to increase the monetary stringency. The monetary stringency is going to be assenuated very badly. I would like to explain to him why I am saying so. If a company has any surplus, or idle resources as he calls them, a certain percentage of it will have to be deposited with the Reserve Bank or whoever the Government agent may be. Then that company which normally keeps most of its deposits in the banking institution will have to draw from the banking institution and deposit in the Reserve Bank. Similarly, supposing a company has borrowed against its working capital, it will have to deposit a certain percentage of that according to this proposal. Then it will have to borrow more from the banking system.

Therefore, to that extent stringency in the banking system will be accentuated by these proposals. Instead of achieving his desire to help the monetary stringency in the banking system these proposals will only accentuate it. I am sure he will consider this aspect much more than looking at it from the point of view he mentioned. He mentioned the other day in his speech that he wants to avoid people buying a mill, a tea estate and so on. May be, there may be one or two examples like that. But there are 30,000 companies in this country. If everyone is to be brought in because of a few people who may have indulged in methods which, according to him, are not proper, then it is going to be a very great hardship to these different companies. I am only trying to bring to his notice that the monetary stringency in the banking system will be further accentuated by these proposals.

Let me point out to him regarding the proposals in Finance (No. 2) Bill that by these proposals the financial stringency will be further accentuated. There is the increase in stamp duty. The Finance Minister himself said:

"The demand for funds has continued unabated and the resources of the banking system are fully strained. The Government is anxious to ensure that the legitimate needs of trade and industry do not suffer on account of the present tightness in the money market."

As I said, these proposals also will have the effect of accentuating rather than relieving the monetary stringency. The stamp duty has been increased from 15 annas per Rs. 1,000 to rates ranging upto as much as Rs. 10 per Rs. 1,000 and even more.

Shri T. T. Krishnamachari: It cannot be more.

Shri Tulsidas: I would draw the attention of this House that the increased duty of Rs. 2½ per thousand on short-term bills will tantamount to an increased in the bill rate by one per cent. so that the actual effective bill rate payable by the banking

system in respect of usance bill will not be the bank's bill rate but one per cent above the bank's bill rate. Today the Reserve Bank is discounting bank's bills at 3½ per cent or 3¾ per cent, whatever it is. Because of these stamp duties, the banks will have to pay one per cent more, and it comes to the extent of about Rs. 50 lakhs or Rs. 60 lakhs, because bills are re-discounted by the Reserve Bank to the extent of about Rs. 50 lakhs or Rs. 60 lakhs per year.

Shri T. T. Krishnamachari: I am afraid the hon. Member's information is not correct.

Shri Tulsidas: I will like to him to point out to me the fact, if I am not correct, when he replies to me. Is it not a fact that this will increase the rate to one per cent on the part of the banks? If that is not so, let him say that it is not so.

Shri N. C. Chatterjee: He would not tell you; he is afraid of you.

Shri Tulsidas: Now, my time is up, and so I come to the indirect taxation, namely, excise and customs duties. The hon. Finance Minister said that he has enhanced these duties only in the case of luxuries. I feel that they are not all luxury goods. I would like to point out that all those items classified by him are not luxuries. I would ask him to say whether most of them are articles of necessity or not. Sewing-machines, buttons, dry fruits, etc., are all necessities of life. Glucose has been included, though it is a medicine that is largely used by the people. Take, for instance, the producer goods, such as dyes, hardware, tools and machinery. You call them luxuries. Hardware is a necessary of life. What I want to point out is, if the production of these articles in the country is quite enough, then, the increase in tax will not affect the cost of living of the normal users of these goods. But, as it is, this increase in the customs duties as well as in the excise duties is bound to increase the living costs of the people as far as the items, which I have mentioned, are concerned.

[Shri Tulsidas]

I have a number of points and a number of suggestions, but I do not wish to go into the details, because I have already tabled certain amendments, and I will certainly speak at the time of the clause-by-clause consideration. But I do want the hon. Minister to consider that when he is trying to get the deposits, he will also have to consider whether banks, insurance companies and other bodies who have no fixed assets will also be required to deposits, in which case the effect will be a much more stringent one in the monetary sector. The monetary sector has been found to be much more stringent already because, as I pointed out, the Government themselves have been responsible for it. It is because of the doings of the Government themselves. They have already imported much, and the foreign exchange position is worse, and only Rs. 200 crores remain as the balance of payment position in the country. To that extent, money has been withdrawn from the banking and monetary sector. Money is not coming in the monetary sector. The money which has come down is from outside the organised sector. It is in the sector where there is inflation. I would like the hon. Minister to examine this, and I would like him to let me know whether this is not going to affect the monetary sector in this respect.

I have put down the amendment, proposing that the Bill be referred to the Select Committee. I have got most of the Members, who spoke on this Bill, to support me. I am sure that even the hon. Finance Minister would have supported me and my points of view if he was not a Finance Minister today. He would than have told me, "Quite right; amendments of a permanent nature should not be brought in as a Finance Bill".

As I pointed out, this is not an emergency measure. This can be discussed in the Select Committee, and Heavens would not fall if this Bill is not pass today. The Minister himself has given an indication of his mind today. This tax is going to be levied

only 1957-58. So, certainly, the Select Committee could go into it, and report to this House within a few days. Therefore, I once again request him not to oppose my request for referring the Bill to the Select Committee. If he wants to oppose my point regarding Section 8 which is really a taxation measure, he can certainly do so, but there are other sections which are really by way of amendments of a permanent nature. I would request him to create a healthy atmosphere and a healthy convention in this House and not to rush up legislation in the manner in which he is trying to do. I only hope that he will consider this aspect, and since he has already had experience in the Commerce and Industry Ministry where he has understood the needs and necessities, the need for increase in production, and so on, I hope he will not just brush aside this request of mine.

Shri G. D. Somani (Nagpur—Pali):
Mr. Chairman, Sir, we had just now a very interesting discussion about the constitutional aspect of the two Finance Bills which are under discussion in the House at present. I am afraid I do not quite fully subscribe to the views expressed by my friend Shri Tulsidas so far as the emergent nature of the Finance Bills is concerned. I am not examining this question from the point of view of the Constitution. Technically and legally, the question that we discussed may be right, but I for one am in agreement with the fact the firm determination which the Finance Minister has shown in tapping all possible sources to augment the resources is really something which cannot be taken exception to.

So far as the proposals under consideration are concerned, one may or may not agree with them, and I certainly have my views to criticise some of the proposals, the implication of which may not be conducive to the economic development of the country. But I am not opposed to a resort to an emergency measure to create resources for the implementation of the second Five Year Plan. Indeed, I

endorse every word of the Finance Minister in the concluding portion of his statement where he said that the second Five Year Plan is a challenge and that the challenge should be met with all our resources and with all the ingenuity at our command. I agree that if this spirit of firm determination permeates all sections of our people, and if it creates constructive enthusiasm for all-round efforts in the country, then alone the gigantic work of the present Five Year Plan and the succeeding Plans can be fulfilled in the period stipulated.

I also agree with the views of the Finance Minister that nothing should be done to advocate that the Plan period should be extended or a kind of scepticism be created about the resources. Indeed, I think it is the patriotic duty of every section of our country to make determined efforts for the fulfilment of the Plan on which the entire future of the country depends and for which the country has to make the necessary sacrifices and the necessary efforts, the magnitude of which must be such as to fulfil the targets of the Plan. It is, therefore, from the point of view of economic development which should be undertaken as fast as possible, that I have ventured to express the view that we are not opposed to the principle of resorting to any sort of emergency measures which have been sought to be incorporated in these Bills. I do also maintain that those proposals came as a complete surprise to the business world. The Bills were not even put on the Order Paper of the House for the day and the proposals are such that they touch almost every section of taxation—*income-tax, super-tax, excise and customs duties.* The proposals, therefore, constitute more or less a full-fledged regular budget. So far as the primary objective of finding resources for the plan are concerned, I have no quarrel with the Finance Minister in bringing forward such supplementary proposals and resorting to such raising of additional resources which can be done without detriment to the smooth functioning of our national economy.

14 hrs.

The hon. Finance Minister said that his purpose in putting forward these proposals are simultaneously to find finances for the second Plan, limit the need for deficit financing, save foreign exchange, restrain non-priority spending and act as a corrective to inequalities in income and wealth. These are all quite good objectives. But one thing on which proper emphasis has not been laid is about the utmost need to increase production all-round, both in the agricultural sector and in the industrial sector. In my view, the solution of all our evils and problems lies in an all-round increase of production. It is from the point of view of the repercussions which some of the proposals of the Finance Minister will have on the productive effort of the nation that I would like to examine the implications of a few of the proposals which he has put forward.

We have been told about the seriousness of the foreign exchange position. It indicates that every possible effort has to be made to reduce imports and to promote exports. We have been told about the inflationary character of the present prices. That again indicates the imperative need to increase the production of consumer goods, which alone will allow the Government to resort to deficit financing to the extent contemplated in the Plan which will assist the fulfilment of the objectives of the Plan and at the same time keep the prices under a healthy check. The over-all question of finding additional employment or raising the standard of living of the people and the fulfilment of the objectives of the Plan lies, in my opinion, in an all-round effort to increase the production both in the agricultural as well as in the industrial sectors. It is not relevant for my purpose at present to go into details about agricultural production, but I would like to say something about the repercussions of these proposals on industrial production.

I would give one or two examples to stress the need for making the utmost effort to reduce imports and pro-

{Shri G. D. Somani}

mote exports. Let us take the example of the textile industry. The hon. Finance Minister imposed a heavy excise duty in the last Budget Session, by which the Central exchequer would be able to raise an additional huge sum of Rs. 35 crores per year from the cotton textile industry. What is the position of this excise duty? As a result of the excise duties, the prices have fallen a lot and the mill industry at present is bearing the full impact of the additional excise duty. The godowns of the mills are at present packed up with stocks of cloth. I think we are having a record stock of more than five lakh bales, sold as well as unsold, lying with the mills for being cleared. How long can these conditions continue? If the entire impact of the additional excise duty is to be borne by the industry, ultimately it means that the production will be adversely affected, because by the hundred per cent. impact of these excise duties, only will the so-called high profits of the textile industry be wiped out, but many of the mills will simply be forced to work on losses. After all, this additional amount of Rs. 35 crores is something more than the entire profits which the textile industry has been making. The Reserve Bank statistics show that the quantum of profits of the textile industry has been almost the lowest compared to the various other industries and also compared to the profits of various other industries in other countries. My submission is this. On the one hand, the Government do not allow the expansion of the industry and thereby help in creating scarcity conditions. Then, when there is a rise in prices, they come down with a heavy excise duty. I think it is a vicious circle. The production may be adversely affected and ultimately there may be a rise in prices again. Therefore, we are in the midst of a vicious circle.

The hon. Minister, when he was in charge of the Industries portfolio, had announced a scheme for the installation of automatic looms in the textile industry mainly to promote ex-

ports. That scheme was announced, I think, at the end of last year. It was intended that this scheme should come into effect almost immediately and that the installation of these automatic looms should be completed within 9 months or a year of their announcement. Already a year has passed and so far as I am aware, we are still far from the scheme being implemented. Certain licences, of course, have been issued. But, in view of the rigid conditions which were imposed for the installation of these looms, many of the major textile units did not come forward to avail themselves of the offer. I am afraid that it will take an unduly long time before this scheme is ultimately implemented and production starts.

I may also give the instance of the cement industry. We are having imports of considerable quantities of cement at terribly high prices; we pay very valuable foreign exchange for it. The other day, the hon. Minister of Heavy Industries informed the House that licences for 33 additional units or expansion of the existing units were granted, which would take the productive capacity of the industry to something like 15 million tons. We are producing at present about 5 million tons. This is all for the good. Of course, nobody is in a better position than the Finance Minister to know how the schemes are implemented. May I ask him whether the schemes for which 33 licences have been granted are going to be implemented within 18 to 24 months? Have the industries got the necessary resources? My complaint to the Minister is that while Government are over-anxious to find all possible resources for the implementation of the projects in the public sector, so far as the resources for the private sector are concerned, neither the Planning Commission nor the Government have made any exhaustive review or enquiry about the needs to find the resources. I am in a position to assure the hon. Finance Minister that, if his Ministry takes the necessary steps to make the

resources available, this difficult question of foreign exchange can be solved to a substantial extent by the private enterprise. After all, the industrial production is controlled mostly by the private enterprise. There are still plenty of avenues lying untapped and it is possible for the private enterprise to increase the production all round to such an extent that it will lead to an all-round curtailment of our imports and all-round promotion of our exports. But the difficulty is this. It is not enough simply to give the licences. Licences for 2 million spindles were given about three years ago, but they did not materialise. Only a fraction of it materialised and ultimately the Government had to cancel the licences and make further licences. The mere fact that licences are given either for automatic looms or for the expansion of the cement industry does not in any way indicate that the production will go up. My point is that if the Government are really serious in finding a satisfactory solution to this difficult problem of foreign exchange, I make bold to say that you should make available the necessary resources to those to whom you have granted licences.

Shri T. T. Krishnamachari: You are not ruled out.

Shri G. D. Somani: It is very easy to establish a new cement unit within 18 to 24 months. It is very easy to instal automatic looms which the hon. Minister offered a year ago and which is still hanging in the balance for a year or 18 months. All these schemes are in the melting pot. All these paper schemes are not going to materialise to a major extent unless the question of resources for the private sector is properly handled. I would like to submit to the hon. Finance Minister the desirability of appointing a small committee either by the Government or by the Planning Commission to examine this very vital question of making resources available to the private sector to enable them to implement the responsibility that has been assigned to them under the Second Plan.

After all, why is the necessity of the public sector alone taken into consideration? I want to make it clear that I am not opposed at all to the extension of the public sector. That is necessary. There are fields where private enterprise will not be able to do anything. Therefore, in the interests of the country, it is necessary that the public sector must expand. The hon. Finance Minister has shown a firm determination ever since he took charge of his portfolio to find resources for the public sector. Similarly, I think it is the responsibility of the Ministry of Finance to ensure the finances for the private sector also which will be in the national interest.

Shri Bhagwat Jha Azad: Kindly show your hidden gold treasure.

Shri G. D. Somani: I don't mind these additional taxes which are necessary and which are, of course, sought to be imposed on those who have got the capacity to pay. But, the position, as I have explained from the beginning is, the repercussions of these measures will be to retard the development of production which alone will solve our problem. It is, therefore, from the point of view of doing everything possible to assist an increase in the production of the industrial sector that I would like the Ministry of Finance to examine some of the reactions which have followed the introduction of these measures. Look at the reaction of the stock exchange. I hope the hon. Minister must have received telegrams from the stock exchanges and shareholders' associations how the investors' confidence has simply been shaken by these measures which have been announced. There has been almost a crash in the stock exchange. Certainly, the stock exchange is the barometer of all the economic activity. If Government will not view with concern any debacle in the stock exchange, naturally it means that capital formation is retarded and private enterprise will not be able to look to the money market for necessary resources for increasing the productive capacity of the country.

[Shri G. D. Somani]

I can appreciate the point of view of the hon. Finance Minister in putting restrictions on the distribution of dividends, thereby increasing the resources with the corporate sector. In the first place, this very measure closes the door of the private sector to tap any money from the investors, from the market. To that extent, the resources of the corporate sector have been adversely affected. The hon. Finance Minister, this morning, again referred to his consequential action of taking these compulsory deposits. Here, I would like to make a few observations drawing his attention to the great difficulties with which the corporate sector will be faced if the proposals, as they are, are implemented. It has been estimated by a correspondent in the Statement that something like Rs. 35 crores will be necessary to be deposited under this scheme by the pricorporate sector. I wonder how this sum of Rs. 35 crores can be found in the existing conditions of monetary stringency for the private sector, to make the necessary deposit with the Government. Of course, we have been assured that so far as the administrative machinery for handling these deposits is concerned, every facility would be given and no unnecessary hardship will be caused. I would like to submit for the consideration of the hon. Finance Minister whether it will not be desirable to ensure that these deposits will not be insisted from those companies which are employing their funds exactly in consonance and in conformity with the objectives of the Second Plan. I have absolutely no quarrel with the Finance Minister in ensuring that these funds will not be utilised for purposes other than planned development or that they are not in any way to be misused. Whatever restrictions are necessary to ensure the fulfilment of this objective can certainly be imposed. But, my point is, for ensuring compliance with this objective from a few companies, why should the majority of the corporate sector be subjected to such hardship and harassment, and called upon to make these deposits at a time when money conditions are so string-

ent. I do not know whether the hon. Finance Minister will accept any amendment to ensure the fulfilment of the objective on which we have no difference of opinion. We quite agree with the Finance Minister that the Government should have adequate powers to stop all sorts of speculative transactions or transactions of the nature of cornering shares and acquiring the assets of other existing companies. We are absolutely on common ground with the Finance Minister in ensuring compliance with this objective. But, why should the needs of the other companies which are employing their funds for the purposes of the Second Plan, according to the objective of the Government, be penalised, first to deposit their funds and then go through a lengthy and complicated process and apply for refund, etc.? I hope that so far as this aspect of compulsory deposits is concerned, Government will certainly do something to give satisfaction to the corporate sector. This step alone has caused a lot of misgiving throughout the business world. The debacle in the stock exchange has got to do much with the drastic provision of compulsory deposits. I hope it will be possible for the Finance Minister to give a satisfactory assurance so far as this aspect of compulsory deposits is concerned.

