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THE
CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES

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of the

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Friday, 9th April, 1948.

The Assembly met in the Assembly Chamber of the Council House at Quarter to Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS

ARTICLES SET APART BY INDIAN ARMY ORDNANCE CORPS FOR DISPOSAL AS CONDEMNED

1348. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Industry and Supply be pleased to state the number of articles with their value set apart by the Indian Army Ordnance Corps for disposal as out-of-use or condemned?

(b) How many of these are new articles and how many are worn out?

(c) When were these articles set apart for disposal by the authorities?

(d) What steps have Government taken to dispose them of?

(e) Are these articles of any use to Government departments?

(f) If not, what is the reason for the delay in their disposal?

The Honourable Dr. Syama Prasad Mookerjee: (a), (b) and (c). The particulars asked for are not available since no separate records are maintained of serviceable and unserviceable stores reported as Salvage. The quantity of salvage stores subsequently found as serviceable is however believed to be infinitesimal. A statement is laid on the table showing details of I.A.O.C. stores originally declared unserviceable, but subsequently found serviceable. The responsibility for categorisation of stores as "Salvage" or "Serviceable" rests entirely with the Defence authorities, but before actual sale, the Disposals Organisation ensures that such of the stores as are *prima facie* serviceable are not disposed of as scrap.

Before a decision is taken to scrap the stores, all possible avenues of disposal to the best advantage of the State are explored, and it is only in the last resort that stores which have no civil end use are reduced to produce and or components or totally destroyed. A statement giving details of stores reported by the I.A.O.C. showing book values etc., and on which scrapping decisions had to be taken by Government, is placed on the table.

(d) The stores were widely advertised for sale, by tender or auction, and failing to get a reasonable offer, it was decided to sell them for whatever they would fetch, or, where there was no offer, to scrap them.

(e) No, Sir.

(f) As I have stated earlier, all efforts to sell have to be made, and this necessarily takes time.

With a view to securing proper utilisation of salvage stores, Government have under consideration the appointment of Survey Parties, consisting of representatives of various Ministries concerned, who will go round the Salvage Depots in the country and see what stores can be brought into use before they are sold as scrap.

Statement No. 1

Showing the details of I.A.O.C. stores originally declared as un-serviceable Salvage, but subsequently found serviceable

| Serial No. | Store | Quantity | Condition as reported by Reporting Authority | Condition found on Inspection | Book value | Sale value | REMARKS |
|------------|--------------------|----------|--|-------------------------------|------------|------------|---|
| | | Nos. | | | | Rs. A. P. | |
| 1 | Bush Shirts O.G. | 286 | Unserviceable | Serviceable | Not known | 715 0 0 | Released for Refugee Relief work on 9-2-48. |
| 2 | Bush Shirts K. D. | 76 | Unserviceable | Serviceable | Not known | 190 0 0 | |
| 3 | Jersey Pullover | 255 | Unserviceable | Serviceable | Not known | 510 0 0 | Ditto. |
| 4 | Shirts Flannel | 313 | Unserviceable | Serviceable | Not known | 782 8 0 | Ditto. |
| 5 | Razaia Heavy | 410 | Unserviceable | Serviceable | Not known | 1,640 0 0 | Ditto. |
| 6 | Trousers O.G. | 241 | Unserviceable | Serviceable | Not known | 482 0 0 | Ditto. |
| 7 | Shorts K. D. | 192 | Unserviceable | Serviceable | Not known | 288 0 0 | Ditto. |
| 8 | ••••• Durries | 57 | Unserviceable | Serviceable | Not known | 171 0 0 | Ditto. |
| 9 | Trousers K. D. | 73 | Unserviceable | Serviceable | Not known | 146 0 0 | Ditto. |
| 10 | Ground, Sheets | 120 | Unserviceable | Serviceable | Not known | 240 0 0 | Ditto. |
| 11 | Shirts Mazri | 122 | Unserviceable | Serviceable | Not known | 61 0 0 | Ditto. |
| 12 | Trousers Mazri | 73 | Unserviceable | Serviceable | Not known | 109 8 0 | Ditto. |
| 13 | Shirts Angola Drab | 13 | Unserviceable | Serviceable | Not known | 26 0 0 | Ditto. |

Showing cases in which stores declared surplus by I. A. O. C. organization have been accepted for scrapping by D. G. D.

| S. No. | Store | Quantity | Condition as given on the declaration | Book value | Reasons for scrapping | REMARKS |
|--------|---------------------------------------|------------|---|--------------|---|---|
| | | | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Tanks Camel marked IV covers | No. 60,000 | Serviceable —42980 Repairable —17020 | Rs. 3,41,250 | All avenues for sale were explored but as the store had no "Civil Encl" use and since in previous auctions highest offers received were only As. 11 and As. 8 each, it was decided to treat the item as "dead stock" on 21-5-47 with financial concurrence and to sell it for best price obtainable in auction. | Sold in auction on 26-8-47 @ As. -/12/6 each. |
| 2 | Ear Protectors | 4,80,000 | Serviceable | 30,000 | In spite of best efforts it was not possible to find any market for these stores. All sources were tried. Offer of Rs. 100 for the entire lot was rejected in auction and subsequent negotiations met with little success. On 15-1-47, it was decided to sell this item for the best price obtainable. | Sold for Rs. 250 on 18-7-47. |
| 3 | Goggles Dust complete with its cases. | 12,00,000 | Serviceable | 13,50,000 | Efforts were made to sell these stores through-out India by all means of advertisement. Ultimately the store was declared as "dead stock" on 11-12-46 and it was decided to sell for the best price obtainable in auction. | Sold on 10-3-47 for Rs. 80,000. |
| 4 | Brushes, tooth Indigenous | 5,81,500 | Serviceable | 4,37,125 | One lakh brushes sold to M/s. G. T. Supplies, Kanpur at As. 3 each. For balance stores, no suitable offer was forthcoming in spite of every endeavour to sell. Stores subsequently found to have been infested and it was decided on 20-9-47 to sell the stores by auction for the best price obtainable. | Implementation of the decision held up on account of the various bans on disposals. |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|---|-----------------|--|---|---|---|
| 5 | (i) Sun Compasses (ii) Components for Sun Compasses. | Nos. | Serviceable/Fair Repairable Serviceable/Fair Repairable | Rs. 5,12,207 63,818 2,55,727 14,253 | The stores were obsolete and had no "Civil End" use for commercial value. These were elementary Com-passes used in the Western desert during the campaign in the middle East and were not accurate enough for survey operations. It was decided to transfer the stores to Salvage Depots for sale as such. Decision to scrap was taken on 16-12-46. | The stores have since been considered as salvage and sur-plus reports with-drawn from dis-posals. |
| 6 | Compasses Magnetic Training marked I. & II. | 33,348 6,314 | Serviceable/Fair Repairable | 9,35,744 74,396 | The stores are obsolete and have no "Civil End" use or commercial value. They are unsuitable for ordinary survey work and all efforts of the disposals Organization to sell through advertisement or through the Mini-stry of Education, Boy Scout and Girl Guide Organizations have failed. The Compasses are consid-ered to be of no possible use and it was, therefore, decided on 11-3-47, to scrap them. | Sale held up pending lifting of the ban on disposals. |
| 7 | M. T. Spares | 3,80,000 | Not known | 26,98,445 | Obsolete stores with no "Civil End" use. | |

Mr. R. K. Sidhva: May I know the total book value of these articles set apart by the Indian Army Ordnance Corps?

The Honourable Dr. Syama Prasad Mookerjee: Does the Honourable Member mean of the Stocks which are there at present?

Mr. R. K. Sidhva: Yes.

The Honourable Dr. Syama Prasad Mookerjee: I have not got here the separate figures for the Indian Army Ordnance factories alone. The total will come to about 150 crores.

Mr. R. K. Sidhva: What is the value of the goods still to be disposed of and the whole stores?

The Honourable Dr. Syama Prasad Mookerjee: I have not got separate total value of the stores which have come from the I.A.O.C.

Mr. R. K. Sidhva: May I know what is the reason for not keeping a separate list for the serviceable and unserviceable articles as the Honourable Minister stated?

The Honourable Dr. Syama Prasad Mookerjee: I suppose the Defence Ministry keeps one record and whichever they consider to be saleable are put on the disposal lists, but I cannot tell whether they have any separate list to show which are surplus and which are unserviceable.

Mr. R. K. Sidhva: My question was why it is not possible. It is an important matter and the House should know whether Government take any effort to find out what are serviceable and what are non-serviceable articles.

The Honourable Dr. Syama Prasad Mookerjee: I suppose, Sir, what the Defence Ministry does is this: Whatever they consider to be unserviceable for Defence purposes are put into the hands of the Disposals and the rest are kept with them as serviceable.

Seth Govinddas: Are Government aware that even serviceable articles many times are considered to be unserviceable and there is a lot of confusion in this respect?

The Honourable Dr. Syama Prasad Mookerjee: I believe that depends on the parties who want to use them.

Mr. R. K. Sidhva: Is it a fact that some of the authorities relating to the I.A.O.C. have written to the Government for the disposal of these articles and still they are not disposed of?

The Honourable Dr. Syama Prasad Mookerjee: The examination, Sir, is going on from time to time, and sometimes stores which were declared as not serviceable for Defence purposes have been recalled and the Defence Ministry have taken them back. It all depends on the conditions, which are, of course, of a changing character.

Shri V. C. Kesava Rao: May I know whether the Government is aware that due to the delay in the disposal of these articles, many of them have become obsolete?

The Honourable Dr. Syama Prasad Mookerjee: In some cases that has been so.

Shri B. Das: Does the United Kingdom bear a part of the losses of these surplus I.A.O.C. stores that were purchased on behalf of the United Kingdom, U.S.A. and India?

The Honourable Dr. Syama Prasad Mookerjee: The financial arrangements between the U.K. and India have been completed.

Shri B. Das: What is that financial arrangement that has been completed? Is it 33: 33: 33 between the U. K., the U.S.A. and India?

The Honourable Dr. Syama Prasad Mookerjee: Well, the Defence Minister says that the financial arrangement has been arrived at and the matter now rests with the India Government to complete it. So far as the details are concerned, I am afraid, I cannot say, but if the Defence Minister can answer it, he may.

Shri B. Das: I think he can answer how much of the losses will be borne by the U.K. and U.S.A. and how much will fall on India.

The Honourable Sardar Baldev Singh: The position is this that we have entered into an agreement with the United Kingdom and the U.S.A. for the purchase of these surplus stores. I cannot give the Honourable Member these details, but an arrangement has been arrived at and we have taken over all the surplus stores of the U.K. and the U.S.A.

Shri B. Das: Whatever might be the financial arrangement I would like to know what will be the burden that will fall on India and these two partners?

The Honourable Sardar Baldev Singh: No proportion has been fixed between Pakistan and India.

Shri B. Das: I am not talking of Pakistan. I am referring to the U.K. and India.

The Honourable Sardar Baldev Singh: The entire responsibility has been taken up by the Government of India.

Seth Govinddas: May I take it, Sir, that all the losses which would be incurred will be borne by India and not by the United Kingdom and the U.S.A.?

The Honourable Sardar Baldev Singh: All the surplus stores become our property and whether there is a loss or profit, it is our responsibility.

Mr. B. K. Sidhva: Is it a fact that some of the articles kept in tact in packages are found to be unserviceable. Has the attention of Government been drawn to it. If so, why have they not disposed them of. It is now nine months and they are reported to be useless?

The Honourable Dr. Syama Prasad Mookerjee: Every possible step is being taken to expedite the sale. I do not know whether there are any new unpacked cases which include materials which are completely unserviceable.

Mr. B. K. Sidhva: There are.

Shri V. C. Kesava Rao: May I ask whether there is any system of priority in disposing of these foodstuffs?

The Honourable Dr. Syama Prasad Mookerjee: There is priority. The first in the list comes the Central Government, then the Provincial Governments, then state Governments, then any particular institutions which have been put in the priority list and then they are thrown open to the public.

STOPPAGE OF BRITISH POSTAL ORDERS

1349. ***Mr. B. K. Sidhva:** (a) Will the Honourable Minister of Communications be pleased to state whether it is a fact that Government of India have stopped the issue of British Postal Orders? If so, why?

(b) Do Government propose to consider the issue of British Postal Orders for small amounts?

(c) If not, what are the facilities which exist for payment of subscriptions for British journals?

The Honourable Mr. Rafi Ahmed Kidwai: (a) Yes, Sir. In order to save foreign exchange.

(b) Yes, Sir. Modified orders on the subject permitting the issue of British Postal Orders and foreign money orders are under issue.

(c) Apart from British Postal Orders, subscriptions to British journals required for personal use may be remitted without limit of amount on application to any bank authorised to deal in foreign exchange.

Mr. R. K. Sidhva: With reference to part (c) of the question, will Government make a rule to the effect that in every case of subscription to British journals there will be no limit or restriction and they will accept every application?

The Honourable Mr. Rafi Ahmed Kidwai: I understand there is no limit but if the Honourable Member wants to make a suggestion he should send it to the Finance Minister.

SALE OF WAGONS AT HALISHAHAR AND PANAGAR YARDS

1350. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Railways be pleased to state whether it is a fact that a certain number of wagons have been sold out at Hali Shahar and Panagar yards?

- (b) If so, what is their number and why were they sold?
 (c) Is it a fact that these wagons would have been serviceable after repairs?
 (d) Is it a fact that recommendations were made to have them repaired?
 (e) Since how long have they been lying as unserviceable and how long were they in service?
 (f) Is there any other lot for sale? If so, how many?

The Honourable Dr. John Matthai: (a) It is a fact that a certain number of wagons were sold at Hali Shahar and Panagar.

(b) 680 were sold at Hali Shahar and 81 at Panagar. They were overaged wagons and it was considered to be uneconomical to repair them.

(c) It would have been possible to repair some of these wagons but as stated in (b) above it would have been uneconomical to do so.

(d) It is not a fact that recommendations were made to repair these wagons.

(e) Some of these wagons had been lying idle for over three or four years and almost all of them had completed their normal life of 40 years.

(f) There are still about 1300 replaced unserviceable wagons for sale. Accurate figures cannot be given as the division of the former B.A. Railway stock between India and Pakistan has not yet been completed.

Mr. R. K. Sidhva: May I know what was realised out of these 680 wagons which were disposed of as unusable?

The Honourable Dr. John Matthai: What happened was that some of these wagons which had done their normal term of service and had become by experience unfit for heavy long distance traffic were found to be suitable for light traffic within the precincts of factories. In the case of these wagons we entered into negotiations with large factories and over a hundred of these were sold by negotiation at prices which represented something higher than the original book value. As regards the rest which had been reduced to pure scrap what we did was to put them up for auction when these wagons were sold along with various other scrap materials; and I am therefore unable to give an accurate average figure per wagon.

Mr. R. K. Sidhva: What is the normal life of a wagon?

The Honourable Dr. John Matthai: Forty years.

Mr. R. K. Sidhva: What has been the life of these wagons?

The Honourable Dr. John Matthai: Over forty years.

Mr. R. K. Sidhva: Were they considered to be absolutely useless for purposes of transport?

The Honourable Dr. John Matthai: Most of these wagons had been lying idle for three or four years because they were unsuitable for use for heavy long-distance traffic. Therefore that was the only way in which we could use them in order that the space might not be cluttered up with unusable material.

Mr. R. K. Sidhva: Did Government try to find out whether by repairs they could be made serviceable?

The Honourable Dr. John Matthai: Yes, investigation was made into that particular question and it was found that repairs to these wagons would cost quite as much as making new wagons.

Mr. R. K. Sidhva: May I know what figures were quoted for repairing these wagons?

The Honourable Dr. John Matthai: At present whatever cost we incur in respect of the manufacture of new wagons is the figure that was given as the estimated cost of repairing.

Mr. R. K. Sidhva: May I know what amounts were asked for in order to repair these wagons.

The Honourable Dr. John Matthai: The cost of repairing a particular wagon varies with the type of wagon. Repairing is done normally in our workshops so that we have got figures with regard to wagon costs.

Mr. R. K. Sidhva: Were any people other than workshop experts consulted in this matter?

The Honourable Dr. John Matthai: There is no other expert who is engaged at present in the business of repairing wagons.

Shri S. V. Krishnamurthy Rao: Could they not have been used for short-distance traffic?