As there is no time, I shall not refer to the other points. I would again emphasise the vital role of the private sector in fulfilling the objective of the Second Plan. From that point of view, I would again urge upon the Government and the Planning Commission to go minutely into the requirements of the private sector and wherever those requirements are in conformity with the Plan, do everything possible to ensure the availability of those resources to this sector.

I would like to end with what Mr. Winston Churchill said to President Roosevelt when Britain was on the point of collapse in the Second World War. At the time when the Government of India are engaged in a total

war against poverty and unemployment, I say on behalf of the business community, "give us the tools and we will finish the job."

Shri N. C. Chatterjee: Mr. Chairman, some observation fell from one of the hon. Members from the Congress benches opposite which confirmed the impression that this is also a good election strategy and that it has been timed just to make the impression that although big capitalists are making handsome contributions to the Congress election fund, still Government has got the courage to soak the rich. But, I am pointing out to the hon. Finance Minister one fact. Have these additional new taxation proposals which are brought forward, been conceived with due regard to the serious repercussions on the economy of the country? The proposals are varied and diverse. In the field of direct taxation, there is going to be a capital gains tax, of course, in a much more stringent than what a previous Finance Minister imposed on this country some years back. Then, there is the tax on dividends and upgrading of companies' super tax.

In the field of indirect taxation, a number of import and excise duties on a fairly wide range of articles will be levied. Then, an increase in stamp duties on bills of exchange, and there will be governmental control of deposits of reserves of companies. What is creating a good deal of mis-giving is this, that you are really crippling the private sector too much and placing too many handicaps on them. The Five Year Plan recognises that the private sector has got to play a very important part in the development of the national economy. Are you going to allow them to play that part? Are you not imposing too many restrictions and fetters so that it would be impossible for them to discharge their obligations? It may be good strategy to make it impossible for them to fulfil their obligations and then turn round and say the private sector has deplorably failed and therefore it should be wiped out. But is that fair? Is that the just approach,

the rational approach? Is it fair to put the screw on them in this fashion and make them unsuccessful and thereby justify the expansion of the public sector? I submit that is not the proper approach.

What is depressing me is this. The Minister should know that the importance of the individual is declining as an agency for saving. Most of the savings are now to be created out of institutional agencies. You are not providing incentive for investment in fresh issues of capital. Therefore, Shri Krishnamachari's fiscal measures will have a very serious deterrent effect on capital formation in India. The result will be that our capital which is already shy, will become still more shy, and equity investment will be made very, very difficult. Even the magnitude of institutional savings is bound to decline with measures such as the nationalisation of insurance. Savings which were formerly available for investment in the private sector cannot now be depended upon, and to that extent the gap has got to be filled by individuals. One important fact the Parliament should remember, and I submit that in all seriousness. In all economies, especially in undeveloped economies like that of India, the backbone of capital formation is the will to save and the will to invest, and the capacity to do so on the part of the common citizen. Are you not destroying that incentive? Are you not making it impossible for the common citizen to have the will to save and to invest?

You remember that when we discussed the Company law we made a difference between preference share capital and equity capital and you know that was deliberately made because the preference share capital was more or less like a creditor who has invested some money and who was quite satisfied with the assurance of a fairly regular and decent return, but equity share capital stands on a different footing. Equity share capital goes without any return or dividend for years together. During the formative years of the company's progress they do not get anything, but

[Shri N. C. Chatterjee]

their only incentive, their only hope is in the assurance that subject to fairly safe investment and safe management, there would be higher dividends later on, progressive dividends in future, and also an appreciation in the share capital. All that is being taken away. Do you expect that if you upset the individual investor in this manner, deprive him of the incentive, make it impossible for him to get higher dividend later on and at the same time deprive him of the benefit of future appreciation of share capital, do you ever expect that the individual citizen, the common investor would come forward in the money market and make investment in these companies?

The other thing which to some extent disturbs me is this, that you are taking away the reserves of corporate entities and you are compelling them to deposit part of it with the Central Government. I am not looking at the technical aspect of the matter. It may be that it is generally outside the purview of a fiscal measure, but Mr. Speaker has ruled and we have got to accept that ruling. But the difficulty is this, that Shri Krishnamachari will not administer this Act, nor the hon. Deputy Minister. The Act will be administered, the legislation and fiscal measures will be administered by the bureaucracy. And we know what has happened to the Company Law Administration. When the Company Law was being consolidated we put too many restrictions on the companies. A large number of restrictions, fetters and impositions were deliberately put, and we pointed this out to Shri Deshmukh. Now, you know he was a man of great experience and of great mental balance, and in spite of that he was telling us and giving an assurance on behalf of the Government that the administrative machinery would be completely modified and altered so as to ensure speedy disposal of all applications. You know you cannot have a change in the directorate, in the managing agency, you cannot have small changes in the

regulations of the company without Government's prior approval. Shri Deshmukh said all that would be rendered easy and a new set-up would be brought about, but there has been a great disappointment in that respect. In spite of the Minister's promises, the actual experience of the private sector has been unfortunate.

— Now, what will happen? Every company which makes a profit and has got to pay portion of the profit to the Reserve Bank, or a portion of the accumulated surplus to the Government of India, will be completely at the mercy of Government officials to get back the funds which belong to them. What is the good of Shri Krishnamachari standing up and saying in the House of the People that there will be no difficulty in returning them. It is not for him to return. It will be administered by a bureaucratic set-up, and that set-up has been disappointing in this country. Will it be workable?

You take money from a company and say: "Of course, it is your money I will hold it in trust and I will give it back if you satisfy me that it will be properly spent for genuine purposes." Who will decide it? It will be decided by a Joint Secretary or Under-Secretary or somebody in the Ministry, and God alone knows on what factors. Repeatedly the courts have said that this-unfettered discretion given to executive officials to act according to their whim and pleasure is a great tyranny and is an engine of oppression. I am objecting to this continued governmental control over economic activity, and I am asking this Parliament to put a curb on it.

Liquidate the private sector if you want to socialise properly, if you believe in socialism. Do not have a socialist pattern. If you believe in your Prime Minister, your leader, remember he has said that when you allow the private sector to operate in certain spheres there should be no restrictions put, they should be

allowed free and full play. Then, allow them full play. Do not subject them to this kind of bureaucratic administrative control, do not hamper the normal business activity, take away their investments from them and ask them to whine at your door when the time comes for the purpose of showing to your bureaucratic underlings that they are behaving properly. My objection is to bureaucratic delay, to this set-up, and I am submitting that in actual practice this kind of compulsory deposit with the Government will come in the way of prompt disposal of applications for release of funds and in effect this kind of administrative control will cripple the working of companies.

On one point I am happy that Shri Krishnamachari differs from Shri Deshmukh. Some of the Members of Parliament had been telling Shri Deshmukh that he was indulging in too much deficit financing and that it should be stopped, but he wanted to show that he was a great optimist, and he said: "No, this deficit financing will not create any difficulty." I am happy that Shri Krishnamachari is more objective, and he has now realised that we have got to put a stop to this kind of deficit financing. He is saying that on two grounds he is wanting this kind of fiscal exaction to be levied on the people. Firstly he says that there is an inflationary spiral which is going on, it has got to be curbed. Secondly he says that our foreign exchange gap has got to be made up. For Heaven's sake tell me is it not correct that in the recent months there has been a definite tendency that the inflationary spiral is going down? So far as my figures, the figures that I have been able to get, show, in recent months there has been a tendency just the other way about. If I am wrong I will be very happy to be corrected, but what I am told is that the almost continuous upward movement of wholesale prices during the last 15 months has been halted and a slight downward movement has been in evidence during

September, 1956. If that is correct, there is no emergency, and we should not be rushed into taking this kind of measures which will impose a great burden not merely on the rich. If you tax the Tatas and Birlas and Tulsidas Kilachands and Somanis we will not mind, but do not kill the poor middle class investors. It will be a great hardship on them. It will ruin thousands of middle class families whose only savings are represented in these companies' investments.

Then, how are you going to make up this foreign exchange gap? What are you going to do to stimulate the exports? What is your concrete scheme? There, you are failing. There, India is at a disadvantage. My information from people who have just come back from their tours of South-Eastern countries is that India is losing fast her market there. And that is a very serious problem. China and Japan are both going forward. I am told, I believe my information is correct,—that during the first half of 1956, India has remained a very bad second to Japan as exporter of cloth. So, India has remained very far behind. As against Japan's export of 618 million yards during this period, India exported only 390 million yards.

Mr. Chairman: Is the hon. Member likely to take long?

Shri N. C. Chatterjee: Yes.

Mr. Chairman: The hon. Member can continue his speech next day. We shall now take up Private Members' Business.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-FIFTH REPORT

Shri Ramachandra Reddi (Nellore):
 I beg to move:

"That this House agrees with the Sixty-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th December, 1956."

Mr. Chairman: The question is:

"That this House agrees with the Sixty-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 5th December, 1956."

The motion was adopted.

Mr. Chairman: Now, we shall proceed to Bills to be introduced. The first Bill, namely, the Old and Infirm Persons' Homes Bill stands in the name of Shri Krishnacharya Joshi. I find that the hon. Member is absent.

Shri Bhakt Darshan (Garhwal Distt.—East cum Moradabad Distt.—North-East): I have been authorised by him. So, may I move for leave to introduce?

Mr. Chairman: I am very sorry. There can be no question of proxy so far as the introduction of a Bill standing in the name of a private Member is concerned. He must be present in the House to introduce the Bill. According to the rules, I cannot allow this request.

Shri T. B. Vittal Rao (Khammam): If he signs the Statement of Objects and Reasons, then also can he not be allowed?

Mr. Chairman: This has not been done. This is only for introduction. Only the hon. Member who is responsible for the Bill to be introduced should do it.

Shri T. B. Vittal Rao: It has been done. That is why I brought it to your notice. Then Shri A. K. Gopalan was absent, Shrimati Renu Chakravarty was allowed to introduce the Bill on behalf of Shri A. K. Gopalan and she had signed the Statement of Objects and Reasons. So, there is a precedent. That is why I brought this to your notice.

Mr. Chairman: On a previous occasion, I remember, I had introduced a Bill on behalf of another Member, namely Sir Hari Singh Gour. But

then he had authorised me, and he had informed the President of the Assembly about the authority etc.

Now, in this case, Shri Krishnacharya Joshi has not authorised the hon. Member and he has not informed the Chair.

Shri Bhakt Darshan: No. I have got the authority, and I sent it to the Table.

Mr. Chairman: But the Chair has not received that. The Chair does not know about the authority that has been given. The hon. Member ought to have informed the Chair.

Shri Bhakt Darshan: I do not know where it has gone. I sent it to the Table five minutes back.

Mr. Chairman: Unless the hon. Member had informed the Chair of this authority, I cannot take cognisance of any authority which has been given to the hon. Member.

Shri Sinhasan Singh (Gorakhpur Distt.—South): But he says he has sent it.

Shri Tek Chand (Ambala—Simla): He is informing the Chair now.

Mr. Chairman: This information from the Member who has got the authority is not enough. The Member who was to have introduced the Bill should have informed the Chair.

Shri Sinhasan Singh: He says that he had already informed the Chair. But somehow it has not reached the Chair.

Mr. Chairman: Am I to understand that the hon. Member who is raising the objection has got information that Shri Krishnacharya Joshi had informed the Chair?

Shri Sinhasan Singh: No. He says that he has informed the Chair already.

Mr. Chairman: I have already submitted that so far as the Chair is concerned, the Chair ought to have

been informed by the hon. Member Shri Krishnacharya Joshi. That has not been done.

BEEDI AND CIGAR LABOUR BILL*

Shri A. K. Gopalan (Cannanore): I beg to move for leave to introduce a Bill to provide for regulating employment and work in the factories manufacturing Beedi and Cigar in India.

Mr. Chairman: The question is:

"That leave be granted to introduce a Bill to provide for regulating employment and work in the factories manufacturing Beedi and Cigar in India."

The motion was adopted.

Shri A. K. Gopalan: I introduce the Bill.

ANCIENT AND HISTORICAL MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (DECLARATION OF NATIONAL IMPORTANCE) AMENDMENT BILL

श्री बलबन्त सिंह मेहता (उदयपुर): मैं प्रस्ताव करता हूँ कि प्राचीन एवं ऐतिहासिक स्मारक तथा पुरातत्व सम्बन्धी स्थान व भवशेष। राष्ट्रीय महत्व की घोषणा अधिनियम, १९५१ पर, राज्य सभा द्वारा पास किये गये रूप में विचार किया जाये।

समापति महोदय, सैंकड़ों और हजारों वर्षों की हमारी उपेक्षा और अंधेरीयों द्वारा की गयी, तोड़-फोड़ तथा वर्षा, आंवीं, ओले और सर्दी गर्मी की मार के बाद भी हमारे सारे भारत वर्ष में आज भी सर्वत्र हजारों की संख्या में राष्ट्रीय महत्व के कई स्थान, भवशेष, स्मारक आदि मिलते हैं, जिनसे हमको अपने पुराने गौरव तथा संस्कृति की झलक मिलती है।

सबसे पहले सन् १९०४ में लार्ड कर्जन ने एंशेंट मानुमेंट्स प्रिजरवेशन ऐक्ट (प्राचीन स्मारक संरक्षण अधिनियम) का कानून बनाकर इन सब स्मारक, भवशेषों आदि को संरक्षण दिया तथा उनकी भरण-रक्षणा की व्यवस्था की। किन्तु जहाँ तक देशी राज्यों का सम्बन्ध था वह कानून उन पर लागू न हो सका और हमारी स्वराज्य प्राप्ति के बाद भी अर्थात् रियासतों के विलीनीकरण के बाद भी सन् १९४८ तक इस कानून का उन पर कोई असर नहीं हुआ। जब हमारा संविधान सन् १९५० में पास हुआ तब से हमारे केन्द्र के पुरातत्व विभाग का कार्यक्षेत्र संसद द्वारा घोषित राष्ट्रीय महत्व के स्मारकों और भवशेषों आदि तक सीमित हो गया। लेकिन जब सरकार ने देखा कि ऐसा होने पर भी 'ख' और 'ग' श्रेणी के राज्यों में बहुत से ऐसे स्मारक बाकी रह जाते हैं तो सन् १९५१ में "एंशेंट एंड हिस्टोरिकल मानुमेंट्स एंड आर्कियालाजिकल साइट्स एंड रिमेन्स (डिक्लेरेशन ऑफ नेशनल इम्पोर्टेंस ऐक्ट, प्राचीन एवं ऐतिहासिक स्मारक तथा पुरातत्व सम्बन्धी स्थान व भवशेष (राष्ट्रीय महत्व की घोषणा) अधिनियम) स्वीकृत किया गया। लेकिन उस वक्त भी जब वह कानून अमल में आया तो बहुत से लोगों को यह शिकायत रही कि उसमें भी बहुत से महत्वपूर्ण स्थान छूट गये हैं, और ऐसा होना स्वाभाविक भी था क्योंकि उस कानून को लाने के पहले कोई जांच पड़ताल नहीं हुई थी और न कोई सर्वेक्षण ही हुआ था।

दो वर्ष के बाद यह अनुभव किया गया कि कुछ स्थानों को और उसमें जोड़ने के लिये एक विधेयक लाया जाये, और डा० रघुवीर ने राज्य सभा में इसी सन् १९५१ के कानून के अन्तर्गत एक दूसरा संशोधक विधेयक पेश

[श्री बलवन्त सिंह मेहता]

किया और इस कमी की पूर्ति करानी चाही। सन् १९५४ में यह विधेयक राज्य-सभा के समक्ष रखा गया और जब उस पर बहस हो रही थी तब सरकार की ओर से कहा गया था कि एक बहुत बड़ा विधेयक सरकार की ओर से लाया जायेगा जिसमें बहुत से ऐसे स्थानों और अवशेषों आदि को शामिल कर लिया जायेगा जो कि छूट गये हैं।

लेकिन सभापति महोदय मैं आपसे यह निवेदन करना चाहता हूँ कि सन् १९५४ में यह विधेयक पेश किया गया था और आज सन् १९५६ में यह कानून पास हो रहा है और उस वक्त भी उस मूल कानून में ऐसी धाराएँ थीं जिनमें सन् १९०४ के अन्तर्गत जितने भी अवशिष्ट स्मारक स्थान आते थे और जो भारतवर्ष के महत्वपूर्ण स्थान में उनको राष्ट्रीय महत्व को घोषित करने की बात थी। जब इसके ऊपर बहस हो रही थी तब उस वक्त हमारे यहां स्टेट्स रिआरगेनाइजेशन (राज्य-पुनर्गठन विधेयक) बिल भी पेश हो रहा था और उसमें १२६वीं धारा के अनुसार यह सब बातें जोड़ने का उसमें उल्लेख था, इसलिये इसके मूल प्रस्तावक डा० रघुबीर को उन सब स्थानों को निकाल देना पड़ा और इस कारण उसका रूप बहुत ही संक्षिप्त रह गया है, सिर्फ इसमें दो, तीन ही विशेष स्थान हैं, दो नये स्थान हैं और एक पहले के कानून में है लेकिन उसकी अलग-अलग व्याख्या की गई है। ऐसा क्यों किया गया है और इसकी क्या आवश्यकता है, इसके ऊपर मैं थोड़ा सा आपके समक्ष प्रकाश डालना चाहता हूँ।

हमारे भारतवर्ष में जैसा मैंने आपसे पहले निवेदन किया हजारों की संख्या में ऐसे कितने ही महत्वपूर्ण स्थान मिलते हैं और हमको उनसे अपनी पुरातन संस्कृति

और इतिहास की प्रचुर समृद्धि उपलब्ध होती है। आज वह हमारी पुरातन संस्कृति और इतिहास की सामग्री नष्ट होती जा रही है और वह खेद का विषय है कि अभी तक हमारी सरकार का उस ओर विशेष ध्यान नहीं गया है। यह राष्ट्र का धन और निधि नष्ट हो रही है। मैं आपके आगे चल कर उद्घरण दे कर बतलाऊंगा कि किस प्रकार आज उस राष्ट्रीय धन और निधि की क्षति हो रही है और यह दो, तीन भेदों जो इसमें जोड़ी गई हैं अगर उनको जल्दी से सम्हाला नहीं गया तो हम राष्ट्र की बहुत बड़ी निधि को खो बैठेंगे और इसलिये इस बात की आवश्यकता अनुभव की गई कि इनको जल्दी से जल्दी पास किया जाये।

इसके अलावा बहस के दौरान में यह भी कहा गया था कि नये विधेयक में जब कि वह आयेगा तब उसमें इनको रख दिया जायेगा लेकिन मैं समझता हूँ कि अब इस हाउस (सभा) का काल बहुत कम रह गया है और कोई उम्मीद नहीं है कि इस सेशन (सत्र) में वह आ सकेगा और अगर सेशन में भी जो कि दो चार दिन का होने वाला है शायद ही आ सकेगा।

इसके अलावा जो स्टेट्स रिआरगेनाइजेशन ऐक्ट हमने पास किया है उसकी १२६वीं धारा के अन्तर्गत वे सब स्मारक आ जाते हैं लेकिन हमारे संविधान में जो सप्तम अनुसूची की एंट्रीज (प्रविष्टियाँ) हैं उनमें संशोधन करना पड़ेगा और तभी उनसे कोई लाभ उठाया जा सकता है। लेकिन उनमें संशोधन करने के बाद भी जब तक कि हम संविधान पास नहीं कर लेंगे तब तक बहुत मुश्किल है कि वह कानून का रूप धारण कर सके। इसलिये यह बहुत जरूरी समझा गया कि यह दो-चार भेद लेकर इस विधेयक में जोड़ी जायें

और जल्दी से जल्दी इसको कानून का रूप दे दिया जाय ।

इसमें जो खास-खास मर्दे हैं उनके ऊपर मैं थोड़ा सा इस समय प्रकाश डालना चाहूंगा । एक तो वह है जो पुराने कानून में पृष्ठ १४ पर "ऐनशिफ्ट रईस आफ बाडोली" (बाडोली के प्राचीन खंडहर) के सम्बन्ध में उल्लेख है । नये विधेयक में उसका विस्तार किया गया है और अलग-अलग उसका उल्लेख किया गया है और ऐसा क्यों किया गया है वह मैं आपसे अर्ज करना चाहता हूँ । उसमें "ऐनशिफ्टे रईस" के नाम से उल्लेख किया गया है और कई मंदिर ऐसे बने हुए हैं और इतने सुंदर बने हैं कि भारतवर्ष में उनकी तुलना नहीं की जा सकती । जेम्स फर्गुसन की "ए हिस्ट्री आफ इंडियन एंड ईस्टर्न आर्चिटेक्चर" में इस बाडोली के मंदिर का उल्लेख आया है और उन्होंने लिखा है कि कुछ मंदिर भ्रति सुन्दर हैं और उनकी टक्कर लेने वाले मंदिर अन्यत्र कहीं नहीं हैं । इसी तरह डा० भोज़ा जो कि हमारे इतिहास के बड़े मर्मज्ञ हैं उनका भी उद्धरण इस सम्बन्ध में मैं आपके सामने रखूंगा । फर्गुसन साहब फरमाते हैं:

"Leaving these fragments, one of the oldest and certainly one of the most perfect, in Central India is the desecrated temple at Badoli, situated in a wild and remantic spot not far from the falls of the Chambal, whose distant roar in the still night is the only sound that breaks the silence of the solitude around them. The principal temple, represented in the woodcut No. 336 may probably, pending a more precise determination, be ascribed to the 9th or 10th century, and is one of the few of that age now known; it was originally dedicated to Siva. Its general outline is identical with that of the contemporary Orissan temples. But instead of the

astylas enclosed porch or mandapa, it has a pillared portico of great elegance, whose roof reached half-way up the temple, and is sculptured with a richness and complexity of design almost unrivalled, even in those days of patient prodigality of labour".

इससे आपको अन्दाजा हो जायगा कि वे मंदिर कितने महत्वपूर्ण हैं । भाबू के प्रसिद्ध जैन मंदिरों तथा नागदा के "सास के मन्दिर" को छोड़ कर इन मंदिरों की समता करने वाले मंदिर भारतवर्ष में कोई नहीं हैं । भारतीय शिल्प के अद्वितीय ज्ञाता फर्गुसन ने यहां के मंदिरों की कारीगरी की मुक्त कंठ से प्रशंसा की है । यह बड़े दुःख की बात है कि बाडोली मंदिर से विष्णु की शेषशय्या मूर्ति गायब हो गई है हालांकि वह सारा का सारा प्रोटेक्टड मौन्यूमेंट (संरक्षित स्मारक) है । मैं सरकार से पूछना चाहूंगा कि वह मौन्यूमेंट आपकी संरक्षता में होते हुए भी वह मूर्ति कहां चली गई और वह क्यों नहीं वहां पर फिर से बैठायी जाती है । मालूम नहीं हमारा पुरातत्व विभाग सोता है जो उसका ध्यान इधर नहीं जाता

The Deputy Minister of Education (Dr. M. M. Das): Will the hon. Member tell me in some detail about this? The idol from which particular temple has been lost?

Shri Balwant Sinha Mehta: Sheshashayan. That idol has been removed from the ancient ruins of the Badoli temple. That is a protected monument.

Dr. M. M. Das: After independence or before independence?

Shri Balwant Sinha Mehta: Before independence.

Dr. M. M. Das: It was before independence.

श्री बलचन्त सिंह मेहता : वह विष्णु की मूर्ति वहां से गायब है । हमारा पुरातत्व विभाग न जाने क्या कर रहा है और वह सोता

[श्री बलवन्त सिंह मैहता]

है कि जागता है। लाखों रुपये हम बजट में इन ऐनशिपेंट मीन्यूमेंट्स को प्रोजेक्ट करने के लिये मंजूर करते हैं लेकिन यह बड़े खेद और दुर्भाग्य का विषय है कि वे हमारी प्राचीन सम्पत्ता, संस्कृति और गौरवमयी अतीत के नमूने नष्ट होते जा रहे हैं।

इसी तरह उदयपुर का प्रसिद्ध एर्कालिग जी का मंदिर जिस नागदा मंदिर के लिये श्री फर्गुसन ने लिखा है कि ऐसा सुन्दर मंदिर अन्यत्र देखने को नहीं मिलता वहाँ से भी कई चीजें गायब हो रही हैं और मुझे वहाँ के एक श्रावमी ने बताया कि एक कर्नल साहब वहाँ फोटर में बैठ कर गये और ऐनशिपेंट मीन्यूमेंट को उठा कर ले गये। मैं जानना चाहता हूँ कि आखिर हमारा पुरातत्व विभाग क्या कर रहा है।

इसी प्रकार से बहुत सी चीजें हैं जिनकी अभी सूची भी नहीं बनी है, सर्वेक्षण भी नहीं हुआ है। इसलिये मेरा सरकार से और पुरातत्व विभाग से निवेदन है कि जल्दी से जल्दी इन जगहों की सूची बनाये। वह एक कमीशन (आयोग) बनाये जो सारे भारतवर्ष के अन्दर घूमे और सूची बना कर उनका माकूल इन्तजाम करे। जो चीजें आज आपकी संरक्षता में हैं वह भी खराब हो रही है तो मैं नहीं समझ पाता कि जो जगहें आपकी संरक्षता में नहीं हैं उनका क्या हाल होगा। यह बहुत आवश्यक है कि इन रुइन्स की अलग अलग व्याख्या की जाय। उनका समावेश पहले विधेयक में है, लेकिन मेरे विधेयक में उनकी व्याख्या की गई है। वह बहुत सुन्दर मन्दिर हैं, और मैं अपने दूसरे भाइयों से भी अर्ज करूँगा कि वह भारतवर्ष की कला के बहुत उत्तम नमूने हैं। वहाँ की मूर्ति ८वीं ९वीं शताब्दी की बनी हुई है। जिस स्थान के बारे में मैंने अर्ज किया वह जहाँ पर चम्बल का बांध बन रहा है वहाँ पर एक फाल (झरना) है, जिसके लिये फर्गुसन

ने भी लिखा है। उसके पास सड़क भी जाती है। यह भी चितौड़ जिले में है।

दूसरी चीज जो समावेश के लिये मुझाई गई है वह राक इन्स्क्रिप्शन (शिला लेखों) के बारे में है। यह एक अजीब चीज है। मैं समझता हूँ कि भारतवर्ष में ऐसी चट्टानें बहुत कम होंगी जिन पर हमारा इतिहास खुदा हुआ होगा। यह जो चट्टान है जिस पर इतिहास खुदा हुआ है, वह बड़ी महत्वपूर्ण चीज है। वहाँ पर दो शिलायें हैं। एक के ऊपर जैनियों का पूरा पूरा पुराण खुदा हुआ है, जिस का नाम उत्तम 'शिखर पुराण' है। उसकी प्रति नहीं मिलती है, सारे का सारा चट्टान पर खुदा हुआ है। उसका समावेश इस विधेयक में किया गया है। जो दूसरी चट्टान पर खुदा हुआ है। उसका समावेश इस विधेयक में किया गया है। जो दूसरी चट्टान है वह पारवनाथ मन्दिर के हाते के अन्दर है। यह बिजौलिया के बिल्कुल पास है जो कि भीलवाड़ा जिले में एक छोटा सा कस्बा है। इतिहास के लिहाज से यह बहुत ही महत्वपूर्ण है। इसके सम्बन्ध में डा० ओझा ने जो कि इतिहास के प्रसिद्ध विद्वान हैं, भी थोड़ा लिखा है और एपिग्राफिया इंडिया में भी इस के सम्बन्ध में उल्लेख है। उसको मैं थोड़ा सा पढ़ कर सुनाना चाहता हूँ।

"The inscription is engraved on a flat undulating rock under a Mahuva tree, within the encircling wall towards the north of the big reservoir of water attached to the shrine of Parsvanath situated about 3 mile to the south-east of the town of Bijolia. The surface of the rock containing the inscription is not smooth but rough and undulating. The rock has suffered for centuries from exposures. Wherever the rock was originally defective, it has

been left blank; but now the portion of the rock used for engraving has also peeled off at places, and thus some of the important portions of the text have been totally destroyed."

यह पहले की बात है। उसमें भी यही कहा गया था कि इसकी क्षति हो रही है। अगर इस विधेयक में इसको नहीं लिया जाता तो उसकी क्षति की और ज्यादा सम्भावना है। इसकी हमारे इतिहास के लिये बहुत बड़ी देन है। हमारे हिन्दी साहित्य के प्रादि काल का ग्रंथ जो "पृथ्वीराज रासो" है उसके सम्बन्ध में बहुत सी भ्रांतियाँ फैली हुई हैं। इस चट्टान के लेख से वे सब भ्रांतियाँ भी दूर हो जाती हैं। इस विषय में भी इसी एपिग्राफिया इंडिका से थोड़ा सा पढ़ कर सुनाना चाहता हूँ :

"'Prithviraj-Raso' of Chand Bardai is misleading and all but worthless. The fragment manuscript of 'Prithviraj—Vijaya' discovered by Dr. Buhler in Kashmir is the contemporary work of poet Jayaratha. The order of chronology of the Chahamana princes as given in this poem also found support from the Harsha stone inscription of Chahamana Vigraharaj dated Vikram Samvat 1030 which mentions seven successive princes from Guvaka I to Vigraharaja II. But as the list supplied by this inscription was shorter than that given in the poem, some inscription of this period with a long list of these princes, exactly corresponding to that found in the poem, was a requisite so as to leave no room for suspicion. This desideratum has been supplied by the present rock inscription and therein lies its importance.

The chronology of the Imperial Chambana dynasty as given in the 'Prithviraj—Vijaya' and as verified from the Bijholi rock inscrip-

tion is, thus, to be accepted as authentic."

यह एक बहुत ही प्रमुख लेख मिला है और इससे पृथ्वीराज के समय के इतिहास के ऊपर बहुत बड़ा प्रकाश पड़ता है। यह जो ग्रंथ है वह हमारे देश के इतिहास के लिये बहुत महत्वपूर्ण है। और आदि काल का माना जाता है। उसके नाम से कई लोग उसकी झूठी-झूठी प्रतियाँ निकाल कर राज्य सरकारों और भारत सरकार से सहायता ले रहीं हैं। यह शिलालेख इसके ऊपर भी काफी प्रकाश डालता है। इसलिये इस महत्वपूर्ण लेख को इस विधेयक में लिया गया। उसके पास ही जैसा मैंने अर्ज किया जो चट्टान है जिसके ऊपर एक पूरा ग्रंथ खुदा हुआ है, उसको पहले संरक्षण में ले लिया गया है, इसलिये इसको भी ले लिया जाये।

इसके पश्चात् मैं मेनाल अथवा महानाल के सुप्रसिद्ध समारक के विषय में कहना चाहता हूँ। ये १२ वीं शताब्दी का बना हुआ है और चित्तौड़ जिले की बेगू तहसील में स्थित है। यह हमारे प्राचीन इतिहास की स्थापत्यकला का उत्कृष्ट नमूना है और हिन्दू भारत के इतिहास की एक सजीव कृति है। इसका संरक्षण होना भी बहुत आवश्यक है। इस लिये इसको लिया गया है।

यह जो तीनों चीजें ली गई हैं, मैं समझता हूँ कि उनका बड़ा महत्व है और यदि इनको बहुत समय तक अरक्षित छोड़ दिया जायेगा तो बहुत सम्भव है कि यह बहुत खराब हो जाये। इसलिये मैं सरकार से आग्रहपूर्वक निवेदन करूँगा कि वह इस विधेयक को स्वीकार करें और साथ ही जैसा मैंने निवेदन किया, पुरातत्व विभाग जो सोया हुआ सा है और लाखों रुपया खर्च करता है, वह भी थोड़ा सजग हो, और जो यह सब चीजें हमारे राष्ट्र की निधि हैं उनको बचावे। साथ ही जो हमारी बहुत सी मूर्तियाँ गायब हो गई हैं, उनको भी वहाँ फिरसे स्थापित करें। इसके लिये भी मेरी विनती

[श्री बलवन्त सिंह महता]

है कि जो अन्य चीजें हैं, जैसे राजस्थान का जन्तर मन्तर है, उसकी हालत भी भ्रखबारों में निकली। मैं समझता हूँ कि दिल्ली सरकार को उसको भी जल्दी से जल्दी लेना चाहिये। अभी हाल में कुतुब मीनार के बास्ते चार दिन पहले प्रश्न किया गया था। उसका हमारे मंत्री महोदय ने बहुत झुंझा और सन्तोषजनक उत्तर नहीं दिया कि उसका एलक्ट्रिकिफिकेशन (विद्युतीकरण) हो रहा है या नहीं। मैं समझता हूँ कि जो हमारे ऐसे ऐसे प्राचीन ऐतिहासिक स्थान हैं उनको जल्दी से जल्दी सरकारी संरक्षण में लेने के ऊपर विचार किया जाय।

Mr. Chairman: Motion moved:

"That the Bill further to amend the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, as passed by Rajya Sabha, be taken into consideration."