The Honourable Dr. John Matthai: Yes, I said that over a hundred of these which could be used for short-distance and light traffic were sold to factories. The rest were found quite unsuitable, and so no offers were made for them.

Shri S. V. Krishnamurthy Rao: Will Government make inquiries and find out whether the remaining stock that is undisposed of can be used somehow?

The Honourable Dr. John Matthai: We are making every effort because it is not to our interest to dispose of wagons which can be used.

EXPENDITURE ON AGRICULTURE AND ALLIED RESEARCHES DURING PAST TEN YEARS

1351. ***Shri Kishori Mohan Tripathi:** (a) Will the Honourable Minister of Agriculture be pleased to state the amount which the Government of India have spent over agricultural and allied researches during the past ten years?

(b) Have the researches so made contributed towards the economic well-being of the agriculturist classes in India or added to the out-put of our agricultural products?

The Honourable Shri Jai Ramdas Doulatram: (a) A statement showing the expenditure on research work on different items year by year is laid on the table of the House.

(b) Yes. Improved strains suited to varying conditions of soil and climate have been evolved of rice, wheat, pulses, millets, cotton, sugar-cane, jute and other crops. These have given an increased yield of 10 to 15 per cent. The researches on proper manuring have also shown potentialities of increased yield varying from 20 to 150 in the case of rice and nil to 65 per cent. for wheat. Increased yield has also been obtained by improved manuring in Jwar, mustard seeds, sugar-cane and jute. There is, however, room for still greater progress.

State

Showing the Amount spent over Agricultural and Allied researches

| | 1938-39 | 1939-40 | 1940-41 | 1941-42 |
|---|-----------|-----------|----------|-----------|
| | Rs. | Rs. | Rs. | Rs. |
| 1. Indian Agricultural Research Institute (Does not include expenditure on a/c of Dairy Expert which has been included under Indian Dairy Research Institute) | 7,41,848 | 7,20,487 | 7,97,181 | 8,65,84 |
| 2. Indian Veterinary Research Institute | 7,16,398 | 7,36,636 | 8,36,099 | 8,57,157 |
| 3. Indian Dairy Research Institute (Includes expenditure on a/c of Dairy Expert) | 58,900 | 58,634 | 63,495 | 60,216 |
| 4. Experimental Cattle Breeding Farm, Jubbulpore | .. | .. | .. | .. |
| 5. Indian Central Cotton Committee | .. | .. | .. | .. |
| 6. Indian Central Jute Committee | .. | .. | .. | .. |
| 7. Indian Lac Cess Committee | 2,75,381 | 2,72,314 | 2,92,431 | 2,65,385 |
| 8. Indian Central Coconut Committee | .. | .. | .. | .. |
| 9. Indian Central Tobacco Committee | .. | .. | .. | .. |
| 10. Indian Central Sugarcane Committee | .. | .. | .. | .. |
| 11. Indian Council of Agricultural Research (Maintenance of Secretariat of) | 3,44,900 | 3,29,100 | 2,41,300 | 3,18,800 |
| 12. Grants made by Government of India for specific research on behalf of Government | 10,51,200 | 8,95,400 | 4,80,000 | 4,50,000 |
| 13. Amount paid by Indian Council of Agricultural Research to Provinces and States by way of grants and subvention for implementation of various schemes | 14,38,100 | 13,14,400 | 12,93,70 | 14,37,700 |

ment

during the Past Ten years.

| 1942-43 | 1943-44 | 1944-45 | 1945-46 | 1946-47 | 1947-48 | Total | Remarks |
|-------------|-----------|-----------|-----------|-----------|-----------|-------------|---------|
| Rs. | Rs. | Rs. | Rs. | Rs. | Rs. | | |
| 9,09,721 | 11,16,606 | 12,86,045 | 11,13,223 | 11,96,400 | 16,84,800 | 1,04,32,151 | |
| 9,78,496 | 11,10,065 | 13,72,116 | 18,32,098 | 21,24,000 | 27,95,000 | 1,33,58,065 | |
| 2,43,932 | 3,79,093 | 3,58,589 | 4,23,976 | 5,60,000 | 15,37,000 | 37,43,535 | |
| .. | .. | .. | .. | .. | 2,16,000 | 2,16,000 | * |
| .. | .. | .. | .. | .. | .. | 61,36,000 | |
| .. | .. | .. | .. | .. | .. | 53,20,698 | |
| 2,95,721 | 2,99,398 | 2,83,359 | 2,91,608 | 2,80,849 | 3,34,864 | 28,91,310 | |
| .. | .. | .. | .. | .. | .. | 1,42,136 | † |
| .. | .. | .. | .. | .. | .. | 14,53,000 | ‡ |
| .. | .. | .. | 5,61,632 | 4,67,450 | 3,86,934 | 14,16,016 | § |
| 3,18,500 | 2,70,700 | 3,37,000 | 3,65,600 | 4,51,800 | 3,76,900 | 33,54,600 | |
| 6,23,800 | 14,91,600 | 17,47,400 | 15,06,600 | 8,76,700 | 3,26,800 | 94,59,500 | |
| 11,85,700 | 15,82,200 | 18,18,600 | 17,70,700 | 11,96,300 | 37,400 | 1,30,74,800 | |
| Grand total | | | | | | 7,09,97,815 | |

* In the process of being set up Expenditure so far incurred relate mostly to buildings and equipment.

† In Indian Central Tobacco Committee was set up in 1945.

‡ The Indian Central Tobacco Committee was set up in 1945.

§ The Indian Central Sugarcane Committee was set up in 1944.

|| The bulk of the grants for the year have still to be paid.

Shri Kishori Mohan Tripathi: Do Government circulate the results and the findings among the agricultural classes? If so, how?

The Honourable Shri Jairamdas Daulatram: I have replied to a similar question on an earlier occasion and given details of such publicity as we have been able to make. The usual procedure is to hand over the results of these researches to the provincial Governments because it is they who are dealing with agricultural production.

Seth Govinddas: Are Government aware that up till now, except an increase in Government farms, these experiments have had no bearing on India's production, so far as cultivators are concerned?

The Honourable Shri Jairamdas Daulatram: I think I might read out certain figures which will indicate that the results of these researches are being implemented by the agriculturists.

The following are the estimated percentages of the introduction of improved varieties in regard to each crop. In regard to sugar-cane 75 per cent. of the area now is grown on seeds of these new improved varieties. In regard to jute in the case of one variety it is 37 per cent. of the area which is under improved variety; in the case of another variety of seeds it is 75 per cent. In the case of cotton, 27 per cent. of the area is under improved variety; in the case of wheat, 22 per cent. of the area in the country is under improved variety; in the case of rice it is 6 per cent.; in the case of jowar it is 1.2 per cent.; in the case of gram it is 1.6 per cent. In the case of gram, jowar and rice, progress has not been as great as in the case of other crops.

Seth Govinddas: Do not these figures show that in cereals there has been very little progress?

Mr. Speaker. That is a matter of opinion and inference.

Shri B. Shiva Rao: Is it not a fact that our researches in rice have attracted the notice of other countries but seem to have had very little effect on rice production in this country?

The Honourable Shri Jairamdas Daulatram: It is possible that our researches have drawn the attention of research workers in other countries. I am not aware that the agriculturists in other countries have implemented the results of our researches; it may be so, and if the Honourable Member says so I will not dispute it.

श्री रामसहाय : क्या माननीय मंत्री यह बतलाने की कृपा करेंगे कि गेहूँ जो "रस्ट (Rust) लगता है उसके बारे में कोई रिसर्च की जा रही है और उन्नत क्या नतीजा निकला है ?

Shri Ram Sahai: Will the Honourable Minister please state whether any research is being carried on in rust which affects wheat; and if so, what has been the results thereof?

आनरेबिल श्री जयरामदास दौलतराम : उसमें रिसर्च जारी है और एक सी की वैराइटी (Variety of seed) निकली है जो "रस्ट" (Rust) को रेजिस्ट (resist) कर सकती है, जिस पर रस्ट का असर नहीं पड़ता है । वह वैराइटी लोग नहीं

रखते हैं। लेकिन मैं यह स्वीकार करने के लिये तैयार हूँ कि जितना प्रोपेगन्डा होना चाहिये था उतना नहीं हुआ। जो एग्रीकल्चरिस्ट (agriculturists) फायदा नहीं उठा सके उस में हम उनकी मदद कर सकते हैं।

The Honourable Shri Jairamdas Doulatram: The research is in progress in this direction and a variety of seed has been evolved which is 'rust' resisting and is not affected by rust. People do not stock that variety, but I am prepared to admit that necessary propaganda was not done. We are ready to help those agriculturists who could not derive any benefit so far.

Shri B. Das: Is not there multiplication of researches in each category by the Government of India, by that bloated body known as the Indian Agricultural Research Institute and also the various provincial Governments? What steps are Government taking to concentrate research in each category in one body instead of having so many bodies?

The Honourable Shri Jairamdas Doulatram: I admit that there is need of laying down a policy with regard to agricultural research. This matter is under the consideration of Government and with the help of provinces, we propose to formulate a plan by which unnecessary overlapping may be avoided and that there might be specialization of research in particular matter in particular centres.

Shri H. V. Kamath: Apart from provincial Governmental machinery, does Government propose to make available the results of all these researches to *Kisans* through their own organizations like the *Kisan* Congress and similar bodies?

The Honourable Shri Jairamdas Doulatram: This suggestion will be considered.

Seth Govinddas: With respect to rust proof wheat seed about which the Honourable Minister has just spoken, is Government contemplating to send this seed to such areas in India where there is a general complaint of rust?

The Honourable Shri Jairamdas Doulatram: That will be considered.

Shri S. V. Krishnamurthy Rao: May I know whether there is any increase in the production of cotton?

The Honourable Shri Jairamdas Doulatram: 27 per cent. of the area is under improved varieties. I am not able to say what is the percentage of increase. The overall percentage of increase which I indicated for all the crops was 10 to 15 per cent. With regard to cotton I have not the figures now. I am prepared to supply them to the Honourable Member later.

GRANTS FOR IMPROVEMENT OF ARECA-NUT CULTIVATION

1352. ***Prof. N. G. Ranga:** Will the Honourable Minister of Agriculture be pleased to state:

(a) what use has so far been made of the special grant made for the improvement of areca-nut cultivation; and

(b) in what parts of India has such use been made?

The Honourable Shri Jairamdas Doulatram: (a) A pilot scheme with a recurring cost of Rs. 80,000 and a non-recurring cost of Rs. 10,000 was sanctioned for combating malaria in the areca-nut growing areas of South-India. The expenditure on this scheme is to be met from the special areca-nut grant.

A central areca-nut committee is being constituted. The committee when formed will be in a position to make plans for the development and marketing of areca-nuts.

(b) South Kanara District, Malabar.

Prof. N. G. Ranga: What is the total amount of money that is being placed at the disposal of this Committee?

The Honourable Shri Jairamdas Doulatram: I think it is Rs. 5 lakhs.

Prof. N. G. Ranga: Why is it that though this grant was made more than two years ago, and at that time the promise was made that a Committee would be constituted, the Government are still thinking of constituting it today?

The Honourable Shri Jairamdas Doulatram: I do not wish to take the responsibility for previous delays. I am, however, prepared to speed up things hereafter.

Shri H. V. Kamath: With reference to the matter of areca-nut cultivation, may I know whether there are any pests that attack and thrive on areca-nuts?

The Honourable Shri Jairamdas Doulatram: Yes.

Shri H. V. Kamath: What are the various pests that thrive on areca-nuts?

The Honourable Shri Jairamdas Doulatram: I will not be able to name them straightaway.

Shri S. V. Krishnamurthy Rao: May I know whether this unspent grant will be set apart as a research fund and used for areca-nut research?

The Honourable Shri Jairamdas Doulatram: Yes, there is a special grant of Rs. 5 lakhs for that purpose.

Shri S. V. Krishnamurthy Rao: I believe that Rs. 5 lakhs was granted in 1945-46 and another Rs. 5 lakhs in 1946-47 and the amount has not been spent. May I know whether this sum of Rs. 10 lakhs will be set apart for research work and used for the areca-nut research?

The Honourable Shri Jairamdas Doulatram: I do not think the grants of the previous years are still with us. They must have lapsed.

Prof. N. G. Ranga: Is not it a fact that these grants were made as a sort of lump-sum grants earmarked for this purpose and have government considered the advisability of asking provincial Governments to supplement the Central Government on a 50/50 basis?

The Honourable Shri Jairamdas Doulatram: No.

Prof. N. G. Ranga: What is the answer to the earlier part of the question, namely, that there were earmarked sums especially for this purpose, and therefore they need not lapse into general revenues if they could not be spent in the year for which they were allotted?

The Honourable Shri Jairamdas Doulatram: I am not able to give the Honourable Member any further information.

Shri H. V. Kamath: Does Government propose to make India self-sufficient in areca-nut and stop imports of this commodity?

The Honourable Shri Jairamdas Doulatram: When we produce enough we will stop the imports.

ENQUIRY INTO INDIGENOUS SYSTEM OF CATTLE TREATMENT

1353. ***Prof. N. G. Ranga:** Will the Honourable Minister of Agriculture be pleased to state:

(a) whether the reports of the enquiry ordered to be made into the indigenous system of cattle treatment has been received; if so, when; and whether it is published;

(b) whether any efforts are being made by Government to conduct any research into the system; and

(c) whether the various serums produced by Government for inoculating cattle are being supplied to the practitioners of the indigenous system?

The Honourable Shri Jairamdas Doulatram: (a) The report referred to was received in November, 1939. An article by the author, incorporating the findings in the report was published under the title 'Animal Husbandry in Ancient India' in September-November, 1941 issues of the 'Indian Farming' published by the Indian Council of Agricultural Research.

(b) No research on the indigenous system of treatment of cattle diseases is being carried out at the Indian Veterinary Research Institute at present but the question of sponsoring scholarships for conducting the research primarily with a view to collect further information from the available ancient literature and manuscripts is under the consideration of the Indian Council of Agricultural Research.

(c) There has been no demand for sera and vaccine from the practitioners of the indigenous system.

Prof. N. G. Ranga: In view of the fact that the Kisan Congress has itself been conducting a number of dispensaries in the Andhradesa and has also a college, and has gained considerable experience, will Government consider the advisability of instructing their own proposed scholars to go there to study the way in which research is being done there, or inviting some people to go to their research farm and study under the guidance of their own scientific men?

The Honourable Shri Jairamdas Doulatram: That will be considered.

Seth Govinddas: Is it not a fact that as in the case of Ayurvedic so in the case of this indigenous system of cattle medicine, the Government is giving very meek support to the investigations which are being made in this country so far as indigenous systems of medicine are concerned?

The Honourable Shri Jairamdas Doulatram: I agree.

Seth Govinddas: What steps are Government going to take, now that we have swaraj, to see that these indigenous systems of medicine are sufficiently encouraged?

The Honourable Shri Jairamdas Doulatram: Government will consider all suggestions for helping the indigenous systems of medicine.

Shri Biswanath Das: Is Government aware of the fact that the Indian Council of Agricultural Research, then known as the Imperial Council of Agricultural Research, appointed a special officer, who toured all provinces like Orissa, and States like Travancore to gather information and came in contact with persons having something to do with indigenous systems of cattle treatment: that they have collected a lot of information on this subject: and whether Government contemplate getting that information and also publish the same?

The Honourable Shri Jairamdas Doulatram: Government will enquire into this and publish whatever is useful for this particular purpose.

INCOME FROM SALE OF TICKETS AND GOODS TRAFFIC AT SAINTHIA JUNCTION ON E. I. R. SAHEBGUNJ LOOP

1354. ***Shri Mihir Lal Chattopadhyay:** Will the Honourable Minister of Railways be pleased to state:

(a) the average annual income from sale of passenger tickets at Sainthia Junction on the East Indian Railway Sahebgunj Loop for the last four years; and

(b) the average annual receipt from goods traffic for the last four years from the same station?

The Honourable Dr. John Matthai: (a) Rs. 1,11,586.

(b) Rs. 3,44,012.

Shri Mihir Lal Chattopadhyay: May I know whether the Honourable Minister is aware that there is no waiting hall for third-class passengers in that station?

The Honourable Dr. John Matthai: I half expected that this question was coming up and I made enquiries and I may inform the Honourable Member that there is a waiting hall for third-class passengers and I think there is also a counter for upper-class passengers.

Shri Mihir Lal Chattopadhyay: May I tell the Honourable Minister that there is no upper-class counter?

The Honourable Dr. John Matthai: That is my information. However, I will look into it.

PURCHASE AND USE OF AMERICAN AIRCRAFTS *Expeditor*

1355. ***Mr. E. K. Sidhva:** (a) Will the Honourable Minister of Communications be pleased to state the number of American Aircraft (Expeditor) purchased by the Government of India and their cost?

(b) When were they purchased and through what agency and who maintains them?

(c) What is the total maintenance and operation costs per month separately?

(d) How many hours has each plane flown?

(e) Have they been used at any time for the Kashmir emergency or Punjab Evacuation purposes?

(f) If not, why not?

The Honourable Mr. Rafi Ahmed Kidwai: (a) Two Expeditor aircraft were purchased by the Government of India at a total cost of Rs. 1,91,926.

(b) The aircraft were purchased in July 1946 through the Director General of Disposals and were entrusted to Indian National Airways for maintenance and operation for Government.

(c) The rate of payment to the Company for each aircraft was Rs. 4,047 per mensem, representing the cost of day-to-day maintenance, payable only for the period the machines were airworthy, plus Rs. -/12/- for each mile flown.

(d) One plane flew for 14 hours and the other none.

(e) No.

(f) Both the aircraft were unserviceable during the period of evacuation and Kashmir operations. One of the aircraft was brought up to airworthy condition, but it became unserviceable after 23 days and could not be made airworthy again due to lack of spares. For the same reason, the other aircraft has remained unairworthy up to now.

Mr. E. K. Sidhva: What is the reason for giving these two planes for maintenance to the I.N.A. agency? Cannot the new Government maintain these two planes without spending Rs. 4,046 every month?

The Honourable Mr. Rafi Ahmed Kidwai: It is very difficult for me to know what reasons persuaded the then Government to purchase these planes and to entrust them to the I.N.A. for maintenance purposes. Very probably this was done because the Government itself had no maintenance organisation.

Mr. E. K. Sidhva: Have Government obtained competitive rates for maintaining these two planes or have they simply handed them over to the I.N.A.?

The Honourable Mr. Rafi Ahmed Kidwai: As I said, Sir, these planes were purchased in 1946 and handed over to the I.N.A. Except one, which did a

flying of about 28 days, they were not found airworthy, and, consequently, have remained idle till now.

Mr. R. K. Sidhva: Are they still maintained by the I.N.A., and do they continue to receive any payment for it?

The Honourable Mr. Rafi Ahmed Kidwai: For the period that the planes remained airworthy the I.N.A. received about Rs. 3,000 and odd as maintenance charges. They have not received a single pie during the period the planes remained idle.

Mr. R. K. Sidhva: I was told that one of the planes was airworthy for a few days. May I know whether that plane was used for Kashmir evacuation?

The Honourable Mr. Rafi Ahmed Kidwai: The planes were not used for Kashmir evacuation, because during those days they were not airworthy.

Mr. R. K. Sidhva: For whom were these planes imported?

The Honourable Mr. Rafi Ahmed Kidwai: They were imported for the use of Honourable Ministers and other high officials.

Mr. R. K. Sidhva: Are they being used by the Honourable Ministers.

Mr. Speaker: We shall proceed to the next question.

INDIA'S SHARE AFTER PARTITION OF MOGHALPURA WORKSHOPS

1356. ***Mr. R. K. Sidhva:** (a) Will the Honourable Minister of Railways be pleased to state who was deputed to take charge of articles coming to our share after the partition of the Moghulpura Workshop?

(b) Were all the articles taken over and was a list of the same prepared?

(c) Is it a fact that some heavy articles are still left over?

The Honourable Dr. John Matthai: (a) The Moghulpura Workshops were not partitioned. The question of taking charge of assets falling to the share of the E.P. Railway did not therefore arise.

(b) Does not arise.

(c) Does not arise.

Mr. R. K. Sidhva: I could not follow the answer, Sir.

The Honourable Dr. John Matthai: The arrangement which was made at the time of partition—and which was approved by the Partition Council—was that, as far as workshops were concerned, they were not to be partitioned. Certain arrangements were made for the use of workshops in one Dominion by railways falling within the limits of the other Dominion. So, the arrangement with regard to the Moghulpura Workshops was that they were not to be partitioned, but the East Punjab Railway was to have the benefit of the service of the Workshops.

Mr. R. K. Sidhva: Am I to understand that the articles and materials in the Workshops, apart from the machinery, were also not to be partitioned and shared?

The Honourable Dr. John Matthai: All the stores and materials which were part of the workshops equipment remained at Moghulpura.

Mr. R. K. Sidhva: So we had no share in the Moghulpura workshops.

Mr. Speaker: That is what follows.

Shri H. V. Kamath: Are there no obstacles placed in the way of the East Punjab Railway securing the services of these workshops whenever the need arises?

The Honourable Dr. John Matthai: At first it worked extremely unsatisfactorily but of late there has been improvement.

FLYING CLUBS IN INDIA

1357. *Shri Basanta Kumar Das: Will the Honourable Minister of Communications be pleased to state:

(a) the names of Flying Clubs in India;

(b) the number of aviators recruited in the Royal Indian Air Force who received training in each of the Flying Clubs;

(c) what assistance Government render to the different Flying Clubs;

(d) whether the attention of Government has been drawn to the grievances of the Bengal Flying Club; and

(e) what steps Government propose to take to remedy these grievances and to give them proper facilities for work?

The Honourable Mr. Rafi Ahmed Kidwai: (a), (b) and (c). I lay on the table of the House three statements giving the information asked for by the Honourable Member.

(d) Yes, Sir.

(e) The grievances of the Bengal Flying Club relate to the provision of aircraft and a permanent site for the Club.

The Club has been allotted 2 Tiger Moths and 2 L-5 aircraft. Action is in hand to obtain more aircraft and as soon as they are received, they will be allotted to Flying Clubs according to priority.

The question of allotting a permanent site to the Club is under the consideration of the Government of India.

Statement I

Showing the names of the Flying Clubs in India

Delhi Flying Club Limited, Willingdon Air Station, New Delhi.
Bombay Flying Club Limited, Juhu Aerodrome, Bombay.
Madras Flying Club Limited, St. Thomas Mount, Madras.
Bengal Flying Club Limited, Barrackpore, Calcutta.
Bihar Flying Club Limited, Patna.
Orissa Flying Club Limited, Bhubaneswar.
Hind Provincial Flying Club Limited, Lucknow.
Jodhpur Flying Club Limited, Jodhpur.
Travancore Flying Club, Trivandrum.

Statement II

Showing the number of persons recruited in the Royal Indian Air Force who received training at each of the Flying Clubs.

| S. No. | Name of Club | No. of persons recruited in the Royal Indian Air Force who received training at each of the Clubs |
|--------|--|---|
| 1 | The Karachi Aero Club Limited | 38 |
| 2 | The Bombay Flying Club Limited | 56 |
| 3 | The Madras Flying Club Limited | 54 |
| 4 | The Delhi Flying Club Limited | 41 |
| 5 | The United Provinces Flying Club Limited | 26 |
| 6 | The Bengal Flying Club Limited | 48 |
| 7 | The Northern India Flying Club Limited | 56 |
| 8 | The Bihar Flying Club Limited | 27 |
| 9 | The Hyderabad State Aero Club | 9 |
| 10 | The Jodhpur Flying Club | 9 |
| TOTAL | | 364 |

Note.—In addition 46 Pilots trained by Flying Clubs before War were appointed as Commissioned Officers at the commencement of the War. The details as to the Clubs at which these persons were trained are not readily available.

Statement III

Scale of assistance by Government to the Clubs for the year 1947-48

(i) Fixed subsidy @ Rs. 30,000 per annum per club for meeting the standing charges plus excess flying charges at Rs. 5 per hour for flying done in excess of 1000 hours per annum.

(ii) A bonus of Rs. 250 for each "A" licence pilot trained by the Club.

(iii) Under the terms of the financial assistance, the following charges for flying training are prescribed :

| | |
|--|------------------|
| (a) For trainees below the age of 28 years | Rs. 15 per hour. |
| (b) For others | Rs. 30 per hour. |

Government pays to each club a contribution at the rate of Rs. 20 per hour for all flying done in the category (a) and Rs. 5 per hour for flying under category (b).

(iv) Accommodation is allotted to new Flying Clubs if available, otherwise Government gives a grant-in-aid to each Club for construction of hangars, workshops, stores etc., to the extent of Rs. 25,000.

(v) Allotment up to a maximum of 6 aircraft to each Club on loan. It has not been possible to complete this number so far but arrangements are being made to obtain more aircraft from abroad for this purpose.

(vi) Free landing and housing facilities are granted to Clubs at their aerodromes.

Note.—The above financial assistance is given only to the 7 Clubs in British India and has not yet been extended to the Clubs in the States.

Shri Basanta Kumar Das: By what time are the grievances of the Bengal Flying Club expected to be redressed?

The Honourable Mr. Rafi Ahmed Kidwai: So far as the question of site is concerned, the aerodrome has been handed over to the Director-General, Civil Aviation, and the Club has been informed that it can carry on for the time being in this aerodrome, of which a portion will be allotted to it later.

FIXATION OF PRICE OF COCONUTS

1358. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Agriculture be pleased to state the present price of coconuts in the market?

(b) Are Government aware that the prices have dropped by 70 per cent. during the last four months?

(c) What is the reason for the precipitate fall in price?

(d) Do Government propose to consider the question of fixing a minimum price for coconuts and thus help the cultivator?

The Honourable Shri Jai Ramdas Doulatram: (a) The present market price for a thousand coconuts without husks is about Rs. 105 and from Rs. 100 to Rs. 105 at Cochin and Alleppy respectively.

(b) During the last four months the prices in the two principal markets in India, namely Cochin and Alleppy have dropped by 21 and 20 per cent. respectively. A Statement showing the trend of prices is laid on the table of the House.

(c) The 20 per cent. decline is accounted for by (i) the difficult supply position of Caustic Soda resulting in a fall in demand for coconut oil by the Soap Industry; and (ii) transport difficulties.

(d) Not at present.

Statement

Showing the trend of prices of Coconuts (without husks) in the two principal markets of Cochin and Alleppey during the period from 3-12-47 to 30-3-48.

| Date | Cochin | | Alleppey | |
|--------------------------|--------------------------------|------------------------|--------------------------------|-------------------------|
| | Price in Rs. per thousand nuts | (a) Index No. of price | Price in Rs. per thousand nuts | (a) Index No. of price. |
| 3-12-47 | 133 | 100 | 125 | 100 |
| 17-12-47 | 130 | 98 | 130 | 104 |
| 31-12-47 | 124 | 93 | 120 | 96 |
| 14-1-48 | 122 | 92 | 120 | 96 |
| 28-1-48 | 124 | 93 | 125 | 100 |
| 11-2-48 | 122 | 92 | 120 | 96 |
| 25-2-48 | 116 | 87 | 100 | 80 |
| 10-3-48 | 115 | 86 | 90 | 72 |
| 24-3-48 | 115 | 86 | 90 | 72 |
| 30-3-48 | 105 | 79 | 100 | 80 |
| Percentage fall in price | ... | 21 | ... | 20 |

(a) with price on 3-12-47 as the base.

Shri V. C. Kesava Rao: Am I to take it that the drop in the price of coconuts is due to import of Ceylon copra?

The Honourable Shri Jairamdas Doulatram: Not so far as I am aware.

Shri H. V. Kamath: Are coconuts available in Delhi markets, Sir?

Mr. Speaker: It is not a matter within the special cognizance of the Honourable Minister.

Shri H. V. Kamath: But in view of the fact that a large number of South Indians are now congregating in Delhi very frequently, do Government propose to arrange for the import of coconuts into Delhi?

Mr. Speaker: Order, order.

DESSICATED COCONUTS AND FOREIGN DEMAND

1359. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Agriculture be pleased to state whether the processing of coconuts for the preparation of dessicated coconuts has received the attention of the Agricultural Research Institutions in the country?

(b) Are Government aware that there is a large demand for dessicated coconuts in foreign countries?

(c) Do Government propose to consider the question of training selected candidates in one of the central institutions for this purpose?

The Honourable Shri Jairamdas Doulatram: (a) The question was considered by the Indian Central Coconut Committee in 1945, and the proposal was then as premature in view of the short supply of coconuts in India.

(b) Yes.

(c) Yes.

Shri V. C. Kesava Rao: May I know which are the foreign countries importing coconuts from India?

The Honourable Shri Jairamdas Doulatram: I am afraid I cannot give a reply to that question straightway.

Shri V. C. Kesava Rao: May I know whether there is any demand for coconuts from Canada and U.S.A.?

The Honourable Shri Jairamdas Doulatram: Possibly.

INDIA'S REQUIREMENTS AND PRODUCTION OF SODIUM SULPHIDE

1360. *Shri V. C. Kesava Rao: (a) Will the Honourable Minister of Industry and Supply be pleased to state the requirements of the country in Sodium Sulphide?

(b) What is the present output of the country in this commodity?

(c) Is any new factory being built for the manufacture of Sodium Sulphide?

(d) Has a survey of the Eastern Ghats been made for the raw material Sodium Sulphate?

The Honourable Dr. Syama Prasad Mookerjee: (a) About 3,500 tons per annum.

(b) About 500 tons per annum.

(c) No proposals have come up for starting any new factory for the production of the Sodium Sulphide, but several dichromate manufacturers are considering the production of Sodium Sulphide from the bye-product Sodium Sulphate in dichromate manufacture.

(d) The information is being collected. It will be placed on the table of the House as soon as available.

INDIA'S REQUIREMENTS AND PRODUCTION OF BLEACHING POWDER.

1361. *Shri V. C. Kesava Rao: (a) Will the Honourable Minister of Industry and Supply be pleased to state the requirements of the country in bleaching powder?

(b) Is there any Government owned factory producing this commodity and if so, what is its annual output and what is the degree of purity that the factory has been able to achieve?

(c) Is it a fact that the factory has not been able to standardise its products?

(d) Is any research being carried out to improve the quality of the articles produced by the factory?

The Honourable Dr. Syama Prasad Mookerjee: (a) Our annual requirements are approximately 15,000 tons of bleaching agents. Against this, India produces about 7,000 tons in the form of Bleaching Powder and sufficient chlorine to replace 4,500 tons of Bleaching Powder.

(b) No, Sir.

(c) and (d), Do not arise.

Shri V. C. Kesava Rao: What steps are Government taking to increase the production of bleaching powder?

The Honourable Dr. Syama Prasad Mookerjee: As I have just indicated, we are providing for about 12,000 tons now. The factory which originally belonged to Government and was sold away, will also start producing in the course of the next few months. The existing factories have also indicated that they expect to increase their production in the course of this year.

Prof. N. G. Ranga: Why was the Government factory sold, Sir?

The Honourable Dr. Syama Prasad Mookerjee: It was found that the factory which was installed by Government could not be worked, and so it was decided about three years ago to sell the factory.

Prof. N. G. Ranga: That raises another question. Why was it that Government could not run the factory—was it for want of experts or want of operatives?

The Honourable Dr. Syama Prasad Mookerjee: I find that it was entrusted to a particular company which was acting on behalf of the Government but the plant did not work satisfactorily because of technical difficulties. When the matter was reported to the then Government, the Government thought that it was desirable to sell it and actually the plants and machinery were sold.

Prof. N. G. Ranga: Will Government take the trouble to enquire into the matter and satisfy themselves that everything was done *bona fide* and whether there were any officers who could be got at for their misbehaviour?

The Honourable Dr. Syama Prasad Mookerjee: This happened about three years ago and no useful purpose will be served to reopen the matter at this time.

Shri V. C. Kesava Rao: May I know if there is any proposal to take back the factory by the Government?

The Honourable Dr. Syama Prasad Mookerjee: The purchasers propose to run this factory and they will be given facilities to do so.

Sri Mihir Lal Chattopadhyay: When was the sale effected?

The Honourable Dr. Syama Prasad Mookerjee: This was done about three years ago.

Shri H. V. Kamath: From which country is bleaching powder at present being imported so as to bridge the gap between our production and consumption?