I have received chits from certain hon. Members who are desirous of speaking on this Bill. I will request them, in view of the fact that it is only an amending Bill, to kindly restrict their remarks to the particular monuments mentioned in this Bill and not to roam over the entire field and speak on general matters relating to any such declaration.

15 hrs.

Shri L. Jogeswar Singh (Inner Manipur): **Mr. Chairman,** I would confine my speech according to your advice. I am afraid the Bill is not an exhaustive one. It is a matter of an all India importance. Not only should it deal with one part of the country, but it should cover the whole of India. The original Bill of 1951 relating to the ancient and historical monuments and archaeological sites is also not exhaustive. It does not cover all the States in India. It covers only Hyderabad, Mysore, Travancore-Cochin and Rajasthan and many States have

been left out, such as Saurashtra, groups of Eastern States in Orissa, Manipur, Tripura etc. The purpose of the Bill should be to include the historical monuments in the whole of India. But here a piece meal Bill has been placed before the House. I would like to draw the attention of the hon. Minister to the fact that though the amending Bill looks like being an all India Bill, it is intended for Rajasthan only. I wonder why this piece-meal Bill has been brought before the House when many important monuments in many States of the country need be included in this Bill. I strongly suggest that the original Bill passed in 1951 should be amended in such a manner as to include all the States which I have just mentioned. This Bill is purely intended for Rajasthan but there are equally important ancient monuments in my State also. My State lies just on the border of Burma....

Mr. Chairman: I request the hon. Member kindly to restrict his comments in regard to the matters contained in clause 2 of this Bill. I already requested him to confine his remarks to that. I cannot allow him to refer to other monuments which are existing in another State, which have got no relation to this Bill. We are not on the general Bill now.

Shri L. Jogeswar Singh: I am only referring to the amendment of the original Bill of 1951.

Mr. Chairman: The present Bill seeks only to get declared certain monuments. If the hon. Member wants to speak about these monuments, he is perfectly entitled to do so, but if he wants to bring in cases of other monuments, I am afraid, I will not be able to allow it.

Shri L. Jogeswar Singh: I was only making some reference to the original Bill.....

Mr. Chairman: So far as the original Bill is concerned, it is sought to be amended by this Bill in respect of certain matters. The entire Bill is

not before us. I request the hon. Member kindly to speak on the Bill before us.

Shri L. Jogeswar Singh: I was only referring only to one or two things, so that they may be brought to the notice of the hon. Minister. My suggestion is that we should have a more exhaustive Bill of this nature....

Mr. Chairman: The hon. Member knows that before this Bill, there was another amending Bill by virtue of which the Central Government has been authorized to notify these other monuments in the other States also. The proper course for the hon. Member is that he should approach the Central Government and ask them to declare those monuments as of National Importance. In this Bill, I am sorry I cannot allow him to refer to any other monument existing in his State or elsewhere.

Shri L. Jogeswar Singh: I may mention that this Bill has been passed by the Rajya Sabha and at the present stage we can take it that it is more or less approved by Government. I would only request the hon. Minister to amend the original Bill of 1951 so as to include the monuments existing in other States also.....

Mr. Chairman: We are not concerned with other monuments existing anywhere. We are only concerned with the monuments which are mentioned here.

Shri L. Jogeswar Singh: My suggestion to the hon. Minister was that he might bring a similar Bill more comprehensive in nature in order to include the remaining monuments which are not included in the original Bill.

Mr. Chairman: So far as the monuments in his State are concerned, he may bring in a private Member's Bill.

Shri L. Jogeswar Singh: I was only saying that Government should take notice of it. That is all.

Shri Chattopadhyaya (Vijayavada): Mr. Chairman, I want to say a very few words in respect of this Bill. I congratulate the Government for including a number of monuments of historical and archaeological interest in the list and for their being protected and cared for. We all talk of historical and archaeological monuments, but we really do not realise to the fullest extent how very urgent it is to have these great treasure houses left to us by our ancestors preserved, every inch of it.

It is a great thing to see, for instance, the Fort of Chittoor which was very much neglected in the past, and now, I am sure, it is going to be resuscitated, renewed, revived and renovated. In other countries, we find that ancient monuments which went into oblivion have again been taken up, renovated and brought before the people of those countries, in order to inspire them on to greater consciousness and greater existence.

I think that with regard to this Bill, it is rather aggravating to have such an important subject dealt with piece-meal. My suggestion is that we have a Government notification in the gazette. Whenever the Government is moved to include a great historical or archaeological monument, instead of having this brought before Parliament every other day, it is better to have a notification in the gazette and inform the people that such and such a monument or such monuments have been included on the list.

I would like to congratulate the Government once more, and I do hope that when these monuments are renewed, when they are made important in the history of the life of our nation, they will inspire our artists, our painters to go and sit at the feet of our old Masters, who still live in the ruins, the ruins of our country, in the shape of these great monuments, which are far more healthy

[Shri Chattopadhyaya]

and whole than many of us who have lost our roots. I hope that these will become greater inspiring spots for the generations to come, and especially the younger generation, who have a bad habit of going out of India, without knowing anything of these great monuments, anything of the great traditions of this country, going out to learn artistic creation, going out to get inspiration from Europe and other places in the West—which is a very great national loss to us.

On behalf of the artists of this country, I should like to think the Government, indeed thank them for this great interest that they are showing in the monuments of this country, the great treasure houses of our culture, the great treasure houses of our consciousness, the great reminders of our ancestors who lived for us, who live by us and who are always there in order to make us go from the glory that was India to a greater glory that shall be India.

Dr. M. M. Das: At the beginning I had no intention to inflict a long speech on the hon. Members so far as this particular motion is concerned because in the Upper House we, on behalf of the Government of India, have accepted this Bill, and in the Lower House also I thought that the only thing I could do was to submit to the Members of the House that Government accept this measure. But during the debate that has taken place on this measure, in the speeches of hon. Members that have spoken before me, several points have been raised, which, I think, in all fairness and justice to the Archaeological Department, should be explained.

So far as the present Bill is concerned, a few monuments of Rajasthan have been sought to be included into the list of monuments of national importance. The temples and monuments which are sought to be

included in this list by this Bill are Parsvanath Jain Temple (Panchayatan) with the inscriptions of the 12th century and the Badoli Temple. The others are Menal (Mahanal) Temple, the Math and the ancient well and then the Suhaveshwar Temple and the Palace of Rani Suhavadevi. These are the monuments that are sought to be brought under the protection of the Government of India by this Bill, but I would like to remind my hon. friend that in Rajasthan there are many other important monuments which have not yet been included, for example—if I am to explain, I shall take some time; may I be permitted the time required?

Mr. Chairman: By all means he can go on.

Dr. M. M. Das: For example, I may point out that there are the temples of Osia in Jodhpur District and several other temples, the temples of Harihara, then the temple of Surya, the temple of Mahavira, the temple of Pipla Devi, the temple of Sachiyamata and others. They are all very important. All of them have very important inscriptions engraved on them. For instance, in the inscription engraved on the temple of Mahavira there is mention of the name of Vatsaraja of the Pratihara dynasty who flourished in about A.D. 770 to A.D. 800. Some of the temples were built in the eighth and ninth centuries A.D. These are all very important temples and they are situated in Rajasthan.

There are also others which deserve to be included in this list; for example, there is the Suriya Temple in Manakpur in Pali District, and this temple is dedicated to the Surya and it contains fine sculptures. It is a fine specimen of mediaeval Hindu architecture. There is also the Ambikaji Temple of Jagat in Udaipur District which has excellent plastic decorations and is in a good state of preservation. Then there is the main

Jain Temple in the old city of Jawar famous for its silver munes. Then there is the Ghat with inscriptions at Nauchauki in Udaipur Town. The whole Ghat gives us an idea of the secular architecture of ancient times. The inscriptions on the Ghat not only furnish historical data but are themselves important as a poetical composition.

Shri Raghbir Sahai (Etah Distt.—North East cum Budaun Distt.—East): Is there any amendment on behalf of the Government that they should be included?

Dr. M. M. Das: I am coming to that because the question has been raised by hon. Members, and I want to take this opportunity to explain to the House the present position with regard to this particular Bill. My hon. friend need not be so impatient.

The legal position so far as the monuments of this country are concerned has changed perhaps two or three times. During the time of the Britishers, so far as the British administered provinces were concerned, archaeology was a Central subject. The British administered State Governments had nothing to do with the maintenance or protection of archaeological monuments. This continued till the time when we got our Independence. So far as the Native States were concerned, they had to make their own arrangements for maintenance and protection of archaeological monuments. With Independence, when these Native States were integrated into the Indian Dominion, all the archaeological monuments situated in the Native States came responsible for the maintenance of all the archaeological monuments in the country. Then came our Constitution. Our Constitution-makers thought it wise to divide archaeology and ancient monuments of this country into two groups—one group containing those which are of national importance to be administered by the

Central Archaeological Department, and the other group containing those which are of less importance to be administered by the State Governments. When the Constitution came into force, this was the legal position, and up till now this has been the legal position. The old monuments of India, archaeological, historical or whatever it might be, are divided into two groups, one covering those which are very important from the national point of view, which should be maintained and protected by the Central Archaeological Department, and the other covering those monuments of less importance, which should be maintained and protected by the State Governments.

After our new Constitution came into force in the year 1951, a Bill was brought before the House, the Bill which has been referred to by my hon. friend, the Mover of this motion, the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Bill. During this time our officers of the Archaeological Department could not visit every important temple in the country, which is a vast country. In every corner of this country there are old, archaeological monuments and temples, and it was not possible for the few officers of our Archaeological Department to visit and take notice of all the important monuments, archaeological, artistic and otherwise, and bring them to the notice of the authorities. So, in the Bill that was passed in 1951, a schedule was attached giving the names of the important monuments of this country which should be maintained and protected by the Central Government. It can be imagined that this list was not a final list and it was defective. There were many temples which were not of sufficient importance to be included in this list, and there were others which were of sufficient importance to be included in this list but were

[Dr. M. M. Das]

left out of it. In February 1954, an amending Bill was brought forward by Government to rectify these errors. That Bill also was passed by both Houses, but even that Bill did not rectify all the errors. There are still some important temples to be visited, but because it also to be taken notice of by our Archaeological Officers and then it should be decided whether they are so important as to be included in this list or not. This Bill was brought forward at the end of 1954. So far as this Bill is concerned, we have accepted it, not as the final amending Bill to the schedule, but because it also gives us some monuments which should be included in our schedule so far as Rajasthan is concerned.

Government have already prepared an amending Bill including all the important national monuments in the Schedule. In the meantime, the States reorganisation came and, as we have to give the name of the district, State, etc. where the monument is situated with the name of the State changing, the schedule had to be changed. That took some time and so we could not bring our final amending Bill before this House. We propose to do that in the very near future.

My hon. friend, Shri Chattopadhyaya, has made a very important suggestion, that for the inclusion of the name of an old and important monument in this list, it should not be necessary to come before the Parliament every time. It should be done by inserting a notice in the official Gazette. This has been made possible by the Seventh amendment of the Constitution; power has been given to be the Central Government to change or include in the schedule the name of important archaeological monuments by inserting a notice in the Gazette. But, we are to take that power from the House and in the proposed amending Bill most proba-

bly—I cannot commit—there will be a provision to this effect. I have explained the present position to the House.

My hon. friend mentioned about an idol that had been lost before the independence.

Shri Balwant Sinha Mehta: It was included in the schedule before the Independence but it was removed this year.

Dr. M. M. Das: I request him to give me the details in writing. It is a very serious charge brought against our department and it will be looked into. If from protected monuments important cultural pieces are lost, then some drastic step has to be taken. I assure this House that, if on an enquiry, we find that such a thing has happened, that some idols or cultural pieces had been lost, we shall take very drastic action.

He mentioned about the Jantar Mantar. Only today there was a question about Jantar Mantar. It belongs to the Rajasthan Government and formerly, most probably, it belonged to the Maharaja of Jaipur. The Rajasthan Government wanted to hand it over to the Government of India in 1950 but on one condition that the Government of India would run it as a living observatory. The Archaeological Department has got no menas or machines for running the observatory and so we referred the matter to the Meteorological Department. It is a very great thing, no doubt but modern inventions have made our calculations very accurate and so that Department felt that no useful purpose would be served by running this observatory on ancient lines. We informed the Rajasthan Government accordingly. They informed us that they could hand over the monument to us provided some plots of lands within that area were handed over to the Rajasthan Government; they wanted to construct

some buildings. From the archaeological point of view, big buildings near such a monument destroy the beauty and aesthetic quality of the monument. We wrote to them that we could hand over this piece of land provided when they constructed the building, they showed the plans and other things to the Director of Archaeology so that we could see whether it was going to destroy the beauty, etc. of the monument. They have agreed in last October and we have taken steps to acquire the monument.

Then about Qutab Minar, only a few days back, I remember a question was put in this House by my hon. friend, Shri Pande, about the electrification. From what I could understand from the interpellations in this House, I feel that it is the desire of this House that it should be electrified. I am grateful to my hon. friend for giving me this opportunity to announce and to submit to the hon. Members that the Government had decided to implement the desire of the Members of this House and light the staircase to the top and to light the topmost balcony in the most attractive manner possible so that this minaret may attract the attention of people from a long distance. I think I have covered all the points and I accept this Bill.

Shri Sinhasan Singh (Gorakhpur Distt. South): He has referred to a lot of monuments in Rajasthan, which are not covered by this Bill. Are there any amendments to include them?

Dr. M. M. Das: We are ourselves bringing a new Bill which will cover all of them—not only Rajasthan but other places too.

Mr. Chairman: Now, I shall put the motion....

Shri Subodh Hasda (Midnapore—Jhargram—Reserved—Sch. Tribes): On a point of information, may I know from the hon. Minister as to what has been done for the electrification of the Qutab Minar?

Dr. M. M. Das: It is going to be electrified and I said so.

Mr. Chairman: The question is:

“That the Bill further to amend the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act, 1951, as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.

Mr. Chairman: There are no amendments and I shall put the clauses to the vote of the House.

The question is:

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the title were added to the Bill.

श्री बलबन्त सिंह महता : मैं माननीय मंत्री जी को धन्यवाद देना चाहता हूँ कि उन्होंने इस प्रस्ताव को स्वीकार कर लिया और उन्होंने यह आश्वासन भी दिया है कि जब वह नया विधेयक लावेंगे, जो कि अपने आप में सम्पूर्ण होगा, उसमें राजस्थान के और भी कुछ स्मारक और पुरातत्व की दृष्टि से महत्वपूर्ण स्थान जोड़ दिये जायेंगे। मैं मंत्री जी से निवेदन करना चाहता हूँ कि वे इस विधेयक को जल्दी लावें ताकि चुनाव के बाद जो नया सदन बैठे उस समय उसके सामने सबसे पहला यही बिल हो क्योंकि यह हमारी प्राचीन संस्कृति और हमारे पुराने गौरव से सम्बन्धित है। अगर वह उसका काम अभी से शुरू करेंगे तो मैं समझता हूँ कि उस समय तक यह बिल ला सकेंगे।

इसके साथ ही मैं डा० रघुबीर को भी धन्यवाद देता हूँ क्योंकि उन्होंने मुझे आपके सामने इस विधेयक को लाने का मौका दिया। डा० रघुबीर अच्छे विद्वान हैं और यदि वह चाहते तो अपने ही प्रदेश के मानुमेंट्स का जिक्र

[श्री बलवन्तसिंह महता]

कर सकते थे, लेकिन उन्होंने वास्तव में जो चीज इतिहास की दृष्टि से और पुरातत्व की दृष्टि से महत्वपूर्ण थी उसको सामने रखा। उन्हीं स्थानों को लेकर वे इस विधेयक को लाये और मुझे आपके सामने उसे रखने का मौका दिया। इसके लिए मैं उनको भी धन्यवाद देता हूँ। साथ ही जो...

Mr. Chairman: The hon. Member has not moved the motion. He is congratulating everybody. Will he kindly move the motion so that I may put it to the vote of the House?

श्री बलवन्त सिंह महता : मैं प्रस्ताव करता हूँ कि यह बिल पास किया जाये।

Mr. Chairman: Motion moved.

"That the Bill be passed."