The Honourable Dr. Syama Prasad Mookerjee: We are not actually importing any quantity just now.

Shri H. V. Kamath: How than are our requirements, which are more than our production, met?

The Honourable Dr. Syama Prasad Mookerjee: I would refer the Honourable Member to my answer to part (a) of the question.

Shri Kuladhar Chaliha: Was the factory sold to the same company?

The Honourable Dr. Syama Prasad Mookerjee: It was not sold to that company: it was sold to a different company.

Prof. N. G. Ranga: How much did Government actually lose in the transaction? How much did they invest and how much did they realise?

The Honourable Dr. Syama Prasad Mookerjee: I cannot give you the figures. Practically the plant did not work.

PRODUCER GAS FOR PUBLIC MOTOR TRANSPORT

1362. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Transport be pleased to state whether Government propose to encourage the use of producer gas for public motor transport?

(b) What was the number of vehicles fitted with the necessary plants to use gas, during the war years?

(c) Are Government aware that gas was found to be suitable for transport in the plains and that the cost of running is just a fraction of what it is when petrol is used?

(d) Do Government propose to consider the question of appointing a committee to investigate the possibilities of using producer gas for motor transport?

The Honourable Dr. John Matthai: (a) The matter is under consideration.

(b) The maximum number of vehicles fitted with producer gas plants in undivided India during the war years was 24,236.

(c) Yes. While however, the fuel cost of a gas driven vehicle is comparatively less, this saving is counterbalanced by the relatively rapid deterioration of the engine.

(d) The Government will consider the suggestion.

Mr. R. K. Sidhva: May I know whether Government have made any investigation regarding the use of this producer-gas which deteriorates the engines and thus reduces the normal life of a truck: if so, with what result?

The Honourable Dr. John Matthai: That is precisely what I said in reply to this question. The information that has been given to me by my officers is that the use of producer-gas parts fitted on to motor vehicles has the effect of rendering the engine liable to quicker deterioration.

Mr. R. K. Sidhva: In view of that, may I know whether Government still propose to appoint a committee for investigating into the use of producer-gas?

The Honourable Dr. John Matthai: We would normally not have taken that matter into consideration but in view of the possibility of their being a serious shortage of petrol it might become necessary for us to take up this matter again and my idea is to have the whole matter discussed at a meeting of provincial representatives in the course of the next month.

Prof. N. G. Ranga: I would like to know the difference between producer-gas and charcoal gas. Are both the same thing?

The Honourable Dr. John Matthai: They are practically the same.

Prof. N. G. Ranga: Will Government keep in mind the danger to the forest wealth of this country, if the production of this gas is very much multiplied in this country, particularly in view of the wartime experience?

The Honourable Dr. John Matthai: The Honourable Member has got to balance that consideration against the other one, which is that we ought to muster all available facilities of transport. The whole question depends on a balance of consideration as to which is the lesser evil.

Shri O. V. Alagesan: Are Government aware that the use of producer-gas has accentuated the fuel difficulty and that the use of petrol now has eased the position a little?

The Honourable Dr. John Matthai: I think I have covered that point in my answer.

Prof. N. G. Ranga: Will the Government in the Ministry of Railways be in constant touch with the Ministry of Agriculture and Forestry in order to see that these two uses are properly coordinated, so that the forest wealth of the country does not suffer and at the same time only that portion of the fuel that can be used in a constructive manner is used for the production of this gas?

The Honourable Dr. John Matthai: That is obviously one of the matters that I would discuss with the representatives of provincial Governments.

RESUMPTION OF SHIP-BUILDING INDUSTRY IN ORISSA

†1363. ***Shri Lakshminarayan Sahu:** (a) Will the Honourable Minister of Industry and Supply be pleased to state whether Government of India propose to help re-starting ship-building industry in Orissa?

(b) Do they propose to start coastal crafts in Orissa under the guidance of Ministry of Commerce of the Government of India?

The Honourable Dr. Syama Prasad Mookerjee: (a) Government are prepared to consider any proposal that may be put forward for starting a shipbuilding industry in Orissa.

†Answer to this question laid on the table, the questioner being absent.

(b) The requirements of the Coastal trade of Orissa are now catered for by certain existing services. Government are not in a position to say whether any additional services can be economically operated on the coast, but they would be prepared to render such assistance as is possible to any companies which wish to operate new shipping or country craft services.

UNREMUNERATIVE PAY SCALES FOR LOWER GRADE EMPLOYEES OF B. N. RAILWAY.

1364. *Shri Kishori Mohan Tripathi: (a) Will the Honourable Minister of Railways be pleased to state whether Government are aware that the revised scales of pay have given no practical relief to a number of lower-grade employees of the signalling department of the Bengal Nagpore Railway and that there are cases where a cooly of the department gets a scale almost equal to that of his immediate superior official?

(b) If so, do Government propose to consider the desirability of making another suitable revision in the cases of employees concerned?

The Honourable Dr. John Matthai: (a) and (b). The exact categories of staff which the Honourable Member has in mind have not been specified in the question. I have not been able to examine the matter in the absence of such information.

Prof. Shibban Lal Saksena: Is the Honourable Minister aware that there is such authority given in the report in many places and will he see that the scales are revised.

Mr. Speaker: The Honourable Minister has not answered the question at all. He has expressed his inability to answer it, on account of the question not being specific.

EMPLOYMENT IN LOWER GRADES OF EMPLOYEES OPTING FOR INDIAN DOMINION RAILWAYS.

1365. *Shri Kishori Mohan Tripathi: (a) Will the Honourable Minister of Railways be pleased to state whether it is a fact that Railway employees who opted out for service in the Indian Dominion Railways have been employed in grades of services lower than the ones that they held prior to the partition?

(b) If so, do Government propose to take steps to see that these employees are not adversely affected in matters of their pay and chances of promotion?

The Honourable Dr. John Matthai: (a) and (b). The position is as follows: instructions have been issued to the Railway Administrations that India-opting staff should be absorbed in their substantive grade, reverting if necessary any staff who may be officiating in that grade, and that they should be considered for officiating in higher grades along with other staff who are eligible. In cases where such staff could not be absorbed in their substantive grades on account of there being no vacancies, Railway Administrations have been asked to provide them with alternative employment in a grade as near to their substantive grade as possible and to pay them their substantive pay, any difference between the grade pay and their substantive pay being treated as a personal allowance for the time being.

Prof. Shibban Lal Saksena: Will the Honourable Minister promise that as soon as there are vacancies in the equivalent posts they will be promoted?

The Honourable Dr. John Matthai: That is what I said in my answer. They will be promoted if on consideration of their claims along with the claims of other people similarly placed they are eligible for promotion.

STOPPAGE OF PASSENGER TRAINS NOT AT ALL STATIONS ON B. N. RAILWAY

1366. *Shri Kishori Mohan Tripathi: (a) Will the Honourable Minister of Railways be pleased to state whether Government are aware that no passenger train running on the Bengal Nagpore Railway stops at all stations on the main-line and that this causes hardship to travellers particularly from rural areas?

(b) If so, how do Government propose to remove the hardships of rural passengers in the above matter?

The Honourable Dr. John Matthai: (a) It is a fact that all through passenger trains do not stop at each and every station on the main line, but each section has at least one passenger train each way stopping at every station on the section at convenient hours. The Government are not aware of any hardship resulting from this practice.

(b) Does not arise in view of reply to (a).

ADOPTION OF NEW PAY SCALES FOR RUNNING STAFF ON RAILWAYS AS RECOMMENDED BY PAY COMMISSION

1367. *Shri H. V. Kamath: Will the Honourable Minister of Railways be pleased to state:

(a) whether it is a fact that the Central Pay Commission could not obtain complete data as to what pay and allowances the Railway Staff known as the Running Staff had been receiving on different Railways, and therefore the Commission agreed that in the absence of such detailed information, the fixing up of total emoluments would be arbitrary but still recommended a few scales some of which could be adopted by the Railway Board; and

(b) whether it is a fact that the Railway Board adopted all the scales instead of some?

The Honourable Dr. John Matthai: (a) Yes. The Honourable Member's attention is invited to para. 29 in Part III-C at page 187-189 of the Central pay Commission's report which fully explains the position.

(b) Yes. This was considered necessary in order to allocate the different scales to posts the responsibilities and duties of which vary according to the importance of the trains on which the staff work.

Prof. Shibban Lal Saksena: Is the Honourable Minister aware that the Pay Commission was appointed to reduce the number of scales, whereas it has resulted in a multiplicity of scales? Where there were two scales before there are now in some cases, five scales, A, B, C, D, and E.

Mr. Speaker: That is a matter of the report of the Pay Commission. The Commission have reported accordingly.

Prof. Shibban Lal Saksena: There are more grades as a result of the Pay Commission than before, a result which was never intended. Will the Honourable Minister see that there are fewer number of grades than there were before?

The Honourable Dr. John Matthai: We are carrying out the recommendations of the Pay Commission. I am not prepared to go beyond that.

Dr. P. S. Deshmukh: Just as it is admitted that the Pay Commission made certain recommendations without having or waiting for proper information, is it not a fact that the Pay Commission's recommendations are not based on the average income of a citizen of this country?

Mr. Speaker: That is a matter of opinion.

Prof. Shibban Lal Saksena: In view of the reply given by the Honourable Minister, is he aware that the Pay Commission itself was not definite and it was left to the Honourable Minister to make definite in its recommendations on many points recommendations?

The Honourable Dr. John Matthai: What the Pay Commission said with regard to the running staff was that the various scales that they had suggested for different grades should be applied in accordance with the importance of the particular trains and the discretion with regard to the way in which this application is to be made is left definitely by the Pay Commission with the Railway Board.

Prof. Shibban Lal Saksena: *rose*—

Mr. Speaker: The Honourable Member is asking about the interpretation of the recommendation of the Pay Commission. What is the exact information that he wants?

Prof. Shibban Lal Saksena: I only wish to draw the attention of the Honourable Minister to the fact that the Pay Commission has not made any recommendations in this matter and that it is for him to take action.

Mr. Speaker: That will be a matter for argument which he may do elsewhere.

Dr. P. S. Deshmukh: May I ask the Honourable Minister whether the recommendations of the Pay Commission do not deserve to be scrapped because they are not based on the average income of the ordinary and average citizen of India?

The Honourable Dr. John Matthai: Quite the contrary.

PAY OF TRAIN EXAMINERS ON INDIAN RAILWAYS *vis-à-vis* OTHER SUPERVISORY MECHANICAL PERSONNEL.

• 1368. ***Shri H. V. Kamath:** Will the Honourable Minister of Railways be pleased to state:

(a) whether it is a fact that the Train Examiners of the Carriage and Wagon Department of Indian Railways are technical supervisory personnel;

(b) if the answer to part (a) above be in the affirmative, why they are denied equal pay scale with other supervisory personnel of the Mechanical and Engineering sections;

(c) if the answer to part (a) above be in the negative, the reasons for the classification otherwise;

(d) whether it is a fact that Government promised to revise the pay scales of Train Examiners in accordance with the recommendations of the Central Pay Commission; and

(e) if so, the steps taken in that direction and the conclusions reached?

The Honourable Dr. John Matthai: (a) Yes.

(b) The scales of pay which have been prescribed for Train Examiners were specifically recommended by the Central Pay Commission. These scales are, in so far as the lowest two grades are concerned *e.* Rs. 55-130 and Rs. 80-160 lower than the scales which have been recommended by the Pay Commission for other categories of technical supervisory staff *e.g.*, chargemen in the Mechanical Department and Assistant Permanent Way Inspectors in the Engineering Department.

(c) Does not arise.

(d) and (e). As already stated in (b) above, the scales of pay of Train Examiners have already been prescribed on the basis of the recommendations of the Central Pay Commission.

Prof. Shibban Lal Saksena: Is the Honourable Minister aware that there is very great discontent amongst one of these two sections of his Department

and that although the personnel is the same there is so much difference in the scale of pay—55-5-130 as compared to 100-5-200?

The Honourable Dr. John Matthai: The Honourable Member has made a representation to me on that subject and I have told him that I would look into the matter

INCREASE IN RATES OF FREIGHT PER BOGIE LOAD FOR CHARCOAL, FIREWOOD AND 'BHOOSA,

1369. *Shri H. V. Kamath: Will the Honourable Minister of Railways be pleased to state:

(a) the rates of freight, per bogie-load of an eight wheeler with floor area of 360 sq. ft., for charcoal, firewood and 'bhoosa' on 31st December 1947 and 1st January 1948 and since;

(b) the procedure adopted while revising the rates of freight for these commodities;

(c) whether Government are aware that the increase in freight rates has adversely affected the trade in these commodities;

(d) whether Government have received in this connection any representation from dealers in these commodities, and if so, to what effect;

(e) whether Government propose to take steps to redress the grievances outlined in the representation, and if so, what those steps are;

(f) whether it is a fact that under the revised schedules the wagons carrying charcoal and fuel are required to be weighed and the charges recovered from the consignor at the station of despatch;

(g) whether this revised procedure is strictly enforced by the railway authorities at all stations;

(h) whether wagons of identical floor area have got different carrying capacity;

(i) whether the freight on charcoal, firewood and 'bhoosa' is calculated on the basis of their actual weight or on the basis of the tonnage marked on the wagons;

(j) whether it is a fact that the time allotted for loading and unloading of wagons for all types of commodities has been reduced from 9 hours to 6 hours; and

(k) if so, whether Government propose to revise the rule and allot more time to commodities such as charcoal and 'bhoosa' which are booked in loose form?

The Honourable Dr. John Matthai: (a) If the stations between which the rates are required are specified, the information will be given.

(b) The increase in rates was a part of the general increase in rates and fares effected from 1st January, 1948.

(c) No.

(d) Yes, representations were received in regard to cases of charcoal moving over the G. I. P. Railway where charges were demanded in some cases on carrying capacity of wagons in the absence of weightment particulars.

(e) A further revision has been effected from 2nd March, 1948.

(f) Charcoal and firewood moving at other than wagon mile rates are weighed in accordance with rules but freight repayment is not compulsory. On the G. I. P. Railway, charcoal wagons do not require to be weighed after the revision effective from 2nd March, 1948.

(g) Yes.

(h) Yes. In some cases wagons with equal floor area have different carrying capacities measured in tons.

(i) On actual weight subject to a minimum weight in the case of wagon rates other than those on floor area basis. Where rates are based on a floor area basis rates are charged on that basis and not on actual weight.

(j) Yes.

(k) No.

Shri H. V. Kamath: What priority do charcoal and firewood get on goods traffic?

The Honourable Dr. John Matthai: I cannot answer that off-hand.

Dr. P. S. Deshmukh: Is the Honourable Minister aware that very many wagons which are really suitable for conveying perishable articles are used for transporting coal and *vice versa*?

The Honourable Dr. John Matthai: I am not aware of that. As far as perishable goods of any importance are concerned I think we have been able to provide a sufficient number of wagons.

REFUSAL TO TAKE DELIVERY OF CHARCOAL WAGONS BY CONSIGNEES AT SEWRI AND SION COAL DEPOTS, BOMBAY

1370. ***Shri H. V. Kamath:** Will the Honourable Minister of Railways be pleased to state:

(a) whether, in the first week of March, 1948 consignees at Sewri and Sion coal depots in Bombay refused to take delivery of charcoal wagons, and if so, the reasons therefor; and

(b) the measures subsequently adopted to prevent repetition of such an incident?

The Honourable Dr. John Matthai: (a) In the last week of February 1948, some wagons were detained at Coal Depots referred to as merchants refused to pay charges on the carrying capacity in the absence of weighment particulars.

(b) From 2nd March, 1948 a revision has been made and the weighment of charcoal wagons on the G. I. P. Railway is no longer necessary. This traffic is now charged on the basis of 300 maunds per 16 tons of the carrying capacity of the wagon concerned.

OCCUPATION OF WAGONS BY RAILWAY STAFF FROM PAKISTAN DUE TO LACK OF HOUSING ACCOMMODATION

1371. ***Shri H. V. Kamath:** Will the Honourable Minister of Railways be pleased to state:

(a) whether it is a fact that many members of the Railway staff transferred from Pakistan to India are still staying with their families in wagons for lack of housing accommodation;

(b) if so, the number of wagons, station by station, occupied by such staff and the number of individuals occupying the same up-to-date;

(c) by what date residential quarters will be allotted to these railway servants, thus releasing those wagons for their usual purposes;

(d) whether it is a fact that some of the wagons occupied by the staff are shunted from place to place, instead of being kept in a siding and if so, why; and

(e) whether it is a fact that births as well as deaths have occurred in those wagons and if so, how many from 15th August, 1947 up-to-date?

The Honourable Dr. John Matthai: (a) Some of the Railway staff transferred from Pakistan to India are still staying with their families in wagons for lack of housing accommodation.

(b) The information is being collected and a statement will be placed on the table in due course.

(c) Construction of temporary quarters is in progress and as new quarters are built wagons are being released. Most of the wagons at present occupied by the staff are unserviceable wagons, which could not be used for movement of traffic in any case. Every effort is being made to expedite the construction of quarters for accommodating such staff, and it is hoped that progressively fewer persons will need to use wagons for living in.

(d) The wagons are usually kept in sidings and are not shunted about.

(e) Twelve cases of birth and three cases of death have been reported from amongst the staff living in these wagons.

Prof. Shibban Lal Saksena: Will the Honourable Minister be pleased to give the number of quarters that have been built in these areas, where the staff have been living in wagons, since 15th August 1947?

The Honourable Dr. John Matthai: I cannot give the exact number. But we are speeding it up as much as possible. We have given it the highest priority.

Shri H. V. Kamath: Will the Honourable Minister give us at least an approximate idea as to the number of railway staff living and dying in wagons?

The Honourable Dr. John Matthai: I have given the number of deaths and also births—twelve cases of births and three of death.

Mr. R. K. Sidhva: What is the period within which the houses are likely to be completed?

The Honourable Dr. John Matthai: I cannot give the exact period, but as soon as possible we are going to have them constructed because from our point of view and from the point of view of the staff this is a most unsatisfactory arrangement.

Mr. R. K. Sidhva: What is the meaning of 'highest priority' is there any limit?

The Honourable Dr. John Matthai: It depends entirely on the extent to which the necessary materials are made available to the Railways.

Shri Rohini Kumar Chaudhuri: Arising out of (d) may I know why these wagons are shunted from place to place, whether it is done in order to give them change of air or for transporting goods?

The Honourable Dr. John Matthai: They are not shunted from place to place. My answer to (d) was that the wagons are kept in sidings and are not shunted about.

Pandit Lakshmi Kanta Maitra: Are these people given any special allowance?

The Honourable Dr. John Matthai: Not that I am aware of; I will look into that.

Shri H. V. Kamath: After the occurrence of deaths in the wagons are any steps taken to disinfect the wagons with a view to making them fit for human habitation?

The Honourable Dr. John Matthai: I have no information that the deaths were the result of any epidemics.

Pandit Lakshmi Kanta Maitra:—Are special medical facilities available for these people?

The Honourable Dr. John Matthai: The usual railway medical assistance is available to them.

FALL IN PRICE OF *gur* IN DELHI PROVINCE AND AMBALA DIVISION

1372. *Ch. Ranbir Singh: (a) Will the Honourable Minister of Food be pleased to state whether Government are aware that the price of Gur is falling down daily in Delhi Province and Ambala Division of East Punjab and that it has gone down to Rs. 4 per maund?

(b) If so, do Government propose to fix the minimum price of Gur and undertake to buy it at that price, so that the agriculturist may be given a minimum price for his produce? If not, why not?

The Honourable Shri Jairamdas Doulatram: (a) It is a fact that the price of gur has declined in parts of Ambala Division but the price generally is still not less than Rs. 9 per maund. In regard to some individual sales it may have fallen lower owing to exceptional factors.

(b) The fall in the price of gur which has taken place in certain producing districts is largely due to the difficulty of finding transport to certain important consuming areas like Rajputana. Instructions have been issued that special attention be given to ensuring movement from the districts where the prices have fallen in recent weeks. The suggestion made by the Honourable Member if carried out would involve State trading and State distribution in a perishable commodity which might lead to very heavy losses and indirectly impose a burden on the taxpayer.

Seth Govinddas: Are Government aware that in reply to a short notice question by me with respect to the transport of gur, the Government made a definite promise that something would be done in this respect and that in spite of the fact that about a month has passed no improvement as far as the transport of gur has been made?

The Honourable Shri Jairamdas Doulatram: I think I might supply a little more information as to what has been done in the course of the last month. During the period 20th February, 1948 to 21st March, 1948, fifteen Gur Specials with a total load of 802 wagons have run from Meerut, Khatauli, Muzaffarnagar and Deoband stations on Ghaziabad-Saharanpur Section of the E. P. Railway. Three more Specials were arranged from these stations, but on account of restriction on booking, the Railway could not run the same. It is, however, hoped that with the relaxation of restriction the Railway will make arrangements for the running of these Specials. From Hapur two Specials with a load of thirty and twenty wagons have been run to Kantapoker and the loading of twelve wagons on alternate days permitted. On the days when no loading is done from Hapur, stations on Muradabad Division are permitted to load six wagons of gur. For booking to stations on M. G. system *via* Delhi Serai Rohilla a quota of ten wagons has been allowed from Muzaffarnagar, Meerut, Khatauli, Bharot and Shamli. Request for running a special with a load of fifty wagons from Agra to stations on M. G. system has also been sent to the Railway Board. Approximately 22,440 tons of gur have moved so far by these arrangements. In addition a considerable quantity of gur has moved in proper class of priority, namely 2(b) when booking in that

class was open over E. P. Railway and movements to E. I. were upgraded to class I. At present booking to B. B. and C. I., G. V. P. and *via* is totally restricted which is seriously hampering movement of traffic to areas served by these Railways. As soon as this operational restriction is relaxed, arrangements will be made to run a few more Specials. Programme is being worked out for introducing booking under quota system from different mandis.

(b) WRITTEN ANSWERS

GRANTS FOR DEVELOPMENT OF BETELNUT CULTIVATION

1373. *Shri H. V. Kamath: Will the Honourable Minister of Agriculture be pleased to state:

(a) the amount of subsidy or grant made by Government annually for the development of betelnut cultivation; and

(b) whether Government propose to enhance the grant with a view to improving the quality and increasing the yield?

The Honourable Shri Jairamdas Doulatram: (a) The last annual grant allotted was Rs. 5 lakhs.

(b) Government will ask for and use larger grants as soon as proper plans for such improvement of quality and increase of yield are matured.

IMPROVEMENT OF COCONUT CULTIVATION IN WEST BENGAL

1374. *Shri Satis Chandra Samanta: Will the Honourable Minister of Agriculture be pleased to state:

(a) whether Government are aware that coconut trees abound in the coastal districts of Midnapur, 24-Parganas and Howrah and scatteredly in other districts in the Province of West Bengal;

(b) whether a large amount of coconut oil is pressed out from a copra by means of ghani in rural areas for family use;

(c) the amount of coconut oil imported into the Province year by year from 1942 to 1947;

(d) whether any steps have as yet been taken for the improvement of coconut cultivation in West Bengal; and

(e) if not, whether Government propose to advise the Indian Central Coconut Committee to take immediate steps for the purpose?

The Honourable Shri Jairamdas Doulatram: (a) Yes

(b) Yes. Some quantity of oil is pressed out by means of ghani locally for family use.

(c) A statement of imports of coconut oil year by year from 1942 to 1947 is placed on the table of the House.

(d) and (e). Prior to the partition of the country a proposal was received from the late Government of Bengal for the establishment of a coconut experimental station *cum* nursery in Bakerganj District. Before, however, that proposal could materialise the partition of Bengal took place and Bakerganj District was included in Eastern Pakistan. The Indian Central Coconut Committee has therefore, again taken up the matter with the Government of the West Bengal

and requested them to send fresh proposals for setting up a Regional Coconut Research Station in West Bengal. The Government of West Bengal have a scheme under consideration in this respect and are on the look-out for a suitable site in 24-Parganas to set up the station.

Statement

Imports of Coconut oil into Bengal during the year 1941-42 to 1946-47 is as follows :— (in gallons)

| Year | From foreign countries. | From Indian ports |
|-------------------|-------------------------|-------------------|
| 1941-42 | 93,35,763 | 2,50,729 |
| 1942-43 | 12,48,036 | 7,645 |
| 1943-44 | 22,02,541 | 11,59,765 |
| 1944-45 | 20,22,495 | 15,63,100 |
| 1945-46 | 26,87,475 | 6,72,169 |
| 1946-47 | 15,03,927 | 6,15,179 |

CULTIVATED LAND, FALLOW, CULTIVABLE LANDS AND FORESTS IN VARIOUS PROVINCES OF INDIAN UNION

1375. *Shri Satis Chandra Samanta: (a) Will the Honourable Minister of Agriculture be pleased to state the area (in acres) of the (i) cultivated lands; (ii) fallows; (iii) cultivable lands other than fallows; and (iv) forests—province by province in the Indian Union?

(b) How much cultivable lands has been brought under actual cultivation since 1942 (year by year province-wise)?

The Honourable Shri Jairamdas Doulatram: (a) and (b). Two statements giving the required information are laid on the table of the House.

Statement I

Showing Area under cultivated lands, fallows, cultivable lands other than fallows and forests in different provinces of the Indian Union.
(In '000 acres)

| Provinces | Pre-war normal Average 1936-37 to 1938-39 | | | | | 1945-46 | | |
|-----------------|---|---------|-------------------------------------|---------|----------------------------------|---------|---------|-------------------------------------|
| | Cultivated lands (Net area sown) | Fallows | Cultivable lands other than fallows | Forests | Cultivated lands (Net area sown) | | Fallows | Cultivable lands other than fallows |
| Ajmer-Merwara | 314 | 210 | 301 | 80 | 431 | 181 | 273 | 47 |
| Assam | 4,840 | 1,336 | 18,093 | 3,989 | 5,378 | 1,549 | 17,393 | 4,056 |
| Bihar | 19,073 | 6,767 | 5,686 | 6,551 | 17,506 | 7,228 | 6,451 | 6,612 |
| Bombay | 28,549 | 5,216 | 893 | 8,357 | 27,557 | 6,388 | 828 | 8,060 |
| C. P. and Berar | 24,500 | 3,834 | 13,999 | 15,874 | 24,302 | 4,267 | 13,834 | 15,830 |
| Coorg | 145 | 164 | 12 | 343 | 156 | 150 | 16 | 331 |
| Delhi | 200 | 24 | 64 | .. | 222 | 8 | 62 | .. |
| East Punjab | 11,807 | 1,884 | 2,611 | 769 | 11,617 | 1,886* | 2,613* | 770* |
| Madras | 31,706 | 9,601 | 10,731 | 12,913 | 30,534 | 9,779 | 11,953 | 13,516 |
| Orissa | 6,481 | 1,693 | 3,441 | 2,638 | 6,453 | 1,354 | 3,144 | 2,606 |
| U. P. | 36,140 | 2,678 | 9,997 | 9,276 | 37,410 | 2,356 | 10,056 | 9,038 |
| West Bengal | 7,810 | 2,601 | 2,977 | 1,636 | 9,242 | 2,791 | 1,933 | 1,625 |
| Total | 171,365 | 36,088 | 68,805 | 62,426 | 170,808 | 37,937 | 68,556 | 62,491 |

*Based on pre-war average.

Statements II

Showing Net area sown in different provinces of the Indian Union during 1942-43 to 1945-46 as compared with 1941-42.
(In 000 acres).

| Province | Increase (+) or decrease (-) as compared with 1941-42 | | | | | | | | | |
|-----------------|---|---------|---------|---------|---------|-----------|-----------|-----------|------------|------------|
| | 1941-42 | 1942-43 | 1943-44 | 1944-45 | 1945-46 | 1942-43 | 1943-44 | 1944-45 | 1945-46 | 1945-46 |
| Ajmer-Merwara | 380 | 440 | 436 | 434 | 431 | (+) 60 | (+) 56 | (+) 54 | (+) 51 | (+) 51 |
| Assam | 5,044 | 5,199 | 5,305 | 5,353 | 5,378 | (+) 155 | (+) 261 | (+) 309 | (+) 334 | (+) 334 |
| Bihar | 17,975 | 17,593 | 17,659 | 17,510 | 17,506 | (-) 882 | (-) 316 | (-) 465 | (-) 469 | (-) 469 |
| Bombay | 28,736 | 27,973 | 28,625 | 28,397 | 27,557 | (-) 763 | (-) 111 | (-) 339 | (-) 1,179 | (-) 1,179 |
| C. P. and Berar | 24,817 | 24,271 | 24,989 | 24,633 | 24,302 | (-) 546 | (+) 172 | (-) 184 | (-) 515 | (-) 515 |
| Coorg | 154 | 151 | 156 | 155 | 156 | (-) 3 | (+) 2 | (+) 1 | (+) 2 | (+) 2 |
| Delhi | 205 | 214 | 213 | 217 | 222 | (+) 9 | (+) 8 | (+) 12 | (+) 17 | (+) 17 |
| East Punjab | 11,623 | 12,808 | 11,612* | 11,610* | 11,617* | (+) 1,185 | (-) 11 | (-) 13 | (-) 6 | (-) 6 |
| Madras | 31,603 | 31,324 | 31,891 | 31,534 | 30,534 | (-) 279 | (-) 288 | (-) 69 | (-) 10,639 | (-) 10,639 |
| Orissa | 5,922 | 6,194 | 6,296 | 6,331 | 6,453 | (+) 272 | (+) 374 | (+) 409 | (+) 531 | (+) 531 |
| U. P. | 36,161 | 36,980 | 37,210 | 37,252 | 37,410 | (+) 819 | (+) 1,049 | (+) 1,091 | (+) 1,249 | (+) 1,249 |
| West Bengal | 8,435 | 8,730 | 9,436 | 10,660 | 9,242 | (+) 295 | (+) 1,001 | (+) 2,225 | (+) 807 | (+) 807 |
| TOTAL | 171,055 | 171,877 | 173,828 | 174,086 | 170,808 | (+) 822 | (+) 2,773 | (+) 3,031 | (-) 247 | (-) 247 |

*Based on pre-war average.

RESEARCHES FOR PROTECTION OF CROPS AGAINST PESTS

1376. *Shri Satis Chandra Samanta: (a) Will the Honourable Minister of Agriculture be pleased to state the results of Research made for the protection of crops against pests and the prevention of plant diseases?

(b) How far have those results been brought to the knowledge of the peasants in rural areas?

The Honourable Shri Jairamdas Doulatram: (a) The important results of research done at the Indian Agricultural Research Institute, New Delhi, are summarized in the Statement which is placed on the table of the House.

(b) The results achieved are communicated to the Provincial Governments who are expected to bring them to the knowledge of the cultivators. Results of research are also published in the journals of the I.C.A.R. from time to time. The Central Plant Protection Organization also had issued a few plant protection leaflets about the control of some pests and diseases, and more such leaflets are in preparation.

Government are not satisfied that full use of the results of research is being made and realise that more propoganda work is needed and are considering suitable steps to remedy the state of things, and place before the people more effectively the results of research.

Statement

The Indian Agricultural Research Institute ever since its inception in 1905 has been carrying on fundamental research on all aspects of the problem of the control of insect pests of agricultural crops, fruit trees, and storage of grains. The results of these researches are that the life-histories of a large number of insect pests have been studied in great detail both under laboratory and field conditions so that the weakest links in the life-histories of the pest concerned may be known so as to apply the control measures more effectively. The results of these researches on the methods of control by mechanical, physical, chemical and biological means have been published in several papers and bulletins not only in English but in some of the Indian Languages. The Provincial departments of Agriculture have carried the results of these researches to the ryots by means of their propoganda staff. Among the pests tackled in this Institute may be mentioned those of Sugarcane, Tobacco, Cotton, Fruit Trees, Vegetables, Stored products (Grains as well as Dry fruits).

B. PLANT DISEASES

1. *Wheat*.—(a) *Loose Smut*.—A very serious disease which takes heavy toll every year. The following varieties evolved at the I.A.R.I. have been found to be resistant to the disease:—I.P. 114, I.P. 124, I.P. 163-3, I.P. 163-4. The disease can be effectively controlled by the solar and hot water treatment methods.

(b) *Rusts*.—These are responsible for tremendous loss to the wheat crop. Researches have shown that there are several physiologic races of the rusts and no one single variety of wheat is immune to all the forms of rusts. Work to evolve varieties resistant to these rust is in progress.