श्री ब० इ० वांडे : (जिला अलमोड़ा उत्तर पूर्व) : मैं इस विधेयक के तृतीय वाचन के समय कुछ थोड़े से शब्द कहना चाहता हूँ :। यह जो विधेयक हमारे सामने है यह बहुत अच्छा है लेकिन यहाँ पर मैं इतना अवश्य कहना चाहूँगा कि हमें ऐसे ही एनशिफ्ट मौनयूमेंट्स को कायम रखना चाहिए जो कि हमारी पूर्ण कीर्ति और गौरव के स्तम्भ हों और जिनसे हमें प्रेरणा मिलती हो अर्थात् जो सत्य, शिव सुन्दरम् हों, जिनके पीछे यश हो कीर्ति हो और प्रतिष्ठा ही। मैं समझता हूँ कि ऐसी चीजें जो कि बिलकुल टूटी हुई हैं और इटें मात्र रह गयी हैं और जो कि देखने में कुरूप लगते हैं ऐसे स्मारकों पर व्यर्थ में पैसा न खर्च किया जाना चाहिए। तुलसीदास के स्मारक और वृन्दावन के स्मारक और राजस्थान में चितौड़गढ़ का जो कीर्ति स्तम्भ है वे हमारे अतीत गौरव की याद दिलाते हैं और हमारी पुरानी संस्कृति के उत्कृष्ट नमूने हैं और सरकार को अपने पुरातत्व विभाग द्वारा उनकी देखरेख कराते रहना चाहिए और उनको अच्छी हालत में बनाये रखना चाहिए। मैं चाहता

हूँ कि आप इन स्थानों को उसी तरह मेंटेन (संभाल) करें जैसे कि आप ताजमहल और कुतुबमीनार की करते हैं। लेकिन बेकार में कुरूप और बदसूरत चीजों को प्रीजर्व (रक्षित) मत करिये और उन पर व्यर्थ में रुपया न बर्बाद कीजिये। मैं कई स्मारक इस तरह के बेकार के बतला सकता हूँ मैं चूँकि उस कोटी में नहीं हूँ और मेरे पास वह लिस्ट नहीं है लेकिन मैं जानता हूँ कि यहाँ दिल्ली में बहुत से ऐसे बेकार के स्मारक खड़े हैं और जो कि आँखों म कांटों के समान लगते हैं उनको तो तोड़ दिया जाना चाहिए। लाजपत नगर और विनयनगर के रास्ते में बहुत से इस तरह के बदसूरत खंडहर खड़े हैं जो कि बिलकुल बेकार हैं और उन पर रुपया खर्च करना बेकार है। मैं श्री चट्टोपाध्याय से पूर्णतः सहमत हूँ कि ऐसे ही स्मारकों की देखरेख होनी चाहिए जो कि सुन्दर हों और जो कि हमारे प्राचीन गौरवपूर्ण इतिहास और संस्कृति की याद दिलाते हों। मैं और अधिक न कहते हुए इस विधेयक का समर्थन करता हूँ।

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

HINDU MARRIAGE (AMENDMENT)
BILL

Shrimati Uma Nehru (Sitapur Distt. cum Kheri Distt.-West): Sir, I beg to move:

"That the Bill to amend the Hindu Marriage Act, 1955, as passed by Rajya Sabha, be taken into consideration."

Sir, this is a small and desirable amendment. I do not want to take much time of the House. This has already been passed by Rajya Sabha and I hope this House will also pass it.

Mr. Chairman: Motion moved.

"That the Bill to amend the Hindu Marriage Act, 1955, as passed by Rajya Sabha, be taken into consideration."

Does the hon. Minister want to speak?

The Minister of Legal Affairs (Shri Pataskar): Sir, I support the amendment for this reason that in the Special Marriage Act we have made a similar provision with respect to persons suffering from venereal diseases. According to the Act as it stands, as we all know, if a person is suffering from a venereal disease that is one of the grounds for separation. Now, as medical science shows, that is also a disease which is capable of being cured. Apart from that, in the Special Marriage Act we have provided that if a person has been suffering from such a disease for three years before that then only that should be regarded as a ground for action being taken. Therefore, to bring the Hindu Marriage Act in conformity with the Special Marriage Act, probably, this amendment has been made in the Rajya Sabha. I am prepared to accept it.

Mr. Chairman: The question is:

"That the Bill to amend the Hindu Marriage Act, 1955, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Cluses 1 and 2, the Enacting Formula and the Title were added to the Bill.

Shrimati Uma Nehru: Sir, I beg to move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

WOMEN'S AND CHILDREN'S
INSTITUTIONS LICENSING BILL

Shrimati Kamlendu Mati Shah
(Garhwal Dist.— West cum Tehri

Garhwal Dist. cum Bijnor Dist.—
North): Sir, I beg to move:

"That the Bill to regulate and licence institutions caring for women and children, as reported by the Select Committee, be taken into consideration."

Mr. Chairman: May I just make an announcement with regard to this Bill? Out of 1½ hours allotted to the Bill, one hour and twenty minutes have already been taken on the 24th August, 1956 when the Bill was referred to the Select Committee and only ten minutes are now available for further discussion on this Bill. At the same time I find that there are some Members who are anxious to speak on this Bill.

Shri T. S. A. Chettiar (Tiruppur):
The time was then allotted.

Mr. Chairman: Subsequently no further time has been allotted. Therefore, according to the time allotted only ten minutes remain. At the same time, I do realise that within these ten minutes the Bill is not likely to be discussed on merits as it ought to be. Therefore, the House has to find more time for it. I would request the House kindly to finish this Bill in as short time as possible, because the House already knows, and today we heard from the hon. Minister for Parliamentary Affairs, that we are very much pressed for time. Therefore, I would request the House to devote as short a time to it as possible so that we may also proceed with other matters. At the same time, I am anxious that so far as this Bill is concerned it may be properly discussed. It is a very small Bill and in considering this Bill, I should think that no speech need exceed five minutes. This Bill has also been before the House for a long time and the Select Committee has also recommended it. I would, therefore, request the Members kindly to take as short a time as possible.

Shrimati Kamlendu Mati Shah:
Sir, I beg to move that the time for consideration and passing of this Bill may be extended up to five o'clock today.

Mr. Chairman: I am guided by the sense of the House. We have also to consider that this Bill has come back from the Select Committee and it is a shorter Bill than it was when it was first introduced. Therefore, I think we are not justified in taking up all that time. But that depends upon the wishes of the House. I would like the House to finish this Bill within one hour.

The Minister of Legal Affairs (Shri Pataskar): I think one hour is quite sufficient.

Some Hon. Members: No, till five o'clock.

Mr. Chairman: Till five o'clock means one hour and 20 minutes. Other Bills are also there before the House. If the House does not want to go on with the other Bills, then it is all right. I would request the House to consider the nature of the Bill and the time for which it has been before the House. I again think that one hour is quite sufficient. May I take it that one hour will be sufficient?

Shri Raghbir Sahai (Etah Distt.-North-East cum Budaun Distt.-East): 1 hour and 20 minutes may be allowed for this Bill.

Shri A. K. Gopalan (Cannanore): I have no objection, but I may be allowed to move my Bill which is put next. It should not fall through owing to want of time. Before 5 o'clock, I may be allowed at least to move it.

Mr. Chairman: So, we will devote 1 hour and 15 minutes to the Women's and Children's Institutions Licensing Bill, and Shri Gopalan's Bill will be taken up at five minutes to 5 o'clock.

The question is:

"That 1 hour and 15 minutes be allotted for consideration and passing of the Women's and Children's Institutions Licensing Bill".

The motion was adopted.

Mr. Chairman: Now, I will place the motion moved by Rajmata Kamlendu Mati Shah.

Motion moved:

"That the Bill to regulate and license institutions caring for women and children, as reported by the Select Committee, be taken into consideration".

Shri D. C. Sharma may speak.

Shrimati Kamlendu Mati Shah
rose—

Mr. Chairman: I see that Rajmata Kamlendu Mati Shah is also rising. She has moved the consideration of the Bill already.

Shri T. B. Vittal Rao (Khammat): She wants to say a few words. Only after the motion is moved, she can speak.

Mr. Chairman: But then she can speak on any clause if she likes. The motion has been put at her instance. I thought she had finished her speech. Perhaps, in the third reading, she may speak.

Shrimati Kamlendu Mati Shah: Other Members may be allowed to speak.

Shri D. C. Sharma (Hoshiarpur): I welcome this Bill because it is going to put an end to anti-social activities which confront our children and our sisters. Children are said to be the greatest wealth of a nation. I must say that we have done something for our sisters but so far as children in India are concerned, we have not given them as much care and attention as they deserve. Things have they have not changed so much as to warrant our faith that every child will be an asset to the nation.

The purpose of this Bill is to protect women and children who are being exploited now by persons in the guise of philanthropists and in the form of humanitarianism. The Bill seeks to protect women and children from that kind of exploitation. It is also the intention of this Bill that the unfortunate, destitute women, those sisters of ours who have no support of their own, should receive support from others, and that they should be given the proper kind of maintenance and welfare. These are the objects of this Bill, and I think

every citizen of India will support these objectives.

I also congratulate Rajmata Kamalendu Mati Shah for drawing our attention to this great social need and if I am not going out of my way, I would say that I would thank you for having piloted this Bill so successfully in the Select Committee stage.

Of course, there is nothing controversial in this Bill. But there is one thing to which I want to draw the attention of the House and it is this. It has been said that a licence can be granted by a State authority, but it is also said that if a licence is refused, the right of appeal lies with the person to whom the licence has not been given. I think that in this matter of great social urgency and social importance, we should have dispensed with these legal technicalities. If a person is not granted a licence, it means that there is some doubt about his *bona fides*, but if you give the right of appeal to the person, it means that you are trying to white-wash whatever there is against his *bona fides*. It may or may not be so, but I think we are giving a right to do something which, on the face of it, does not appear to be fair, just and equitable. Therefore, I would say that the right of appeal from a person to whom a licence has been refused should be taken away. Otherwise, I think we will be landing ourselves very largely in legal technicalities and that will defeat the purpose of this Bill.

There is also another point. The imprisonment that has been prescribed in this Bill is three months or a fine which may extend to Rs. 250 or both. It is very, very lenient. I need not go into the details which have already been referred to in this House. We know in what way these Homes for children and Homes for women have been run so far. The Homes for children have been more or less Homes where the children are taught to beg and to do all kinds of anti-social things. We have seen this so many times with our own eyes. At the same time, these Homes for wo-

men are not really Homes for women. They have been put to uses which I do not want to describe on the floor of this House. Some persons have been doing all these things all these years, and it is said that if a person is found guilty of such things, he should be given a punishment of only three months or a fine up to Rs. 250 or both. Here, I think we are trying to soft-pedal the punishment which should be given. I would say that the punishment in this case should be enhanced and it should be made deterrent. It should not be possible for any person to run a Home for the exploitation of children and women.

My third point is this. Too many powers have been given to the State Government in the matter of making rules. I think almost the whole administration of this Bill has been entrusted to the authorities who are going to make the rules. Of course, those rules will come before us and we can sit in judgement upon them. But I believe that the operative clauses of the Bill are submerged under those provisions where the State Governments have been asked to frame the rules. For instance, what kind of managements these institutions should have, what kind of help should be given for the protection, care and welfare of women and children, what kind of inspection should these institutions have, what kind of registers should be kept, how should discharge be obtained for women and children who are living in these institutions, how can appeals be filed—all these are operative clauses of the Bill but they have all been given to the States for framing rules upon. (So far as these clauses are concerned, I think they are the roots of the Bill, and not the branches and the leaves. But the roots of the Bill have been entrusted to those who have to frame the rules!) I believe it is here that we have done something which may not be conducive to the effective operation of this Bill.

All the same, I welcome this Bill, and I hope that the exploiters of children and the exploiters of the rescue

[Shri D. C. Sharma]

Homes will be gone from India are long, and that they will be black-listed now. They will have no place in India. I hope that our children and our unfortunate sisters will taste the fruits of this welfare State which we would have built up by passing this Bill.

श्रीमती उमा नहरू (जिला सीतापुर व जिला खेरी-पश्चिम) : समापति महोदय, मैं इस बिल का स्वागत करने के लिये खड़ी हुई हूँ। मैं मिनिस्टर साहब को धन्यवाद देती हूँ कि आज उन की वजह से यह बिल यहाँ पर आया और पास भी हो रहा है। इस बिल के जरिये हमारी समाज में बहुत बड़ा परिवर्तन होने जा रहा है और मुझे पूरा यकीन है कि इस बिल के पास हो जाने के बाद जब यह कानून की शकल ले लेगा और इस को ठीक तरह से लागू किया गया तो हम समाज की बहुत कुछ गन्दगी दूर कर देंगे। इस बिल पर ज्यादा समय तक, मैं समझती हूँ, बोलना बेकार है। इस में कोई शक नहीं है कि आज जब हम वेलफेयर स्टेट (कल्याणकारी राज्य) बनाने जा रहे हैं, तो सब से पहली चीज जो हमें करनी है वह यह है कि हम अपने सोशल लाज (सामाजिक विधियों) को बदल दें, अपने सोशल स्ट्रक्चर (सामाजिक ढांचे) को बदल दें और हमारी समाज में जो खराबियाँ हैं, उन को दूर करें। अब जबकि हमें राजनीतिक स्वतंत्रता प्राप्त हो गई है, यह हमारा फर्ज है कि हम सामाजिक उन्नति की ओर भी कदम बढ़ायें, और हमारी जो सामाजिक जरूरतें हैं उन को पूरा करें और समाज में जहाँ जहाँ परिवर्तन लाने की आवश्यकता है, वहाँ वहाँ परिवर्तन लायें। आज जब हम अपने देश के सामाजिक ढांचे की ओर देखते हैं तो हमें बहुत ज्यादा रंज और अप्सोस होता है। आज खास तौर से जब हम स्त्री की हालत को देखते हैं और जब हम उस को बहुत ज्यादा गिरी हुई पाते हैं तो हमें बहुत ज्यादा दुःख होता है। कहने को हम

चाहे कुछ कहें लेकिन इस बात से इन्कार नहीं किया जा सकता कि उस की हालत बहुत ज्यादा गिरी हुई है और उस की स्थिति को बदलने की जितनी आवश्यकता आज है उतनी शायद पहले न हुई हो। आज हम देश में स्त्रियों के लिये तथा बच्चों के लिये बहुत से आश्रम खुले हुए देखते हैं परन्तु वहाँ पर जिस तरह की चीजें हम देखते हैं तो हमें बहुत ज्यादा तकलीफ होती है। इस वास्ते जो बुराईयाँ पैदा हो गई हैं, उन को दूर करना हमारा फर्ज है। मुझे खुशी है कि आज सरकार ने इस बात की जिम्मेवारी ली है और वह इस बिल को पास कराने जा रही है। इस बिल के पास हो जाने पर हम सामाजिक उन्नति की ओर बढ़ेंगे और अब हमारी कोशिश यह होनी चाहिये कि इस कानून को हम सक्ती से और अच्छी तरह से लागू करें।

मैं एक बार फिर माननीय मंत्री जी को धन्यवाद देती हूँ और आशा करती हूँ कि इस बिल को बिना ज्यादा बहस के पास कर दिया जायगा। मेरा यह अपना विचार है कि इस बिल के पास हो जाने पर हमारी समाज में आज जो गन्दगी फैली हुई है वह साफ हो जायगी और जिस तरह से हमें बच्चों को रखना चाहिये, जिस तरह से स्त्रियों को रखना चाहिये, जिस तरह से उन की देख-भाल करनी चाहिये, जिस तरह से उन के स्वास्थ्य की रक्षा करनी चाहिये, वह सब हम कर सकेंगे। इस के साथ ही साथ मैं यह भी आशा करती हूँ कि इस से स्त्रियों की इज्जत भी बढ़ेगी।

Shrimati Jayashri (Bombay—Suburban): Mr. Chairman, I am very happy that today we are going to pass this Bill. The Moral and Social Hygiene Association had prepared two Bills. One was for the suppression of immoral traffic and the other was for the licensing of homes for women and children. I am glad that we have already passed one Bill for the suppression of immoral traffic in women

and children. If we wanted to make the first Bill effective, the licensing of homes for women was also as essential as the first Bill and I am glad that by this Bill we are going to provide that in every State, they will have to take licences for establishing these institutions.

I am glad that the Select Committee has made many improvements on the original draft. We are going to leave it to each State to make rules for the management of these institutions. It is also very essential, I should say. The institutions might make rules which may not be very satisfactory. For example, I will quote only one instance given in the report of the Advisory Committee on Social and Moral Hygiene about an institution they visited. On page 21, they have said:

"It would perhaps be well to describe the working of a Vidhava Ashram in a State in Central India in detail, as an example of the mismanagement that can be there when a committee is not vigilant in its supervision over a paid superintendent. We were told that an ex-town congress president was the president of the society that ran the home and that the home had received a grant from the Central Social Welfare Board. This grant had been credited to the private personal account of the president, who doled out sums as they were needed by the institution."

Then, it has been mentioned how the rooms of the institutions were very near his own residential quarters and proper supervision and management by an outside body was not possible. So, it is very essential that there should be rules framed for the management of such institutions. I am glad that we have made provision for this.

We made another little change which is also very necessary. Sometimes the institutions, due to posting or other difficulties, might not apply in time. So, we have provided that

licences may be renewed on an application made within 60 days before the date of expiration, if the licensing authority is satisfied that there was sufficient cause for not making the application earlier. Also, if by mistake some genuine institution is unable to apply in time, the licensing authority will have power to condone the delay. This is a very desirable provision.

I heartily welcome this Bill and I request the House to pass it into an Act.