2. *Rice*.—(a) *Helminthosporium disease*.—The disease can be partially controlled by hot water treatment.

(b) *Stem rot*.—*Basmathi* and *Mushkam* varieties of rice have been found to be highly resistant to the disease. Burning the diseased stubles, construction of strong and high bunds round the infected plots and proper irrigation and aeration of the soil are very effective in checking the disease.

3. *Jowar*.—Grain smut of jowar which is responsible for considerable losses can be fully controlled by the use of sulphur dust of a high degree of fineness.

4. *Oats*.—Covered smut and loose smut of oats which are the common diseases of this crop can be effectively controlled by the dry-spray method of applying formaldehyde to the smutted grain.

5. *Pigeon-Pea*.—*Wilt*.—A very destructive disease can be controlled by the use of disease resistant varieties such as Nos. 80, 82, 51, selected at the I.A.R.I.

6. *Gram*.—(a) *Blight*.—This is a very serious disease and is responsible for total destruction of the gram crop in certain areas. Type F. 8 has been found to be highly resistant to this disease.

(b) *Wilt*.—Work at the I.A.R.I. has shown that the disease can be appreciably controlled by adjusting the time of sowing.

7. *Sugarcane*.—(a) *Red-rot*.—An extremely destructive disease which assumed epidemic form in certain years can be controlled by the use of resistant varieties such as Co. 285, Co. 313, Co. 356, Co. 419.

8. *Cotton*.—(a) *Root-rot*.—This disease is responsible for total destruction of the crop in certain irrigated areas and can be effectively controlled by mixed-cropping with *Phaseolus acontifolius* (moth). Also the disease can be controlled by adjusting sowing time and close-planting.

(b) *Wilt*.—Varieties resistant to this serious disease have been evolved.

9. *Potato*.—(a) *Late Blight*.—This is one of the most serious diseases of this crop in the hills and can be appreciably controlled by spraying with Bordeaux mixture. Some of the varieties evolved at the I.A.R.I. have shown considerable resistance to the disease.

(b) *Virus diseases*.—No single cultivated potato variety offers high resistance to a large number of virus diseases which affect this crop. Since most of these diseases are carried through infected tubers which are used for seed purposes, planting of healthy tubers for the production of profitable crops is recommended. A nucleus disease-free stock has been recently produced at the I.A.R.I. which is awaiting multiplication.

10. *Tomato*.—Virus diseases of this crop are chiefly responsible for poor out-turns and can be appreciably controlled by adjusting the sowing time.

LAND UNDER SUGARCANE CULTIVATION IN WEST BENGAL

1377. ***Shri Satis Chandra Samanta**: (a) Will the Honourable Minister of Food be pleased to state whether Government are aware that Gur is manufactured from the juice of sugarcane and from the juice extracted from date and palm trees in West Bengal?

(b) If the answer to part (a) above be in the affirmative, how many acres of land (district-wise) are used for sugarcane cultivation in West Bengal?

The Honourable Shri Jalramdas Doulatram: (a) Yes.

(b) 65,000 acres. A statement showing district-wise area under sugarcane cultivation in West Bengal, is laid on the table of the House.

Statement

Showing area (Districtwise) under sugarcane cultivation in West Bengal
(All figures in Acres).

| District | Estimated normal area under sugarcane. | Estimated area under sugarcane | |
|--|--|--------------------------------|-------------------|
| | | Last year 1946-47 | This year 1947-48 |
| 1. 24 Parganas | 3,400 | 10,600 | 10,600 |
| 2. Nabadwip | 7,100 | 3,000 | 3,200 |
| 3. Murshidabad | 4,300 | 11,000 | 11,000 |
| 4. Burdwan | 11,600 | 9,600 | 10,100 |
| 5. Birbhum | 9,100 | 8,100 | 8,100 |
| 6. Bankura | 3,100 | 2,900 | 2,800 |
| 7. Midnapur | 5,200 | 6,000 | 7,500 |
| 8. Hooghly | 3,000 | 2,100 | 2,500 |
| 9. Howrah | 2,000 | 2,500 | 2,500 |
| 10. Jalpaiguri | 1,800 | 1,700 | 1,800 |
| 11. Darjeeling | 300 | 400 | 400 |
| 12. Malda | 1,700 | 2,300 | 3,100 |
| 13. West Dinajpur | 1,600 | 1,300 | 1,500 |
| Total for West Bengal | 54,200 | 61,500 | 65,100 |

PRICE AND DISTRIBUTION OF CEYLON COPRA IN INDIAN UNION

1378. *Shri Satis Chandra Samanta: Will the Honourable Minister of Industry and Supply be pleased to state:

- (a) the quantity of Ceylon copra distributed in the Indian Union year by year from 1944 to 1947;
- (b) the controlled price of the same;
- (c) the names of Provinces supplied; and
- (d) the quantities supplied to each Province?

The Honourable Dr. Syama Prasad Mookerjee: (a), (b), (c) and (d). India's quota from Ceylon is received partly in the form of copra and partly in form of coconut oil. Two statements are laid on the table. Statement I contains the information asked for in parts (a) and (b) of the Question and Statement II, the information asked for in parts (c) and (d).

STATEMENT I

Showing Ceylon Copra and Coconut Oil distributed in Indian Union year by year from 1944 to 1947 at controlled rates mentioned therein.

| Year | Total Copra distributed. | Controlled price | Value | Total C. N. Oil distributed | Controlled price | Value | Total 4+7 |
|-------|--------------------------|------------------|-------------|-----------------------------|------------------|-------------|--------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | Tons | Rs. | Rs. | Tons | Rs. | Rs. | Rs. |
| 1944 | 35,110 | 455 | 1,59,75,190 | 10,647 | 870 to 900 | 94,81,330 | 2,54,56,520 |
| 1945 | 19,083 | 455 to 577 | 92,30,995 | 7,334 | 900 to 995 | 68,14,710 | 1,60,45,705 |
| 1946 | 17,219 | 625 to 900 | 1,10,59,467 | 19,806 | 995 to 1350 | 2,21,17,413 | 3,31,76,880 |
| 1947 | *12,957 | .. | 1,23,27,956 | 10,178 | 1390 to 1670 | 1,57,60,346 | 2,80,88,302 |
| Total | 84,369 | .. | 4,85,93,608 | 47,965 | .. | 5,41,73,799 | 10,27,67,407 |

* Out of 12,957 tons copra received at Bombay during 1947, only 2,157 tons were sold as copra at the controlled rate of Rs. 900, per ton. The balance quantity approximating 10,800 tons, being the bulk of the arrivals, were received late in 1947, after the new import arrangement were made with the Ceylon Government, whereby Ceylon agreed to export copra to India provided she got back 33% cake in return. This quantity of copra was not, therefore, distributed amongst the allottees, but only the resultant oil was given to them, at Rs. 1,500 per ton naked, whilst cake was returned to Ceylon Government at Rs. 90 per ton, C.I.F. Colombo. The value of 1,23,27,956 shown against total imported quantity includes realisation from copra sales as such as also realisation from oil deliveries and cake returns to Colombo.

Statement II

Showing distribution of Ceylon Copra and Coconut Oil amongst the Provinces year by year from 1944 to 1947.

| Year | Bombay | C. P. & Berar | Delhi | United Provinces | Bengal | Assam | Bihar | Orissa | Cochin | Total | | | | | |
|-------|--------|---------------|-------|------------------|-----------|-----------|-----------|-----------|-----------|---------|--------|--------|--------|--------|--------|
| | Copra | C. N. Oil | Copra | C. N. Oil | C. N. Oil | C. N. Oil | C. N. Oil | C. N. Oil | C. N. Oil | C. N. O | | | | | |
| | Tons | Tons | Tons | Tons | Tons | Tons | Tons | Tons | Tons | Tons | | | | | |
| 1944 | 34,493 | 3,427 | .. | 146 | 9 | 472 | 134 | 7,024 | 20 | 33 | 35,110 | 10,647 | | | |
| 1945 | 19,083 | .. | .. | .. | .. | 170 | 7,118 | 18 | 28 | .. | 19,083 | 7,334 | | | |
| 1946 | 17,219 | 7,250 | .. | 35 | 80 | 626 | 10,670 | 38 | 38 | .. | 1,089 | 12,006 | | | |
| 1947 | 12,831 | 2,988 | 96 | 78 | 42 | 582 | 5,286 | 205 | 375 | 174 | 430 | 12,957 | 10,187 | | |
| Total | 83,596 | 13,665 | 78 | 131 | 223 | 131 | 472 | 1,512 | 30,098 | 281 | 474 | 174 | 1,499 | 84,369 | 47,965 |

DESPATCH OF WHEAT, SUGAR, GLASS BANGLES, VEGETABLE SEEDS AND VEGETABLE OILS FROM DHOJPUR STATION DURING 1938-47

1379. ***Shri Baldeo Swarup**: Will the Honourable Minister of Railways be pleased to state what quantities of wheat, sugar, glass bangles, vegetable seeds and vegetable oils were despatched from Dholpur station annually during the years 1938 to 1947?

The Honourable Dr. John Matthai: Wheat, glass bangles and vegetable seeds were not despatched from Dholpur station during the period referred to in the question. Sugar was despatched only during three of the years, namely, 379 tons in 1941, 328 tons in 1942, and 16 tons in 1943.

Vegetable oil was despatched only during four years, namely, 92 tons in 1942, 42 tons in 1943, 122 tons in 1944, and 67 tons in 1945.

PRODUCTION OF SALT FROM SAMBHAR LAKE BEFORE AND AFTER 15TH AUGUST 1947

1380. ***Shri Brajeshwar Prasad**: (a) Will the Honourable Minister of Industry and Supply be pleased to state what is the monthly production of salt from Sambhar Lake?

(b) What was the monthly production of Sambhar salt before 15th August, 1947?

(c) Are Government aware that people of Bihar have got religious scruples in taking sea salt?

The Honourable Dr. Syama Prasad Mookerjee: (a) The latest annual production from Sambhar Lake is about one crore nine lakh maunds. Monthly production figures are not appropriate because production is not evenly distributed over the twelve months. The principal production months are in the latter part of the cold weather and the summer.

(b) The monthly production at Sambhar before 15th August, 1947 was as follows:

| | |
|----------------------------------|----------------|
| February, 1947 | 45,440 maunds. |
| March, 1947 | 4,63,957 .. |
| April, 1947 | 18,71,405 .. |
| May, 1947 | 20,21,696 .. |
| June, 1947 | 23,83,872 .. |
| July, 1947 | 29,72,358 .. |
| August up to 15th 1947 | 10,80,623 .. |

(c) No such religious scruples have been specifically brought to Government's notice.

SCHEME FOR RAILWAY LINE CONNECTING MECHADA STATION ON B. N. RAILWAY WITH TAMLUK AND CONTAI

1381. ***Shri Basanta Kumar Das**: Will the Honourable Minister of Railways be pleased to state:

(a) whether there was any scheme for connecting the Mechada station on the Bengal Nagpur Railway with the towns of Tamluk and Contai by a railway line;

(b) whether any work in connection with that scheme was undertaken; and, if so, when; and

(c) whether the scheme has been altogether abandoned or will be taken up in some future time; and, if so, when?

The Honourable Dr. John Matthai: (a) Yes.

(b) From the Survey of India maps and based on the information obtained from the P.W.D. about the waterways and formation levels, a rough estimate for the Machada-Contai rail route was prepared by the Bengal Nagpur Railway in 1947.

(c) The scheme has not been altogether abandoned. It will be reviewed by the Central Board of Transport along with other railway projects in West Bengal in due course.

CONSTRUCTION OF RAILWAY LINE BETWEEN CONTAI ROAD STATION OF B. N. RAILWAY AND CONTAI TOWN

1382. *Shri Basanta Kumar Das: Will the Honourable Minister of Railways be pleased to state:

(a) whether a survey was made with a view to constructing a railway line between the Contai Road station on the Bengal Nagpur Railway and the town of Contai; and, if so, in which year;

(b) how far the work in connection with the above scheme has progressed;

(c) when the scheme was abandoned and why;

(d) whether there is any fresh scheme for the above line; and, if so, when the work is expected to begin; and

(e) whether the line, if constructed, will go beyond the town of Contai; and, if so, how far?

The Honourable Dr. John Matthai: (a) Yes; a survey was carried out by the Bengal Nagpur Railway during the season 1946-47.

(b) The Survey Report has been received and is under examination.

(c) The scheme has not been altogether abandoned.

(d) and (e). There are schemes of connecting Contai with Machada *via* Tamluk and with Jaleswar *via* Digha. A traffic reconnaissance survey has been carried out for these schemes and will be placed before the Central Board of Transport when they consider the projects in West Bengal.

ESTABLISHMENT OF HORTICULTURAL RESEARCH AND FRUIT TECHNOLOGY INSTITUTE IN INDIA

1383. *Shri Jaspal Roy Kapoor: Will the Honourable Minister of Agriculture be pleased to state:

(a) whether Government are aware that before partition of the country there was an institution of fruit technology at Lyallpur;

(b) whether there is any horticultural research and fruit technology institute in India now; and

(c) if the answer to part (b) above be in the negative, whether Government have any plan to establish such an institution; and, if not, whether they propose to consider this question in view of the growing importance and the great potentiality of fruit preservation industry in the country?

The Honourable Shri Jairamdas Doulatram: (a), (b) and (c). A research section (dealing with the testing of samples of fruit products, etc.) was attached (from 1943-44 onwards) to the Agricultural College of the Punjab Government at Lyallpur. There was no full fledged Institute of Fruit Technology.

A list showing the various horticultural schemes financed by the Indian Council of Agricultural Research is placed on the table of the House. There is also a proposal to set up an Institute dealing with fruit technology.

List showing the Horticultural Scheme financed by the Indian Council of Agricultural Research

1. Fruit Research in Madras.
2. Fruit Research and Development in the United Provinces.
3. Mango Necrosis Research at Lucknow University.
4. Mango and Banana Cyto-genetics Research at Calcutta University.
5. Fruit Insect Pests Research in the United Provinces.
6. Fruit Research in Bihar.
7. Citrus Problems Research in Bihar.
8. Citrus Fruits Research in Central Provinces and Berar.
9. Yield Data from Fruit Orchards in Central Provinces and Berar.
10. Citrus Fruits Research in Assam.
11. Citrus Fruits Research in Orissa
12. Indian Institute of Fruit Technology, I.C.A.R., Delhi.
13. Survey of Horticulture Research, I.C.A.R.
14. Fumigation Technique for Imported Fruits.
15. Orange Cultivation Research in Coorg.
16. Orange Marketing Research in Coorg.
17. Fruit Research in Hyderabad State.
18. Fruit Research in Mysore State.
19. Survey of Deciduous Fruits in Kashmir State.
20. Yield Data from Fruit Orchards in Kashmir State.

RAILWAY EMPLOYEES OPTING FOR PAKISTAN

1384. *Shri Jaspal Roy Kapoor: Will the Honourable Minister of Railways be pleased to state:

- (a) the total number of railway employees who had opted for Pakistan (i) finally and (ii) provisionally;
- (b) the total number of employees who opted provisionally for Pakistan but changed their option within six months of the transfer of power;
- (c) how many of those who have changed their option—
 - (i) stayed back in India and how many of them have been absorbed;
 - (ii) migrated or returned from Pakistan, and how many of them have been absorbed; and
 - (iii) are still in Pakistan desiring to come to India;
- (d) how many of the provisionally opting employees who are in India now and have not yet been absorbed are (i) gazetted officers and (ii) non-gazetted employees;
- (e) whether any pay or allowance is being given to the provisionally opting employees who have not yet been absorbed; and, if so, to how many, and what is the total monthly expenditure on this account;
- (f) whether it is a fact that under the State Railway Establishment Code, all service agreements provide that the services of railway servants are liable to be terminated at six months' notice on either side in the case of gazetted officers and at one month's notice in the case of non-gazetted employees; and
- (g) whether Government propose under the aforesaid term of the agreement to terminate the services of the provisionally opting employees who have not yet been absorbed?

The Honourable Dr. John Matthai: (a) (i) 51,426; (ii) 31,576 approximately.
 (b) 17,487, according to official information received so far.

- (c) (i) 14,672 of whom 13,401 have been absorbed.
- (ii) 2,026 of whom 1,275 have been absorbed.
- (iii) Government have no authentic information so far.
- (d) All are non-gazetted staff.
- (e) Ordinary pay and allowances are not now being given to such staff.
- (f) Yes in the case of permanent staff.
- (g) Government have not yet considered this aspect of the matter.

SURVEY OF MALABAR DISTRICT FOR IRRIGATION WORKS OR HYDRO-ELECTRIC PROJECTS

1385. *Shri P. Kunhiraman: (a) Will the Honourable Minister of Agriculture be pleased to state whether the District of Malabar has been surveyed for major irrigation works or hydro-electric projects; and, if so, what are the results of the survey?

(b) Are Government aware that in certain parts of Malabar, the yield is so poor that it is not profitable to cultivate the land, and that for a properly integrated development, radical measures are necessary?

(c) If the answer to part (a) above be in the negative, do Government propose to consider the question of conducting a preliminary survey?

The Honourable Shri Jairamdas Doulatram: This question should have been addressed to the Honourable Minister for Works, Mines and Power.

AERODROME AT CALICUT IN MALABAR.

1386. *Shri P. Kunhiraman: (a) Will the Honourable Minister of Communications be pleased to state when the proposed aerodrome at Calicut in Malabar is expected to be ready for traffic?

(b) Why has Cannanore not been selected for development though it had a landing base for the last several years?

The Honourable Mr. Rafi Ahmed Kidwai: (a) The plans of the Government of India for the development of civil aviation include the provision of a minor aerodrome at Calicut. It is, however, not possible to say at present when the aerodrome will be constructed, as Government are at present concentrating on the development of aerodromes which are more important from the point of view of the development of civil aviation in India as a whole.

(b) The landing ground at Cannanore belongs to the Army. Cannanore was not selected for development as a civil aerodrome because it is of less importance from the all-India point of view than Calicut.

RECRUITMENT OF MEDICAL OFFICERS IN S. I. AND M. AND S. M. RAILWAYS

1387. *Shri P. Kunhiraman: (a) Will the Honourable Minister of Railways be pleased to state whether any advertisement has been published for the posts of Medical Officers in the S. I. Railway and M. and S. M. Railway?

(b) What is the number of applications received for such posts?

(c) How many of them were selected?

(d) What is the scale of pay of these Medical Officers?

(e) What will be the actual rank of these officers when they are selected to hold these posts?

The Honourable Dr. John Matthai: (a) On the presumption that by 'medical officers' the Honourable Member is referring to medical officials in Class III Service, the reply is in the affirmative.

(b) 74.

(c) 15.

(d) The prescribed scales for Assistant Surgeon and Sub-assistant Surgeon are Rs. 260—15—440—E.B.—20—500 and Rs. 100—8—140—10—170—E.B.—10—230 respectively.

(e) The Honourable Member's question is not quite clear but obviously the medical official will hold the rank of the post for which he is recruited.

RESTORATION OF SHORAN-UR-NILAMBUR RAILWAY LINE ON SOUTH INDIAN RAILWAY

1388. *Haji Abdus Sattar Haji Ishaq Seth: (a) Will the Honourable Minister of Railways be pleased to state whether any estimate has been prepared of the total expenditure that may be involved in the restoration of the Shoranur-Nilambur railway line on the South Indian Railway?

(b) Has any guarantee been demanded from the Government of Madras and if so, to what extent?

(c) Has the financial implication of extending this line from Nilambur to Calicut via Malapuram, Manjeri and Kundotti been examined and if so, what is the result?

(d) What is the present position with regard to the restoration of this branch line?

The Honourable Dr. John Matthai: (a) The cost of restoration of the Shoranur-Nilambur Branch has been estimated by the S.I. Railway as Rs. 50,70,000.

(b) In reply to their query, the Government of Madras, have been informed that the guarantee required from them would be roughly Rs. 4,67,000 per annum, in case they want the restoration of the line.

(c) No.

(d) No decision has yet been taken about the restoration of this line and the Government are unable to state at this stage if the line will actually be restored, and if so, when.

SHORTAGE OF WAGONS IN PANDUTUISUKIA SECTION OF BENGAL ASSAM RAILWAY

1389. *Shri Kuladhar Chaliha: (a) Will the Honourable Minister of Railways be pleased to state why no wagons were supplied to carry paddy, tea, etc., from Lunding Tuisukia section to Neamati Ghat and whether Government are aware that about eight lakhs of tea chests have been carried by Steamer Companies from different Steamer Ghats, causing loss of revenue to the Bengal Assam and the East Indian Railways?

(b) What is the reason for the shortage of wagons in Pandu-Tuisukia section of the Bengal Assam Railway?

The Honourable Dr. John Matthai: (a) The question is not understood as wagons have been supplied fully up to the indents for clearing tea to Neamati Ghat. Paddy does not offer for movement to Neamati Ghat. The Government have no information about the movement of tea by the Steamer Companies.

(b) Does not arise in view of reply to (a) above.

REDECKING OF BRIDGE OVER KOKILA RIVER NEAR NEAMATI GHAT STATION ASSAM

1390. *Shri Kuladhar Chaliha: (a) Will the Honourable Minister of Railways be pleased to state whether Government are aware that the removal of decking on the bridge over the Kokila river near Niamati Ghat station is causing inconvenience to passengers and wheeled traffic?

(b) Is it a fact that His Excellency the Governor of Assam represented to the Government of India to redeck the bridge?

(c) If so, do Government propose to consider the matter?

The Honourable Dr. John Matthai: (a) Representations have been received from the Provincial Government and a few public bodies recommending restoration of roadway decking on the railway bridge over Kokila river, or alternatively, running passenger trains to Neamati.

(b) Yes.

(c) The work of re-decking the bridge is in hand.

CONSTRUCTION OF NEW LINE BETWEEN TRICHINOPOLY AND SALEM via NAMEKKAL S. I. RAILWAY

1391. *Dr. V. Subramaniam: (a) Will the Honourable Minister of Railways be pleased to state whether there is any proposal for the construction of a new railway line from Trichinopoly to Salem via Namekkal (South Indian Railway)?

(b) If so, has any survey for the same been made?

(c) If not, why not?

The Honourable Dr. John Matthai: (a) No.

(b) A Traffic survey for a railway line from Trichinopoly to Salem was carried out in 1929 and it was found that the needs of the locality were fully served by the existing roads.

(c) In view of reply to part (b), the question does not arise.

ALLOTMENT OF TELEPHONE CONNECTIONS IN AGRA

1392. *Shri Jaspal Roy Kapoor: Will the Honourable Minister of Communications be pleased to state:

(a) what was the number of applicants for telephone connections on the waiting list in Agra on 1st July 1947, and to how many of them telephones have been allotted since then;

(b) what is the number of new applicants for telephone connections in Agra between 1st July 1947 and 29th February 1948, and to how many of them telephone connections have been allotted;

(c) why were new applications sanctioned before the waiting list as on 1st July 1947 has been disposed of;

(d) who is the sanctioning authority for telephones in Agra;

(e) whether Government are aware that there is general discontent in Agra with regard to the manner of allotment of telephone connections;

(f) whether some time back Government instituted an enquiry into such public grievance, and if so, what has been the result thereof, and what action has been taken thereon by Government;

(g) whether, to allay public discontent, Government propose to form a Telephone Advisory Committee at Agra, and if so, when, and if not, why not;

(h) what is the number of applicants for telephone connections on the waiting list in Agra at present, and by what time are they likely to be allotted telephones; and

(i) what steps Government propose to take to meet the growing demand for telephone connections at Agra?

The Honourable Mr. Rafi Ahmed Kidwai: (a) 295 and 9 respectively (excluding Government connections).

(b) 46 and 4 respectively (excluding Government connections).

(c) New connections were sanctioned in all the four cases on the recommendations of high authorities.

(d) The Divisional Engineer, Telegraphs, Agra.

(e) Yes.

(f) Individual cases of complaints received were investigated but it was found that the allegations enumerated therein were not borne out by facts. The last part of the question does not arise.

(g) Formation of a Telephone Advisory Committee at Agra is under consideration. The latter part of the question does not therefore arise.

(h) There are 337 applicants on the waiting list. Telephones will be allotted to them after the additional equipment is installed at Agra.

(i) The capacity of the Switch Boards at Agra will be increased shortly.

DISCONNECTION AND RESTORATION OF TELEPHONE CONNECTIONS IN AGRA

1393. *Shri Jaspat Roy Kapoor: Will the Honourable Minister of Communications be pleased to state:

(a) the number of telephones that were disconnected in Agra during the period of war;

(b) the number of such connections that have been restored;

(c) the number of telephones that have been disconnected in Agra during the period 1st January 1947 and 29th February 1948; and

(d) the number of such disconnected telephones subsequently restored?

The Honourable Mr. Rafi Ahmed Kidwai: (a) 57.

(b) 49.

(c) 2.

(d) Nil.

SCARCITY OF COFFEE AFTER DE-CONTROL AND AUCTION OF COFFEE STOCKS

1394. *Dr. V. Subramaniam: (a) Will the Honourable Minister of Industry and Supply be pleased to state whether it is a fact that there is scarcity of coffee after de-control?

(b) Are Government aware that the Coffee Board allows only traders of some years standing in coffee trade to bid in auction sales?

(c) Do Government propose to make arrangements to auction coffee stocks frequently to all merchants with facilities to purchase even smaller quantities?

(d) Do Government propose to take steps to allot only a limited quantity even to large scale buyers?

(e) Do Government propose to draw the attention of the Coffee Board to its assurance of a moderate price for coffee after de-control, in view of the sudden rise in price of coffee in places like Madras?

The Honourable Dr. Syama Prasad Mookerjee: (a) Immediately following on de-control of coffee prices, there was doubtless some scarcity, but coffee is now generally available to consumers at reasonable prices.

(b) Coffee auctions are now open to all traders whether new or old.

(c) Yes.

(d) No. To ensure wide distribution, however, all large buyers at recent sales have been refused permission to buy coffee at the next auction.

(e) The Government have done so already and have every hope that the Board will be able to bring down prices to reasonable levels.

FIXATION OF MINIMUM PRICE OF *gur*

1395. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Food be pleased to state the present price of *gur* in the major cities of India and their prices before the controls were withdrawn?

(b) In the interests of the sugarcane cultivators, do Government propose to consider the question of fixing a minimum price for this commodity?

The Honourable Shri Jairamdas Doulatram: (a) A statement showing the prices of *gur* in major cities of India, from November, 1947 to March, 1948, is laid on the table of the House.

(b) The Honourable Member is referred to the answer given by me today to part (c) of the question put by Ch. Ranbir Singh.

Statement
Showing prices of Gur in major cities of India from 1st November 1947 to March 1948.

| Name of city | For fortnight ending— | | | | | | Remarks | | |
|---------------|-----------------------|--------------|---------------|--------------|--------------------|--------------|--------------|--------------|--------------|
| | 16-11-47 | 30-11-47 | 15-12-47 | 31-12-47 | 15-1-48 | 31-1-48 | | | |
| Muzaffarnagar | 15/- | 14/12 | 15/- | 15/- | 10/8 | 9/8 | 10/8 | 10/8 | |
| Meerut | 15/- | 16/- | 15/13 | 15/2 | ... | 10/- | 10/8 | 8/8 | |
| Hapur | 15/4 | 15/6 | 16/6 | 15/4 | 13/- | 9/12 | 9/4 | 8/8 | |
| Lucknow | 20/- | 22/13 | 17/4 | 17/12 | 16/6 | 9/8 | 9/4 | 1/13 | |
| Madras | 9/11 to 15/8 | 9/11 to 15/8 | 14/4 to 14/11 | 8/4 to 14/11 | 7/7 to 12/5 | 7/7 to 14/8 | 7/7 to 10/8 | 7/7 to 10/8 | 6/9 to 8/- |
| Ambala | 24/- | 22/- | 17/8 | 16/- | 14/- | 8/8 | 9/- | 9/- | 11/- |
| Jullundur | 24/- | 22/- | 16/- | 18/- | 13/- | 9/- | 9/- | 9/- | 11/8 |
| Calcutta | 18/- to 21/- | 18/- to 21/- | 27/- | 28/8 | 28/- | 18/- | 18/- | 16/- | 14/- |
| Bombay | 20/14 | 18/- | 18/- | 16/- to 22/8 | 16/- to 22/- | 13/- to 22/- | 11/4 to 18/8 | 12/- to 18/8 | ... |
| Ahmednagar | 18/- | 18/- | 12/- to 25/- | 10/- to 17/- | ... | 7/8 to 14/8 | ... | 8/- to 12/- | ... |
| Nagpur | 20/- | 20/- | 27/8 | 27/8 | C. P. 10/- to 17/8 | 10/- to 15/- | 12/- to 17/8 | ... | Retail price |
| Jubbulpore | 20/10 | 20/- | 26/14 | 26/14 | 15/- | 16/4 to 17/8 | 16/4 | ... | .. |
| Cuttack | 16/8- | 16/- | 15/- | 13/- | ORISSA 14/- | ... | 15/- | ... | .. |
| Patna | 20/- | 18/- | 18/- | 16/- | BIHAR 20/- | 20/- | 16/- | 16/- | .. |

SUPPLY OF MAIZE TO EGYPT AND FOOD POLICY OF GOVERNMENT OF INDIA

1396. ***Pandit Mukut Binari Lal Bhargava**: Will the Honourable Minister of Food be pleased to state:

(a) whether the attention of Government has been drawn to a Reuter's message appearing in the *Statesman* (Delhi Edition) on the first page, first column on 25th January, 1948 stating that the Egyptian Government had signed on 27th January, 1948, agreements with India, Yugoslavia and Rumania for the immediate delivery to Egypt of large quantities of maize;

(b) if so, the background in which this agreement was signed by India and the quantity of maize promised by the Government of India to the Egyptian Government;

(c) the prices at which maize had been promised to be sold and the delivery period thereof; and

(d) whether the sale of maize by India to Egypt is in conformity with the food policy of the Government of India?

The Honourable Shri Jairamdas Doulatram: (a) Government have seen the Press Report.

(b) There is an overall shortage of rice in India whereas the Egyptians needed maize. So to safeguard the interests of the rice deficit areas of our country, we gave to Egypt what was with us, a less popular grain in exchange for rice. The maize given to Egypt was on its way to India but it was diverted to Egypt when the barter transaction was concluded.

(c) The price was the same at which India bought from Argentine Government. I regret it will not be in the public interest at this stage to make these details about prices public. The Honourable Member will appreciate that this was not a single isolated deal; it can have repercussions on other negotiations which we may have to carry on. As regards the delivery period, no period was fixed but the total quantity of maize to be delivered under the terms of agreement has been delivered in full to Egypt, and our rice is also being shipped in full.

(d) Yes, since we got rice in exchange.

PENSIONS TO PERSONS FOUGHT FOR FREEDOM OF INDIA

1397. ***Seth Govinddas**: (a) Will the Honourable Minister of Home Affairs be pleased to state the policy of Government regarding the pensions being given to those who helped the British in the two world wars?

(b) What do Government propose to do for those who helped and fought for the freedom of the country since 1920, by taking part in the Civil Disobedience Movement or otherwise?

(c) Do Government propose to give help or pensions to the latter?

The Honourable Pandit Jawaharlal Nehru: (a) It is not clear what pensions are referred to. If the reference is to Military Pensions the policy of Government is to continue them.

(b) and (c). The Government of India understand that the Government of West Bengal have issued some orders on this subject. A copy of the orders has been just obtained and the matter is being examined.

REPRESENTATION TO ORISSA STATES PEOPLE IN ORISSA PROVINCIAL ASSEMBLY

1398. ***Shri Yudhishtir Mishra**: (a) Will the Honourable Minister of States be pleased to state whether Government are contemplating in the near future to give representation to the people of Orissa States in the Orissa Provincial Assembly?

(b) If not, what steps do Government propose to take to transfer full responsibility to the representatives of the people of Orissa States for the administration of these States?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). The Government of Orissa have taken steps to constitute: (i) An Executive Council for the Orissa States, (ii) An Advisory Council for every State, and (iii) An Orissa States Assembly, in order to associate the people of the States with the administration. It is not possible in present circumstances and under the present Constitution to do anything further in this respect. The Honourable Member will no doubt appreciate that in the event of a final merger with the Orissa, these States will have the same legislature and representation therein as other parts of Orissa.