श्रीमती शिवराजबक्ती नेहरू (जिला लखनऊ-मध्य) : सभापति महोदय, स्त्रियों और बच्चों की जो संस्थायें हैं, उन के लिये लाइसेंस लेने के लिये यह जो बिल आज इस सदन के सम्मुख पेश किया गया है, इस का मैं स्वागत करती हूँ और मैं समझती हूँ कि आज इस तरह के बिल की बहुत ही आवश्यकता थी। बिना इस बिल को पास किये, कुछ दिन हुए हम ने जो 'संप्रेशन आफ इम्मारल ट्रेफिक इन विमन एंड चिल्डरन बिल' पास किया है, वह सम्पूर्ण और सशक्त नहीं हो सकता है। आज कल हमारे देश में बहुत से लोगों ने अपनी जीविका चलाने के लिये अपने निजी आश्रम और अनाथालय खोल रखे हैं जहाँ पर धर्म के नाम पर पर्दे के पीछे पाप और व्यभिचार होता है। इन आश्रमों को चलाने वालों ने लोगों के ऊपर प्रभाव डालने के लिये, इन के नाम हमारे देश के बड़े बड़े धार्मिक नेताओं और समाज सुधारकों के नामों के ऊपर रखे हैं जैसे विवेकानन्द आश्रम, ब्रह्मानन्द अनाथालय, स्वामी दयानन्द विषवा आश्रम आदि। ऐसे नामों को पक़्क़र लोगों के दिलों में यह भावना उत्पन्न हो जाती है कि जिन लोगों ने ये आश्रम खोल रखे हैं वे बहुत ही धार्मिक लोग हैं और ये लोग बिना आश्रय कभी स्त्रियों को और अनाथ बच्चों को यहाँ पर इसलिये शरण देते हैं कि इन को उन के ऊपर दया आती है, उन के जो कष्ट हैं वे इन से देखे नहीं जति हैं और उन की सहायता करने के लिये

[श्रीमती शिवराजवती नेहरू]

ये लोग निःस्वार्थ भाव से सेवा करना चाहते हैं। लेकिन सभापति महोदय, बात बिल्कुल इस के विपरीत है। ये लोग धर्म के नाम पर और समाज सेवा की ओट में धन कमाने के लिये इन संस्थाओं को व्यभिचार का एक झंडा बना रहे हैं। कहने को तो ये लोग कहते हैं कि वे स्त्रियों की रक्षा करने के लिये उन को यहां पर शरण देते हैं लेकिन असल में यहां पर स्त्रियों को बेचा जाता है और दूसरे घृणित पापकर्म किये जाते हैं। इन आश्रमों में आश्रय लेने के लिये जो स्त्रियां आती हैं, उन में से एक ही स्त्री की पांच पांच, सात सात बार शादी की जाती है। उन को ऐसी शिक्षा दी जाती है कि वे घोखा देने में बड़ी उस्ताद और मक्कारी में बड़ी निपुण बन जाती हैं। उन को यह सिखाया जाता है कि शादी के बाद पति की विश्वासपात्र बन कर उस का सारा धन बटोर कर भाग कर फिर आश्रम को लौट आयें और कई दुखियारी स्त्रियां मजबूर हो कर ऐसा करती भी हैं। इस प्रकार अनेक घरों और अनेक मनुष्यों को नष्ट कर के वे फिर अपने आश्रमों में वापिस चली जाती हैं, जहां किसी दूसरे आदमी को उल्लू बना कर उस के साथ शादी करने का प्रबन्ध किया जाता है।

इन निजी अनाथालयों में संगीत जैसी उत्तम कला बालकों को भी मंगवाने के लिये सिखाई जाती है। इन सब अनर्थों को रोकने के लिये यह आवश्यक था कि सरकार इस दिशा में कोई कदम उठाये, जिस से अनाथालयों और आश्रमों के संचालक मनमानी न कर सकें और उन को मैनेजिंग कमेटियों (प्रबन्ध समितियों) पर सरकारी नियंत्रण रहे। ऐसी अवस्था में यह बिल्कुल न्याययुक्त और उचित था कि इस प्रकार की व्यवस्था की जाय कि हमारे देश में जितनी भी ऐसी निजी संस्थायें हैं, वे बिना लाइसेन्स के न रहने पायें।

इस बिल के सैक्शन ५(४) में लिखा है कि जहां तक सम्भव हो, ऐसी संस्थाओं का संचालन स्त्रियों के हाथ में दिये जाने की व्यवस्था की जायगी। इस में मैं यह बढ़ाना चाहती हूँ कि इन संस्थाओं का संचालन हमेशा ऐसे पुरुषों के हाथ में दिया जाय, जिन की आयु पचास वर्ष से अधिक हो और जो विवाहित हों और जिन की स्त्री जीवित हो। यदि ऐसे विश्वासपात्र और सज्जन पुरुष रखे जायेंगे, तो वे इन संस्थाओं को सुचारु रूप से चला सकेंगे। यह व्यवस्था की जाय कि जिन संस्थाओं में इस प्रकार के पुरुष न हों, उन को लाइसेन्स न दिया जाय।

श्री रघुबीर सहाय : पुरुष इस के लिये आप के बड़े आभारी होंगे।

श्रीमती शिवराजवती नेहरू : इन संस्थाओं को लाइसेन्स देने और उन का निरीक्षण करने के लिये जो कमेटी या जो लोग नियुक्त किये जायें, उन में स्त्रियां अवश्य रखी जायें, और इस काम के लिये जो स्त्रियां मुकर्रर हों, वे या तो शिक्षा विभाग की उच्च पदाधिकारी हों, या सोशल वेलफेयर बोर्ड (समाज कल्याण बोर्ड) की सदस्या हों। यदि ऐसी स्त्रियां निरीक्षण करने के लिये नियुक्त की जायेंगी, तो वे इन संस्थाओं में रहने वाले बालकों और स्त्रियों के सम्बन्ध में पूर्ण और अच्छी जानकारी प्राप्त कर सकेंगी और अच्छी और विश्वसनीय रिपोर्ट भी दे सकेंगी।

मेरा यह भी सुझाव है कि जो निरीक्षक लोग हों, वे इन संस्थाओं में जा कर यह भी देख लें कि इन में बालकों और स्त्रियों की संख्या क्या है और उस के बाद ही उन को लाइसेन्स दिया जाय। आज-कल यह देखने में आता है कि पांच पांच, सात सात बालकों या स्त्रियों को ले कर लोगों ने आश्रम खोल रखे हैं और एक ही उद्देश्य को ले कर एक ही नगर में पांच पांच, सात सात आश्रम खोले हुए हैं। मेरा निवेदन यह है कि इन

छोटे मोटे आश्रमों और संस्थाओं—घरमं करने वाले इन आश्रमों—से देश को कोई लाभ नहीं होता है, बल्कि ये तो देश में कई प्रकार की सामाजिक बुराइयों को स्थापित किये हुए हैं, इन से बालकों और स्त्रियों के हित के बजाय अहित होता है। इन संस्थाओं को न तो दान ही प्राप्त होता है और न ही सरकार इतनी संस्थाओं को ग्रांट (अनुदान) ही दे सकती है। नतीजा यह है कि इन सभी आश्रमों का बुरा हाल रहता है। इसलिये मेरा सुझाव यह है कि इन सब छोटे-मोटे आश्रमों इत्यादि को बन्द कर के, इन को लाइसेन्स न दे कर, राज्यों में डिस्ट्रिक्ट (जिलों) में एक बड़ा आश्रम—जोकि महिला आश्रम और अनायालय हो—खोला जाये, जोकि बहुत बढ़िया हो और बहुत बड़े पैमाने पर काम करे और जो एक आदर्शसंस्था कहलाने के योग्य हो। ऐसे आश्रम हमारे देश और समाज दोनों के लिये उपयोगी सिद्ध होंगे।

हमारे देश में ऐसी जितनी संस्थाएँ, महिला आश्रम, अनायालय इत्यादि हैं, इन सब का सुधार हो, यह हमारे देश की मांग थी और इस बिल से, जोकि आज हमारे सामने आया है, वह मांग पूरी होती है, इसलिये मैं इस का हृदय से समर्थन करती हूँ।

Shrimati Sushama Sen (Bhagalpur South): Mr. Chairman, I welcome this Bill. It is indeed a very necessary legislation, because, there are abuses in these institutions. But, I do not quite agree with the previous speaker who said just now that all ashrams and institutions have abuses, because I do think that there are some institutions which are doing very good work. It is very necessary to have this licensing.

My only suggestion is, as I said in the Select Committee also, that these institutions should be managed by woman. I think that is a very important thing. Of course, it has been said, 'as far as possible' by women. I do not see why we can't get competent women to take charge of these

institutions. I have seen some of these institutions especially in Bihar which are managed by men. Really speaking, they are most—what shall I say—they should be put an end to because there are so many abuses that one is really shocked to hear the things going on. I think it is very necessary from this point of view that women should as far as possible be in charge of these institutions for women and children.

Shri B. D. Pande (Almora Distt—North-East): The internal management should be in the hands of women?

Shrimati Sushama Sen: Yes, certainly in the hands of women. In fact, the whole management should be in charge of women. I think they would manage them much better than men. I welcome this Bill.

Shri Chattopadhyaya: Why say as far as possible?

Shrimati Sushama Sen: Not as far as possible; I suggest it should be.

Shri Raghunir Sabai: Sir, I would like to offer my congratulations to the hon. Lady Member, the Mover of this Bill, Shrimati Kamalendu Mati Shah. As you know, this Bill has had a chequered history. I would like to remind the House that, soon after when we met for the first time, when Parliament began its terms, in 1953, Shri M. L. Dwivedi brought forward a Bill of a like nature known as the Orphanages Bill. After a full dress debate on that Bill, on the assurance given by the Law Minister that a suitable Bill will be sponsored by the Government, that Bill was withdrawn. Later, next year, Shrimati Maniben Patel brought forward a Bill in this House of indentically the same nature. Again, after a full dress debate, it was also withdrawn when an assurance had been given by the Law Minister. It was towards the end of 1955 that Shrimati Kamalendu Mati Shah brought forward this Bill. When, last time, it came up before the House, it was perhaps at your instance that this Private Member's Bill was referred

[Shri Raghbir Sahai]
to a Select Committee. Government was kind enough to accept that the Suppression of Immoral Traffic Bill along with the Children's Bill be referred to the same Select Committee. It was under your chairmanship that all these three Bills were discussed in the Select Committee, and as a result of those deliberations this Bill has come before us today. I hope no impediment will be put in its way either by any part of the House or by the Government because, in fact, the Bill has been fathered by the Government and so it should have an easy passage.

Everybody knows that the object of this Bill is very laudable, that these bogus institutions where orphans and widows are kept in inhuman conditions should be closed and instead good institutions should come up where these helpless people may be allowed to remain.

The matter for the first time attracted the notice of the U.P. Government in 1948. Then they constituted a committee of which I was also a humble Member, and one of my senior colleagues Pandit Badri Dutt Pande was also a Member of the Committee. We toured round the State and we saw a good many orphanages and widows' homes in U.P. and as a result of the tour we submitted our report which was incorporated in a report which was issued in the year 1949. That report has already been circulated to the Members of the Select Committee and I am glad to find that all the observations that were made in our report have been incorporated and confirmed in the latest report of the Advisory Committee on Social and Moral Hygiene. I will not weary the House with what has been written in the previous report of the U. P. Government and in the report of the Advisory Committee on Social and Moral Hygiene. Both the reports have come to the conclusion that most of these institutions are bogus, rotten and they should be closed as early as possible. I admit that there are many institutions all over the country which are doing very creditable work, but

they are few and far between. I want those institutions should not only be maintained but should be encouraged in every respect so that they may do better work.

The effect of this Bill will certainly be that all these objectionable institutions will be out a stop to it—and there is a big 'if'—the State Governments take the provisions of this Bill seriously and carry them out. It will not be the function of the Central Government to enforce this Act in the States. It will be the function of the State Governments to enforce the provisions of this Bill. I hope the State Governments will faithfully and loyally carry out the provisions of this Bill.

I quite agree with my friend Shri Sharma that this Bill could have been improved in some respects. For instance, this provision with regard to the framing of the rules—although I was myself a Member of the Select Committee—could have been improved still further because I feel that these provisions whereby the licences should be granted or revoked should have been incorporated in the body of the Bill itself rather than the powers being delegated to a rule-making authority.

With your permission I will just bring to the notice of this House the draft Bill that was prepared by the U. P. Government, and which was appended to this report in which under clause 9 they have put in:

"The District Magistrate shall not issue a license, mentioned in section 8 of this Act, unless he is satisfied—

(a) that a society has been formed to look after the Institution according to the rules and regulations framed by the Government under this Act;

(b) that such a society has been registered under the Society's Registration Act, 1860;

(c) that such society has sufficient funds at its disposal to run the institution for at least 3 years;

(d) that the manager and the office-bearers of the orphanage or widow home are persons of unimpeachable character and conduct and are of sound mind, are not declared insolvents and have never been convicted for offences involving moral turpitude;

(e) that proper arrangements have been made for giving adequate food, clothing and shelter to all orphans and widows in the orphanage or widows' home;

(f) that the premises of the orphanage or widows' home are in a healthy locality and are kept clean and sanitary;

(g) that proper arrangements have been made for imparting physical, education and vocational training to the inmates;

(h) that the inmates are kept under proper control and discipline;

(j) that the inmates are so kept as to be free from all moral danger;

(k) that proper arrangements for providing healthy recreation and leisure exist for the inmates;

(l) that accounts of the orphanage or widows' home are properly kept and duly audited yearly by a Registered Accountant;

(m) that there is some proper and permanent source of income."

All these things should have been incorporated in the Bill itself, but what we find is that all these powers have been delegated to the rule-making body. I hope when the time comes for framing these rules, what I have just mentioned will be borne in mind. Towards the fag end of this Parliament we are passing this measure of social reform. It is a very welcome piece of reform. Already in this Parliament many other pieces of legislation of social reform have been enacted, for instance the Hindu Marriage Act, the Hindu Succession Act and the

Special Marriage Act. This is also one of the measure of that kind, and I hope by the passage of this Bill this evil of the existence of objectionable institutions will come to an end finally.

I support this Bill.

Shri Tek Chand (Ambala-Simla):
I take this opportunity of offering my warm felicitations to Shrimati Kamlendu Mati Shah and also the distinguished ladies Shrimati Uma Nehru, Shrimati Jayashri and others who as early as 1953 thought that such a Bill should adorn our statute-book. It is a Bill noble, sublime and desirable. It is stated that one test of a good law is *salus populi suprema lex*, that is, the welfare of the people is the supreme law, and this Bill can, therefore, be deemed to be *suprema lex* because it deals with *salus populi* or the welfare of the people. I offer my unstinted support without any reservations, though I feel that there are certain serious flaws, certain serious shortcomings which will hinder the effective operation of the Act. I am merely indicating those flaws in the hope that after this Bill becomes law, those defects may be avoided on some future occasion by bringing an amending measure. Therefore, I wish to make it clear that whatever flaws I may point out they are by way of constructive comments in order to improve the law and not to defeat this measure. Therefore, with all its short coming and flaws I endorse this Bill.

The definition of an institution, to my mind, is perhaps not very workable.

You say:

"institution' means an institution established and maintained for the reception, care, protection and welfare of women or children;"

The word 'care' includes mental care, moral care and physical care. Therefore, educational institutions too should be covered by this definition. But when you turn to clause 10, you are excluding hostels and boarding

[Shri Tek Chand]

houses attached to or controlled or recognised by educational institutions. Why should you do so? Either you exclude educational institutions totally, in which case you shall have to omit the word 'care', or you include them and say that hostels and boarding houses also ought to be included. So, here is a matter which deserves careful scrutiny if not now, then at some later stage.

Then, you will notice that the proviso to clause 4 regarding application for licence is peculiarly worded. You say that:

"Provided that a person maintaining an institution at the commencement of this Act shall be allowed a period of three months from such commencement to make an application for a licence".

Am I to understand, as the language seems to suggest, that a first application is to be made saying 'Please allow me to make another application.' The words 'shall be allowed' ought not to have been there. They ought to have been suitably substituted by the expression that within three months, a person who desires to renew his licence to maintain an institution may make an application.

You will notice that clause 7 deals only with one aspect, namely the revocation of a licence. It assumes that a licence is existing and it may be revoked for several reasons indicated in this elaborate clause 7. But you have not put in a corresponding clause for cases where a licence has not been renewed of an institution which is functioning. In other words, you should also have put in or inserted a clause as to what is to follow not only in the case of a revocation, but also in the case of an expiration of a licence. A licence is revoked by a positive act. But it may be that an existing licence may expire at the termination of the period for which it has been given; that institution also should close its doors. If it carries on, it is functioning, then what is to follow? That

has not been provided for. There is a provision made for revocation of a licence, not for what is to happen in the event of an expiration of a licence. That seems to me to be an unfortunate omission.

Again, in sub-clause (3) of clause 7, you say that on the revocation of a licence, the wards in the institution shall be restored to the custody of their parents, husbands, lawful guardians or transferred to another institution. I think a permissive clause should have been there. Transfer to another institution should be permitted only after the permission of the lawful guardian, husband or parent is there. You have put in here a disjunctive 'or' whereby you have given discretion to the State Government or to the authority in charge to transfer the child even without obtaining such a consent.

Regarding appeals, I feel that the clause is defective, because you are permitting an appeal to the State Government. The State is an institution. Who is going to hear the appeal? You should have made some provision in this regard. Is it going to be a mere representation or just a written memorandum of appeal? The functionary or the appellate authority should have been specifically indicated.

Regarding penalty, I was rather surprised that a non-lawyer but a distinguished professor took umbrage to clause 9. He might have taken exception to it on a different ground upon which I am going to raise this matter. The provision should be to the effect that any person who knowingly contravenes any of the provisions of this Act alone can be penalised and not any person contravening. The provisions here are very wide. Clause 9 read further:

"Any person who contravenes any of the provisions of this Act or of any rule made thereunder, or any of the conditions of a licence....".

So, the contravention can be not only of the provisions of the Act, not

only of the rules but of any such conditions as may be imposed. Suppose the condition is that every such building must have three windows and of such a size; let us assume that there are not so many then, is the man to be punished for it? Is that to be made a criminal offence? Therefore, the provision should be 'Any person who knowingly contravenes.....' And there can also be all sorts of conditions, conditions of a very serious and fundamental character, conditions perhaps not so important, and conditions of a regulatory character. But in your penal clause, where you are making it into a criminal offence, the contravention can be of every conceivable condition, regulatory, mandatory or just ordinary administrative condition. Suppose the condition is that four types of account books are to be maintained, and those types are not there; then, will you allow penalty to be imposed? Therefore, I would counsel that the word 'knowingly' ought to be there.

Normally, I would have tabled amendments or advised the consideration of the Bill only after there had been suitable amendments, but in view of the higher interests involved, despite the fact that these gaping defects are there; I support it as it is, with all its defects, hoping that once it becomes a law on the statute-book, those defects will be suitably remedied at the earliest opportunity.

श्री राजा राम शास्त्री (जिला कानपुर मध्य) : सभापति महोदय, राजमाता कमलेन्दु-मति शाह ने जो यह विधेयक सदन के सामने उपस्थित किया है मैं उस का समर्थन करता हूँ। मैं समझता हूँ कि वास्तव में हमारी सामाजिक व्यवस्था में जो आजकल दोष है उसी का यह सब परिणाम है कि हमारे बच्चे भीख मांगने निकलते हैं और हमारे लड़के और लड़कियां घरों से बाहर निकल कर के इधर उधर भीख मांगते मारे मारे फिरते हैं और तब हम यह जो बुरी सामा-

जिक व्यवस्था का परिणाम होता है उस की रोकथाम करने की चेष्टा करते हैं। यह सही है कि जो बुराई सामने आये उस की रोकथाम करने की कोशिश होनी ही चाहिये पर मेरा यह विश्वास है कि जब तक हमारी सामाजिक व्यवस्था में सुधार नहीं होता और हमारी आर्थिक स्थिति जैसी आज है वैसी ही बनी रहती है तब तक इस तरह की बुराइयां न केवल हमारे बीच में बनी ही रहेंगी बल्कि दिनोदिन बढ़ती चली जायेंगी। इसलिये हमें मूल समस्या की ओर ध्यान देना चाहिये और हमारा प्रयत्न जितनी जल्दी संभव हो सके सामाजिक व्यवस्था को सुधारने का होना चाहिये फिर भी आज जो बुराई हमारे सामने मौजूद है उस की जितनी भी रोकथाम की जा सके उस को करने की कोशिश होनी चाहिये और इसलिये मैं इस विधेयक का समर्थन करता हूँ।

आजकल इस में कोई शक नहीं कि वास्तव में लड़कों और लड़कियों के सुधार के नाम पर और उन की रक्षा करने के नाम पर ऐसे आश्रम और अनाथालय खोल दिये गये हैं जिन को कि सुधारक संस्था न कह कर एक आमदनी का जरिया ही कहा जा सकता है और छोटे छोटे बच्चों से उन की मुसोबतों से, उन की गरीबी से नाजायज फायदा उठा कर के चन्द लोग भीख मंगवाते हैं और उन से पैसा कमाते हैं। मेरी अपनी राय तो यह है कि जहां तक हो सके सरकार को यह प्रयत्न करना चाहिये कि ऐसी संस्थाओं को निजी व्यक्तियों के हाथों में न छोड़ कर वह स्वयं इस काम को अपने हाथ में ले अगर ऐसा होता है तो मेरा यह विश्वास है कि ज्यादा सुचारु रूप से उन का संचालन हो सकेगा

इस मौके पर मुझे एक घटना याद आ जाती है। मैं सोवियट रूस में घूमने गया था और वहां मैं ने बहुत सी अच्छी अच्छी चीजें देखीं तो मेरे दिल में यह स्वाहिस

[श्री राजा राम शास्त्री]

भी पैदा हुई कि इन के देश में कोई अनाथालय भी होता है कि नहीं और यदि होता है तो मैं देखू कि उन में किस तरह का प्रबन्ध होता है । मैं एक अनाथालय को देखने के लिया गया । अनाथालय वहाँ पर इस तरह के नहीं होते कि ऐसे लोग जिन का कि कोई परवरिश करने वाला न हो, जिन की दुनिया में कोई देखभाल करने वाला न हो या जो गरीबी या और किसी वजह से अनाथ हो गये हों और अनाथालयों में आ गये हों, बल्कि पिछले महायुद्ध के दौरान में हजारों आदमी रूस के मारे गये और बहुत से घराने बर्बाद हुए और बहुत से ऐसे बच्चे जो इस तरह से अनाथ हो गये थे, वे वहाँ पर थे और उन की परवरिश करने के लिये जो संस्थायें वहाँ पर बनाई गई थीं उन को देख कर के मैं आश्चर्य में पड़ गया ।

जिस वक्त मैं उस संस्था में घूम रहा था, मुझे अपना देश याद आ रहा था कि हमारे यहाँ भी अनाथालय होते हैं । किस तरह से भीख मंगवा कर उन का इंतजाम होता है । न वहाँ रहने की कोई ठीक व्यवस्था है, न शिक्षा की व्यवस्था है न कोई अन्य व्यवस्था है । इस संस्था को देख कर मेरे दिल के ऊपर यह असर पड़ा जिस सरकार की व्यवस्था को मां बाप की व्यवस्था कहा जाता है ; वह व्यवस्था का आदर्श वहाँ पर था । जिन अनाथ बच्चों का दुनिया में कोई नहीं था, उन के मां बाप के रूप में सरकार वहाँ पर थी । बच्चों के पहनने के जूते देखिये, कपड़े देखिये, शिक्षा देखिये । उन के जीवन में उन्नति करने के उन को शिक्षित बनाने के जितने तरीके हो सकते थे, वह मैं ने वहाँ देखे । मैं समझता हूँ कि वास्तव में सरकार को इस तरह ध्यान देना चाहिये कि जो संस्थायें इस प्रकार की खोली जायें उन में इस बात की कोशिश हो कि जो भी लड़के, औरतें और बच्चे उन संस्थाओं में आ जायें, उन की शिक्षा का प्रबन्ध ऐसा

हो, उन को इस प्रकार की कोई न कोई शिक्षा दी जाय, जिस से वहाँ से निकल कर वह अपने जीवन को अच्छा बना सकें । केवल इन्हीं संस्थाओं के अन्दर रह कर उन को अपना जीवन यापन न करना पड़े । कहीं ऐसा न हो कि कोई संस्था उन की तरक्की के लिये कोशिश ही न करे, जो भी संस्थायें इस तरह पर करेगी वह समाज के लिये कलंक के रूप में होंगी । इसलिये आज सारी संस्थाओं का दृष्टिकोण ऐसा होना चाहिये कि जो भी काम किया जाये वह उन के सुधार के लिये होना चाहिये ।

एक बात मेरी समझ में नहीं आती, मैं किसी के प्रति कटाक्ष कर के नहीं कहता, बल्कि इसलिये कहता हूँ कि जब भी कोई मसला सदन के सामने पेश होता है, जैसे पिछली दफा हुआ कि चूँकि औरतों पर अनैतिक व्यापार होता है, इसलिये जो संस्थायें उनके लिये खोली जायें, उन का प्रबन्ध औरतों को मिलना चाहिये । उन के अन्दर कोशिश की जाती है कि पुरुष का हाथ न रहे । मेरी समझ में यह बात नहीं आती कि यह बात कह कर, बार बार दोहरा कर, क्यों इस बात की कल्पना की जाती है कि औरतों की संस्थाओं का प्रबन्ध औरतों के हाथ में रहेगा तो इंतजाम अच्छा होगा । अगर पुरुषों को सौंप दिया जायगा तो वहाँ बदमाशी ही बदमाशी हो जायगी । मैं समझता हूँ कि स्त्री समाज में और पुरुष समाज में, दोनों ही जगह बदमाश होते हैं । क्या औरतें ऐसी नहीं हो सकतीं जो वहाँ की औरतों के लिये अड़डे बनाने में काम करें । इसलिये इस चीज पर बार बार क्यों जोर दिया जाता है । मैं समझता हूँ कि ऐसी संस्थाओं का प्रबन्ध चाहे औरतों को दिया जाय चाहे मर्दों को दिया जाय, जो अच्छे हों, उन को देना चाहिये । अगर पुरुष अच्छे हों, तो क्यों न उन को दिया जाय ? क्या वजह है कि पुरुषों को प्रबन्ध देने से खराब हो जायगा और स्त्रियों को देने से अच्छा होगा । आज इसी

बात पर जोर दिया जाना चाहिये कि जो लोग अच्छे हों उन का इंतजाम दिया जाय। इस समय जो बिल हम यहाँ पेश करने जा रहे हैं, असली सवाल यह है उस का प्रबन्ध कैसा होता है। जो कानून लागू करने जा रहे हैं, उस में देखना यह चाहिये कि उस को अच्छे ढंग से लागू किया जाय। बुराई करने वाले लोग यह महसूस कर सकें कि वास्तव में कानून सरकार ने बनाया है और वह उस पर सख्ती से अमल करेगी। बड़े अफसोस के साथ कहना पड़ता है कि कानून तो रोज बनते चले जाते हैं, लेकिन कानून की प्रतिष्ठा जनता के अन्दर से उठती चली जाती है। कानून बनते हैं, लेकिन उन का सुचारु रूप से संचालन नहीं होता है, जो लोग कानून को तोड़ने वाले हैं, उन को उस के कारण डर नहीं पैदा होता है। जो कानून आज बन रहा है उस को इस तरह से लागू होना चाहिये कि जो लोग ऐसी संस्थाओं में रखे जायें, उन की उन्नति हो सके और जो कानून कायदों को तोड़ने वाले लोग हैं उन की सख्ती से सख्ती सजा दी जाये।

मैं इस विधेयक का हृदय से स्वागत करता हूँ।

Shri Pataskar: This is a wholesome social measure and I would like to compliment the hon. Mover of this Bill for having drawn the attention of the House and the public to a matter of such social importance. I think the Bill has been thoroughly discussed in the Select Committee. I know that some of the lacunae have been pointed out by my hon. friend, Shri Tek Chand, But I think this is not the occasion, as he himself stated, to consider them. We might do so at a later stage.

So far as we can find, it was thoroughly discussed and whatever could be done, had been done. This is, no doubt, an important social problem. We should not allow unlicensed houses ostensibly trying to

care for women and children. I think this Bill rightly tries to remove a social evil.

I know that some hon. Members would like this Bill to go further than it does. But so far as the powers of this Parliament are concerned, I think we cannot go beyond this.

I am sure that this will produce a very wholesome effect on the working of the so-called Women's and Children's institutions. The evil has already been explained by many hon. Members who have spoken and I think I need not take the time of the House or of the private Members. I should say that this is really the best use that can be made of the time allotted for Private Member's Business, when a social measure of this importance is being put through at the instance of a non-official Member. I welcome the Bill and I need not take more time of the House.

Mr. Chairman: The question is:

"That the Bill to regulate and license institutions caring for women and children, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Chairman: We will now take up the consideration clause by clause. There are no amendments. If any hon. Member wants to have any particular clause put separately to the vote of the House I shall do so. Otherwise, I shall put all the clauses together and then the Bill as amended by the Select Committee.

The question is:

"That clauses 2 to 12 stand part of the Bill."

The motion was adopted.

Clauses 2 to 12 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

श्रीमती कमलेन्दुमती शाह : सभापति महोदय, मैं प्रस्ताव करती हूँ कि यह विधेयक प्रवर समिति द्वारा संशोधित रूप में स्वीकार किया जाये।

[श्रीमती कमलेन्दुमती शाह]

श्रीमान्, मुझे सरकार को और सदन के सदस्यों को धन्यवाद देना है, साथ ही अपने भाइयों और बहनों को भी धन्यवाद देना है, जिन्होंने मुझे अवसर दिया कि यह बिल मैं सदन के सम्मुख लाऊँ। वास्तव में भले ही मुझे इस को लाने का श्रेय दिया गया हो, लेकिन इस का श्रेय पूरा मुझ को ही नहीं है। हमारी कई बहनों ने इस विधेयक को सन् १९५३ में रक्खा था, मैं ने स्वयं भी नोटिस दिया था, और मेरा नाम आ गया। मैं इस के लिये सरकार का भी धन्यवाद करती हूँ कि सरकार ने इस को माना है। मैं सदन से केवल इतनी ही प्रार्थना करना चाहती हूँ कि वह इस बिल को स्वीकार करे।

Mr. Chairman: Motion moved:

"That the Bill as amended be passed."

Shri L. Jogeswar Singh (Inner Manipur): Sir, I will be very brief, What I want to state is this. Government should have a supervisory organisation for these women's and children's institutions. I would like to bring the attention of Government to this point. We have so many institutions for these women and children called Orphanages etc. The conditions of these people in these institutions are very bad. They are suffering for lack of assistance financially. The purpose of the Bill would be defeated if Government does not extend any financial assistance. Social welfare work done by Government is very encouraging. But so far as private institutions are concerned, they suffer from lack of funds. I want to draw the attention of the Minister to this fact. The Government has been pleased to accept the Bill. But if these institutions do not get financial assistance they will have difficulties. This is one point.

Another point is this. The women and children taken care of by these institutions, sometimes, become beggars. Instead of doing them good,

these institutions do more harm. In order to improve the conditions of these women and children, Government should take a supervisory role. They should appoint Inspectors to see the conditions in them now and then. These are some of the points to which I want to draw the attention of the hon. Minister.

सेठे अबल सिंह (जिला आगरा—पश्चिम) : सभापति महोदय, यह जो विमन एंड चिल्डरन्स इन्स्टीट्यूशन्स लाइसेंसिंग बिल (स्त्री तथा बाल संस्था अनुज्ञापन विधेयक) इस सदन में पेश किया गया है, इस का मैं स्वागत करता हूँ। इस बिल को वक्त की मांग को देखते हुए ही उपस्थित किया गया है। आज तक ज्यादातर इस तरह की संस्थाओं को चलाने का काम आर्य समाज ने ही हाथ में लिया था। दयानन्द सरस्वती ने जब यह देखा कि बच्चे दर दर फिरते हैं और उन की देखभाल करने वाला कोई नहीं है तथा निस्सहाय स्त्रियों को शरण देने वाला कोई नहीं है तो उन्होंने ने अनाथालयों तथा विधवा आश्रमों की स्थापना की। शुरू शुरू में इन संस्थाओं में बहुत अच्छा काम होता था लेकिन ज्यों ज्यों समय गुजरता गया त्यों त्यों स्वार्थी लोग इन संस्थाओं में घुसते गये और उन्होंने ने इन का दुरुपयोग करना शुरू कर दिया। दुरुपयोग यहाँ तक शुरू हो गया कि जिन स्त्रियों को यहाँ आश्रय देने के लिये लाया जाता था उन को बेचा जाने लग गया और कई दूसरी किसम के पाप होने शुरू हो गये बच्चों को भी यहाँ बेचा जाने लगा। ऐसी स्थिति में यह जरूरत महसूस हुई कि गवर्नमेंट हस्तक्षेप करे और इन संस्थाओं पर नियंत्रण रखने के लिये तथा यह देखने के लिये कि इन संस्थाओं में काम ठीक प्रकार से होता है या नहीं, इस बिल को उपस्थित किया गया है। लेकिन मेरा अपना विचार यह है कि सरकार अपनी तरफ से आदर्श संस्थाएँ खोले और दूसरों के लिये एक आदर्श रखे। इस कारण यह आवश्यक है कि हर एक स्टेट को कम से कम एक एक अनाथालय

और एक एक विधवा आश्रम स्थापित करना चाहिये जोकि दूसरी सार्वजनिक संस्थाओं का मार्गदर्शक हों। मैं केन्द्रीय गवर्नमेंट से प्रार्थना करूंगा कि वह हर स्टेट में कम से कम एक एक आदर्श संस्था स्थापित करावे।

मैं आप को एक उदाहरण देना चाहता हूँ। पंजाब प्रदेश में अम्बाला जिले में काल्का लाइन पर पंचकूला जैन गुरुकुल है। यहाँ पर पंजाब सरकार द्वारा कोई ७०० बच्चों को शिक्षा देने का इंतजाम किया गया है। ये वे बच्चे हैं जो आवारा फिरा करते थे और बुरे कामों में फंसे हुए थे। ये वे बच्चे हैं जोकि पाकिस्तान से आये हैं। इस संस्था को ३० रुपया प्रति बच्चा स्टेट गवर्नमेंट की तरफ से मिलता है और इन का यहीं पर खाने पीने का, पढ़ने का तथा दस्तकारी सिखाने का इंतजाम है। इस संस्था को देखने का मुझे सौभाग्य प्राप्त हुआ है। मैं ने इस को देखा है और मैं ने इस संस्था के प्रिंसिपल से बात भी की है और उन्होंने ने मुझे बताया कि ये लड़के जो बुरे कामों में फंसे हुए थे, जुआरी व बदचलन थे, अब रास्ते पर आ गये हैं और ये आदर्श नागरिक बन कर इस संस्था में से निकलेंगे। तो मेरा विचार है कि अगर सरकार इस तरह की एक एक संस्था हर एक स्टेट में अपने हाथ में रखे तो बहुत कुछ हो सकता है।

बहरहाल यह जो बिल है और यह जिन संस्थाओं पर लागू होगा वहाँ पर आज जो बुराइयाँ हैं, उन को दूर करने में यह मदद करेगा। आज मैं देखता हूँ कि हमारे देश में बहुत थोड़ी संस्थायें ऐसी हैं जो आदर्श काम कर रही हैं। मैं समझता हूँ कि अगर गवर्नमेंट लाइसेंसिंग आफिसर्स (अनुज्ञापक पदाधिकारियों) ने तथा इन्स्पेक्टरों ने ठीक काम किया तो आज जो बुराइयाँ वहाँ देखने को मिलती हैं वे दिखाई नहीं देंगी और साथ ही साथ जो आज अनाथ बच्चे आवारा घूमते नजर आते हैं वे भी रास्ते पर आ जायेंगे और जब वे इन संस्थाओं से बाहर

निकलेंगे तो आदर्श नागरिक बन कर निकलेंगे। यह हमारी सरकार का कर्तव्य है कि वह अनाथ बच्चों की तथा निस्सहाय स्त्रियों की देखभाल करे ताकि वे अच्छे नागरिक साबित हों और जो पाप हो रहा है या जो बुराइयाँ हमारी समाज में घुस आई हैं उन का अन्त हो।

Shri Pataskar: A suggestion was made that the Government also should start institutions like this. There is no doubt that State Governments will hereafter consider this problem because after all, it is to be remembered that both on the ground of constitutional propriety as well as on the ground of practical considerations, it is only the State Governments who can start such homes for women and children. But so far as we are concerned here, naturally I think this is a very important step inasmuch as we will have one common law which will try to make some provisions with regard to the running of these institutions.

They will be required to be licensed hereafter. From that point of view, the Bill brought forward by the hon. lady Member has been supported by the Government.

It cannot be said that this will solve the problem of the destitute women and children. That will have to be solved at the State level by the State Governments themselves undertaking that task. In many States they try to do it. But, in the name of charity, many institutions—some of them are very good—some things are done. There may be institutions which may not be good. From that point of view, it is thought desirable that there should be a Bill like the present one. There will be some sort of a control and check over such institutions which are supported and run by some people in the name of charity. Many of us know that many institutions try to collect some children and go over the country begging from place to place and collecting funds. Naturally people who are charitably minded give them some

[Shri Pataskar]
money. I do not know how far this will serve the purpose of bringing up the children in the proper way.

Situated as we are, we know that there are women who are in need of protection. If there is no law of this nature the institutions are liable to be misused by unscrupulous people. The hon. Members have already stated that there had been instances of that kind. If it will not solve altogether the problem of the care of destitute women and children, at least it will control the existing institutions which are being run in a bad way. In India charity is very liberal and most of these institutions have been run with the money collected from people who are charitable. This measure will regulate the conduct of these houses.

So far as the financial question is concerned, I am sure that the State Governments also will give the necessary financial help. It is not possible for us to make a provision here that the State Governments shall give so much money. Considering everything, I think this is a step in the right direction which will ultimately lead to the solution of this problem. I must join with the other Members of the House in complimenting the hon. lady Member who had moved this House, and also the other lady Members who had given notice of similar motions. It can be said to the credit of the women Members here generally that they have been taking very keen interest in the solution of this problem relating to women and children. It is a social problem of great importance. I am glad at any rate that this Bill is being passed by this House and I am sure that it will go a long way in trying to set right the institutions. Many things which are wrong are done in the name of charity and that has to be prevented. I think such funds will hereafter be properly used.

Mr. Chairman: The question is:

"That the Bill as amended be passed."

The motion was adopted.

MOTOR TRANSPORT LABOUR BILL

Shri A. K. Gopalan (Cannanore):
Sir, I beg to move:

"That the Bill to regulate the conditions of motor transport workers, be taken into consideration."

The Deputy Minister of Labour (Shri Abid Ali): Sir, on a point of order, may I submit that this is a Financial Bill? I understand that the hon. Member has not applied or obtained the President's recommendation and so it cannot be considered or passed. If you so desire, it may be considered but why waste the time of the House.

Shri A. K. Gopalan: Sir, I have to say that another Bill, the Motor Vehicles Amendment Bill, 1955 which is for the substitution of section 65 of Act IV of 1939 was there. Its clauses were the same as here. I do not say that because it was not objected to then, it should not be objected to now.

I want to point out that this Motor Transport Labour Bill contains almost all the clauses in the Motor Vehicles (Amendment) Bill which sought to amend the section relating to labour. In this Bill there are sections about weekly holidays, compensation day for rest, over-time, spread-over and other things. Even the Bill was voted out, I would like to point out that when the Motor Vehicles (Amendment) Bill was under discussion certain remarks were made by the hon. Deputy Minister. He said:

"The Bill which we propose to bring forward will contain all these subjects mentioned in the Bills of these two hon. Members."

Before that he said:

"I may submit that this matter has been under consideration of Government for more than two years. In 1944 there was a question in Rajya Sabha, also and there I myself promised that we

were ourselves thinking of bringing forward a Bill which would contain provisions with regard to these subjects which have been mentioned in the Bill just under consideration. Much has been done since then. It is not that the matter has been taken up after the Bill was introduced by Shri A. K. Gopalan or after the present Bill which has been introduced by Shri T. B. Vittal Rao."

There was no objection then. The Minister said that they were bringing out a Bill "not after Shri A. K. Gopalan introduced his Bill or the present Bill was introduced by Shri T. B. Vittal Rao". He went on to say:

"The Bill which we propose to bring forward will contain all these subjects mentioned in the Bills of these two hon. Members, and they are: hours of work, rest period, spread-over, weekly day of rest, overtime, medical facilities, welfare amenities like canteen, rest houses, recreation facilities and provision of uniform, annual leave with pay, sick leave, minimum age for employment, medical examination of young persons and other provisions for such persons."

Then he said:

"An appeal has been made that workers should be given provident fund benefits. Of course they should get them. The workers in this industry should also get all the benefits which the workers in other industries are getting. There is no doubt about it. There cannot be any question about it."

Before concluding he again said:

"Certainly the Bill which we are proposing to bring forward will not take care of these things, because these are matters of discipline and are connected with what is mentioned in the main Motor Vehicles Act. Certainly, as

far as the discipline side of the drivers and conductors is concerned, we want it to be maintained. I hope that after the assurance I have given, namely, that we ourselves are thinking of bringing forward an amending Bill before long containing the provisions which have been mentioned by him, the hon. Member will not press for the consideration of this Bill."

Therefore, as far as the Motor Transport Labour Bill goes, my point is that it has been introduced, and after introduction also the Minister has mentioned about it and said that the Government is going to bring forward a Bill. He also said that they thought about bringing forward such a Bill not after the introduction of this Bill or the Bill of Shri T. B. Vittal Rao. The first thing I want to point out is that it was not objected then. Secondly, in view of the assurance discussion can proceed on this Bill

Shri Abid Ali: Was the assurance accepted?

Shri A. K. Gopalan: Because there was an assurance by the Minister and I think this will be the last session of this Parliament....

Mr. Chairman: There is no question whether the assurance was accepted or not. The only question here is about the recommendation of the President.

Shri A. K. Gopalan: I am coming to that. What I am pointing out is that the sections in this Bill are the same as contained in the other Bill. The Minister said that the Bill they are bringing forward will contain all these provisions. After giving an assurance that the Government will bring forward a Bill they are now going to oppose it.

Not only that. As far as the other question is concerned, namely, the discipline of the motor drivers, conductors, etc., the Motor Vehicles Act came to this House and it was passed after hearing the objections.

Mr. Chairman: I would request the hon. Member to come to the point. The fact that an assurance was given to the effect that another Bill would come up that another Bill was passed and provisions were made in that Bill, etc., is all extraneous to the matter. The real question is whether the present Bill can be allowed to be discussed in this House and be passed and, if so, article 117 (3) stands in the way or not. That is the only question. As it stands, it is quite clear that the Bill as enacted and brought into operation, would involve expenditure from the Consolidated Fund of India. So, such a Bill shall not be passed by either House of Parliament unless the President has recommended to that House the passing of the Bill. Of course, two courses are open now.

Further only the motion for consideration of this Bill is being discussed now, and the Bill is not going to be passed now. The Bill cannot be passed unless the recommendation of the President is obtained. So, as I said, there are two courses open to the Member. Either the hon. Member may get the sanction of the President or, he might remove those provisions in the Bill which attract article 117 (3). I have pursued this Bill, and it appears to me that there are several clauses which must require expenditure from the Consolidated Fund of India. All the public vehicles and public transport system will come under the operation of this Bill, as it is, which means the Government shall have to spend money. If that is so, either such provisions may be taken away, or, the President's recommendation must be brought before this House for enabling the Bill to be passed, if the hon. Member wants this Bill to be ultimately passed. Pending such recommendation of the President, we can go on with the Bill up to a certain stage.

Shri A. K. Gopalan: May I make a submission? As far as the Union territories are concerned, the expenditure may come to a very small amount. After the reorganisation

of the States, there are only a few Union territories such as Delhi, Himachal Pradesh, Andaman and Nicobar Islands, etc. So, the implementation of this Bill will involve only a very small expenditure.

Apart from that, may I request the Chair to allow me to discuss at least the part relating to the private motor transport? While considering that aspect of the Bill, the other aspect namely, the President's sanction, may be thought of. Either I may write and get the sanction of the President or continue with this Bill in so far as it relates to private motor transport. As I said, if this Bill is passed, the amount that will be incurred, so far as the Union territories are concerned, will be very little. Anyway, let me take up the consideration of the Bill in so far as it relates to private motor transport in India. At the time of consideration, the other question may be proceeded with separately.

Shri Abid Ali: I may be allowed to say a few words for a minute or two with regard to the points raised by Shri A. K. Gopalan. It is true that I promised on the last occasion that we would be introducing a Bill ourselves. But it is also a fact that the hon. Members opposite always insist that all these matters should be decided after consultation with all the organisations concerned.

The hon. Member is also aware that very recently we have had a meeting of the Standing Labour Committee where this matter was considered and certain recommendations were made.

These recommendations have been forwarded to the State Governments and their replies are awaited. It is because of this that the delay has occurred, but certainly that was in deference to the wishes of the Members opposite. It is not that we are delaying it, but our inability because of the things I have explained should be appreciated. You yourself have pointed out that what happened on the last occasion is immaterial. The fact remains that the recommendation has not even been applied for.

17 hrs.

Shri A. K. Gopalan: May I know whether the Minister has any objection to the discussion of this Bill?

Shri Abid Ali: I will again assure him that we are ourselves very anxious to bring forward an amending Bill at the earliest possible opportunity. That should satisfy the hon. Member. Even on the last occasion, the hon. Member who moved for the consideration of his Bill was not satisfied and he made the House reject the proposition. That assurance was not accepted.

Mr. Chairman: The position is quite clear. It appears that the Government are trying to fulfil their promise to give effect to their undertaking. But apart from that, even according to the admission of the hon. Member some expenditure must be involved, though it may be an insignificant amount. Therefore, the provisions of article 117 (3) are attracted and we cannot pass this Bill unless and until that recommendation is here. At the same time, the hon. Member in charge of the Bill says that he will restrict it only to the private undertakings. Unless he gives that undertaking and says that he will remove such portions, I am unable to proceed with it. Also, there is another principle involved. When such an objection is taken, we should have a reasonable expectation that sanction would be obtained. So, it will practically be waste of time to go on with this Bill if we are not sure that the recommendation will be coming. It is already five and I am

going to adjourn the House now. Therefore, I would suggest that the hon. Member may make efforts to obtain the recommendation and if he succeeds, he can go on with the Bill. Even if the Government is bringing forward a Bill, it is no bar to his continuing the discussion. The other alternative can be that the hon. Member gives an undertaking to this House that he will restrict himself to such portions of the Bill as do not involve any expenditure from the Consolidated Fund of India. That is another solution. I leave it to his discretion.

Shri A. K. Gopalan: I will restrict myself to the private transport and not the other portions involving expenditure from the Consolidated Fund of India. On that basis, I may be allowed to continue.

Mr. Chairman: On the next day he may give that undertaking to the House and if the House accepts it he may be allowed to go on.

श्री रघुनाथ सिंह: (जिला बनारस मध्य):
समापति महोदय, मेरा भी एक बिल मूव (प्रस्तुत) करने के लिए है, मुझे भी आधे मिनट का समय दे दिया जाय।

Mr. Chairman: This Bill is not over. I cannot proceed to the next item. The House stands adjourned till 11 A.M. tomorrow.

17-03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 8th December, 1956.

Friday, 7th December, 1956.

PAPERS LAID ON THE TABLE	COLUMNS 2071-72	BILLS UNDER CONSIDERATION	COLUMNS 2079-2132
The following papers were laid on the Table:		Further discussion on the motion to consider the Finance (No. 2) Bill and the Finance (No. 3) Bill was continued. The discussion was not concluded.	
(1) A copy of each of the following Notifications, under sub-section (2) of section 3 of the All India Services Act, 1951:		REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED	2132-33
(i) Notification Nos. S.R.O. 2389 and 2390, dated the 27th October, 1956		Sixty-fifth Report was adopted.	
(ii) Notification Nos. S.R.O. 2555 to 2563, dated the 10th November, 1956		PRIVATE MEMBER'S BILL INTRODUCED	2135
(2) A copy of each of the following papers, under sub-section (2) of section 16 of the Tariff Commission Act, 1951:		<i>Beedi</i> and Cigar Labour Bill by Shri A. K. Gopalan.	
(i) Report of the Tariff Commission on the prices of Locomotives and Boilers produced by Tata Locomotive and Engineering Co. Ltd., 1956		PRIVATE MEMBERS' BILLS PASSED	2137-88
(ii) Ministry of Heavy Industries Resolution No. Eng. Ind. 17(17)/56, dated the 23rd November, 1956		The following Bills were considered and passed:	
DEMANDS FOR SUPPLEMENTARY GRANTS	2072	(1) Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Amendment Bill, as passed by Rajya Sabha.	
The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) presented a statement showing Demands for Supplementary Grants in respect of the Budget (General) for 1956-57		(2) Hindu Marriage (Amendment) Bill (Amendment of section 10), as passed by Rajya Sabha.	
MESSAGE FROM RAJYA SABHA	2072	(3) Women's and Children's Institutions Licensing Bill, as reported by the Select Committee, by Shrimati Kamalendu Mati Shah.	
Secretary reported a message from Rajya Sabha that at its sitting held on the 5th December, 1956, Rajya Sabha had agreed without any amendment to the State Bank of Hyderabad Bill, passed by Lok Sabha on the 21st November, 1956		PRIVATE MEMBER'S BILL UNDER CONSIDERATION	2189-96
REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED	2072-73	Shri A.K. Gopalan moved that the Motor Transport Labour Bill be taken into consideration. The discussion was not concluded.	
Forty-fourth Report was adopted.		AGENDA FOR SATURDAY, 8TH DECEMBER, 1956	
BILL INTRODUCED	2078-79	Consideration and passing of the Standards of Weights and Measures Bill, as reported by Joint Committee, the Road Transport Corporations (Amendment) Bill and the Employees' Provident Funds (Amendment) Bill.	
Banking Companies (Amendment) Bill.			