ABSORPTION OF LOWER GRADE SERVANTS OF ORISSA STATES BY ORISSA GOVERNMENT

1399. *Shri Yudhishtir Mishra: (a) Will the Honourable Minister of States be pleased to state whether all the personnel in the lower grade services of Orissa States will be absorbed by the Government of Orissa?

(b) Have Government received any representation from the employees of some of these States in this connection?

The Honourable Pandit Jawaharlal Nehru: (a) It has been agreed that every effort should be made to absorb the existing staff.

(b) No, Sir.

EMPLOYMENT IN INDIA OF OFFICERS FROM PAKISTAN

1400. *Shri Basanta Kumar Das: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the number of officers who opted for India from each of the Provinces of East Bengal, West Punjab, North West Frontier, Baluchistan and Sind;

(b) whether the officers of a particular province of Pakistan have been allotted to a particular province of India for employment and if so, what the respective province of India is for each of the Provinces of Pakistan;

(c) whether the Government of India have taken charge of any officers for employment and if so, what their numbers are according to provinces from which they have opted;

(d) whether any Provincial Government have not yet been able to give employment to all the officers who have opted out from Pakistan and have been placed in their charge and if so, what the numbers of such officers are in different Provinces; and

(e) whether the provinces have to bear the entire burden of maintaining the surplus officers till they are absorbed in the administration?

The Honourable Pandit Jawaharlal Nehru: (a) Officers of the Governments of the North-West Frontier Province, Sind and Baluchistan were not given the right to opt at all. Those of the Governments of Bengal and Punjab were given this right by the Partition Councils set up in these Provinces. Details about the numbers who exercised their option in favour of India in these Provinces are not with the Government of India.

(b) Employees of partitioned Provinces who opted for India are being absorbed by the Governments of the Provinces concerned. Employees of the former Government of Assam are dealt with by the present Government of Assam, those of the Government of Bengal by the present Government of West Bengal and those of the Government of Punjab by the present Government of East Punjab.

(c) Government of India have accepted responsibility only for the Central Government employees who were called upon to exercise their option.

(d) The information is not available with the Government of India but it is understood that some of the Governments of partitioned Provinces have not been able to absorb all the employees yet who opted for India.

(e) The Governments of partitioned Provinces are responsible for the absorption of the Provincial Government employees who opted for India.

REPLACEMENT OF WORD "IMPERIAL" IN "IMPERIAL SECRETARIAT" IN OFFICIAL CORRESPONDENCE

1401. *Mr. E. K. Sidhva: (a) Will the Honourable Minister of Home Affairs be pleased to state whether it is a fact that all correspondence after the 15th August 1947 from the Secretariat and its branches bear the words "Imperial Secretariat"?

(b) If so, what are the reasons for retaining the word "Imperial"?

(c) Do Government propose to take steps to replace the word "Imperial" by an appropriate word?

The Honourable Pandit Jawaharlal Nehru: (a) No, Sir.

(b) Does not arise.

(c) Government have already issued orders directing that the use of the word "Imperial" wherever it is officially recognised should be discontinued and that the expression "Imperial Secretariat" should be replaced by the designation "Central Secretariat".

SELECTION OF OFFICERS FOR INFORMATION AND DOCUMENTARY FILMS

1402. *Shri V. C. Kesava Rao: (a) Will the Honourable Minister of Information and Broadcasting be pleased to state the number of officers to be selected for their Information and Documentary Films proposed to be produced?

(b) Do Government propose to consult the film industry in the matter of the production of these films?

(c) What is the system of recruitment adopted for acquiring the necessary personnel?

The Honourable Pandit Jawaharlal Nehru: (a) 31 officers.

(b) The attention of the Honourable Member is invited to my reply to part (e) of question No. 892 on the 19th March, 1948.

(c) Recruitment is made after advertisement inviting applications and on the recommendations of an *ad hoc* Selection Board.

DISTRIBUTION OF GAZETTED POSTS IN SECRETARIAT

1403. *Ch. Ranbir Singh: Will the Honourable Minister of Home Affairs be pleased to state what steps Government propose to take to ensure equitable distribution of gazetted posts in the Secretariat and adequate representation of all provinces?

The Honourable Pandit Jawaharlal Nehru: Attention of the Honourable Member is invited to the reply given to Question No. 1071, by Sri Kishori Mohan Tripathi on the 31st March, 1948.

UMBRELLAS FOR POLICE MEN ON TRAFFIC DUTY IN DELHI

1404. *Shri H. V. Kesava Nath: Will the Honourable Minister of Home Affairs be pleased to state:

(a) whether policemen on traffic duty in Delhi are provided with umbrellas in order to protect them against sun and rain; and

(b) if not, why not?

The Honourable Pandit Jawaharlal Nehru: (a) Yes.

(b) Does not arise.

VACANCIES AND RECRUITMENT IN POLICE DEPARTMENT, DELHI PROVINCE AFTER
15TH AUGUST, 1947

1405. *Ch. Ranbir Singh: Will the Honourable Minister of Home Affairs be pleased to state whether Government propose to lay on the table of the House a statement showing:

(a) the number of vacancies which occurred in the Police Department after 15th August 1947 in various ranks in Delhi Province;

(b) the persons recruited from Delhi Province and various other provinces in the various ranks to fill those vacancies; and

(c) the number of persons who applied for or offered for services in the various ranks from Delhi Province?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). A statement giving the information is placed on the table of the House.

(c) Candidates were called and interviewed at recruitment parades or individually, and selections were made out of such persons on the basis of fitness. No record of the total number of persons who appeared for interview was maintained or is available.

Statement

| | S.P. | D.S.Ps. | Inspns. | SGTS. | S.Is. | A.S.Is. | H.Cs | F.Cs. |
|--|------|---------|---------|-------|-------|---------|------|-------|
| (a) Vacancies after 15-8-1947 . | 3 | 11 | 17 | 6 | 77 | 107 | 302 | 2458 |
| (b) Recruitments made :— | | | | | | | | |
| N.W.F. Province . | 1 | 1 | 6 | .. | 31 | 40 | 136 | 261 |
| Sind | .. | .. | 1 | .. | 13 | 13 | 80 | 155 |
| Quetta Baluchistan . | .. | .. | 3 | .. | 7 | .. | 15 | 17 |
| West Punjab | .. | .. | .. | .. | 9 | 10 | 36 | 435 |
| West Punjab States | .. | .. | .. | .. | .. | 4 | 6 | 16 |
| U. P. & C. P. | .. | .. | .. | .. | .. | 1 | .. | 163 |
| East Punjab | .. | .. | .. | .. | .. | 3 | 7 | 585 |
| Delhi | .. | .. | .. | .. | .. | 4 | 1 | 430 |
| Other States etc. | .. | .. | .. | .. | .. | .. | 10 | 232 |
| Total | 1 | 1 | 10 | .. | 60 | 75 | 291 | 2294 |
| Received on transfer | 1 | 8 | .. | .. | 9 | 9 | .. | .. |
| Vacancies filled by promotion from one rank to other rank. | 1 | 2 | 7 | .. | 5 | 7 | 10 | .. |
| | 2 | 10 | 7 | .. | 14 | 16 | 10 | .. |

INSTALLATION FOR BROADCASTING STATION BY MAHARAJA OF FARIDKOT

1406. *Ch. Ranbir Singh: (a) Will the Honourable Minister of States be pleased to state whether Government are aware that the Maharaja of Faridkot has installed his own Broadcasting Station in his palace?

(b) If so, what steps do Government propose to take in this matter?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). Government of India are informed that a transmitter is installed in the State but I am not aware of its location. Enquiries are being made and appropriate action will be taken in the light of the result of such enquiries.

POLICY *RE* ADMINISTRATION OF ORISSA STATES AFTER MERGER

1407. *Shri Yudhishtir Mishra: Will the Honourable Minister of States be pleased to state the policy that Government intend to follow in the administration of the Orissa States after merger both in the interim period and in future?

The Honourable Pandit Jawaharlal Nehru: The Policy in the interim period is to integrate the administration of these States with that of the Orissa Provinces. The ultimate objective is a complete merger.

REGISTRATION OF EVACUEE GOVERNMENT SERVANTS FROM BAHAWALPUR STATE

1408. *Shri Upendranath Barman: (a) Will the Honourable Minister of Home Affairs be pleased to state whether the evacuee Government servants from Bahawalpur State have been permitted to register in the Transfer Bureau?

(b) If not, what arrangements have been made to employ these evacuees within India?

(c) Has any provision for rehabilitation been made for the evacuees who are pensioners from the State?

(d) What is the number of such evacuees?

The Honourable Pandit Jawaharlal Nehru: (a) No

(b) Bahawalpur State employees are eligible for registration at the Employment Exchanges.

(c) They are being treated like other refugees.

(d) Information is not available with the Government of India, and the time and labour involved in collecting it will not be commensurate with the results.

BORSTAL INSTITUTIONS IN CENTRALLY ADMINISTERED AREAS

1409. *Shri Satis Chandra Samanta: Will the Honourable Minister of Home Affairs be pleased to state:

(a) the number of Borstal Institutions and other institutions of the same nature in the centrally administered areas; and

(b) the names and location of the institutions?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). There is one Reformatory School at Delhi. Information from other Chief Commissioners has been called for.

ALLEGATIONS AGAINST R. S. S. ORGANISATION *RE* PREACHING OF VIOLENCE AND COLLECTION OF ILLICIT ARMS, ETC

1410. *Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Home Affairs be pleased to state whether Government are aware of the allegation that the R.S.S. organisation preached the cult of violence and indulged in acts involving arson, dacoity and murder, and collected illicit arms and ammunition?

(b) How many R.S.S. offices have so far been searched in the Province of Delhi and other centrally administered areas and in how many of them arms and ammunitions, etc., have been found?

(c) What is the nature and quantity of these arms?

(d) Have Government, during these searches, found any documents, publications or notifications issued by this organisation preaching the cult of violence and hatred?

(e) If so, do Government propose to lay on the table of the House, copies of at least some of the most objectionable amongst them?

The Honourable Pandit Jawaharlal Nehru: (a) Yes.

(b) to (d). The information is not readily available and will have to be obtained from Chief Commissioners. It will be laid on the table of the House when it is complete.

(e) Government will consider this matter in the light of the material collected.

JUDICIAL ENQUIRY INTO ALLEGATIONS AGAINST R. S. S. ORGANISATION

1411. ***Prof. Shibban Lal Saxena:** (a) Will the Honourable Minister of Home Affairs be pleased to state whether the Government of India have ordered any judicial enquiry to be made into the allegations made against the R.S.S. organisation?

(b) If so, what were the findings of such judicial enquiry and do Government propose to lay on the table of the House a copy of these findings?

(c) In case no judicial enquiry has so far been made, do Government propose to publish the evidence they have in their possession against this organisation?

The Honourable Pandit Jawaharlal Nehru: (a) No.

(b) Does not arise.

(c) The Honourable Member's attention is invited to the press communique issued by Government on the subject on the 4th February, 1948, a copy of which is placed on the table. Government regret that the publication of material on which Government's action was based would not be in the public interests. The documents are of a secret nature.

GOVERNMENT OF INDIA

PRESS INFORMATION BUREAU

PRESS COMMUNIQUE

R. S. S. Sangh declared unlawful

In their Resolution of 2nd February 1948, the Government of India declared their determination to root out the forces of hate and violence that are at work in our country and imperil the freedom of the nation and darken her fair name. In pursuance of this policy, the Government of India have decided to declare unlawful the Rashtriya Swayam Sevak Sangh in the Chief Commissioners' Provinces. Similar action is also being taken in the Governors' Provinces.

As democratic governments, the Government of India and the Provincial Governments have always been anxious to allow reasonable scope for genuine political, social and economic activities to all parties and organisations including those whose policies and purposes differ from, or even run counter to, their own, subject to the consideration that such activities should not transgress certain commonly recognised limits of propriety or law. The professed aims and objects of the Rashtriya Swayam Sevak Sangh are to promote the physical, intellectual and moral well-being of the Hindus and also to foster feelings of brotherhood, love and service amongst them. Government themselves are most anxious to improve the general material and intellectual well-being of all sections of the people and have got schemes on hand which are designed to carry out these objects, particularly the provision of physical training and education in military matters to the youth of the country.

Government have, however, noticed with regret that in practice members of the Rashtriya Swayam Sevak Sangh have not adhered to their professed ideals. Undesirable and even dangerous activities have been carried on by members of the Sangh. It has been found that in several parts of the country individual members of the Rashtriya Swayam Sevak Sangh have indulged in acts of violence involving arson, robbery, dacoity and murder and have collected illicit arms and ammunition. They have been found circulating leaflets exhorting people to resort to terrorist methods, to collect fire-arms, to create disaffection against the Government and suborn the Police and Military. These activities have been carried on under a cloak of secrecy, and Government have considered from time to time how far these activities rendered it incumbent on them to deal with the Sangh in its corporate capacity. The last occasion when Government defined this attitude was when the Premiers and Home Ministers of Provinces met in Delhi in conference towards the end of November. It was then unanimously agreed that the stage when the Sangh should be

dealt with as an association had not yet arrived and that individuals should continue to be dealt with sternly as thitherto. The objectionable and harmful activities of the Saigh have, however, continued unabated and the cult of violence sponsored and inspired by the activities of the Sangh has claimed many victims. The latest and the most precious to fall was Gandhiji himself.

In these circumstances, it is the bounden duty of Government to take effective measures to curb this reappearance of violence in a virulent form and, as a first step to this end, they have decided to declare the Sangh as an unlawful association. Government have no doubt that in taking this measure they have the support of all law-abiding citizens and of all those who have the welfare of the country at heart.

Ministry of Home Affairs.
New Delhi, February 4, 1948.

ARRESTS OF R. S. S. MEN IN CENTRAL BY ADMINISTERED AREAS

1412. *Prof. Shjbban Lal Saksena: (a) Will the Honourable Minister of Home Affairs be pleased to state whether the R.S.S. leaders and workers who have been arrested and detained in the Centrally Administered areas have been apprised of the grounds of their detention, and whether any opportunity has been afforded to them to reply to the charges made against them?

(b) If not, do Government propose to consider the desirability of doing so now?

(c) What is the total number of arrests of R.S.S. men so far made in the Centrally Administered areas since 30th January 1948?

(d) How many of them have been released and how many of them are still in detention?

(e) How long do Government propose to keep these men in detention without trial?

(f) What treatment is given to the R.S.S. men in jail?

(g) How many of them have been placed in A, B, and C classes respectively?

(h) If any special class treatment is given to these men, do Government propose to lay on the table of the House the rules governing this special class of treatment in jail and pointing out the difference between the special class treatment and the treatment of ordinary C class convicts?

The Honourable Pandit Jawaharlal Nehru: (a) These persons have been detained under section 3 of the Punjab Public Safety Act, 1947, which does not provide for communication of the grounds of detention to the detenus. The cases of these persons are, however, being reviewed periodically.

(b) Does not arise

(c) 549.

(d) 80 (excluding 11 released on parole) and 458, till the middle of March.

(e) Releases are made on the results of the periodical reviews; the maximum period of detention is six months.

(f) and (h). In Delhi there are no A, B and C categories. Persons of status are placed in Class I and others in Class II which is the same as category 'C' but these people are not required to do any labour. Information regarding other Chief Commissioners' provinces is being collected and will be laid on the table of the House when received.

(g) The information is being obtained and will be placed on the table of the House when received.

MEANING OF "PRIVATE ARMIES" IN RESPECT OF R. S. S., AKALI DAL AND CONGRESS SEVA DAL

1413. *Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Home Affairs be pleased to state as to what Government mean by the term "private armies", and in what particular respects the R.S.S., the Akali Dal and the Congress Seva Dal come within its purview?

(b) Are Government aware that ever since the ban on the R.S.S. was placed by the Government, even physical drill by youngmen is disallowed and stopped?

The Honourable Pandit Jawaharlal Nehru: (a) "Private Army" is a well-understood term but for the benefit of the Honourable Member I would define it as a non-official body of volunteers organized and trained on military or semi-military lines with distinctive uniforms and a regular programme of drills, parades, exercises in arms, etc., and capable of being used as a disciplined force. Each case is to be judged on its merits with reference to its programme of training, drill, etc.

(b) No.

BROADCASTS ON MAHAVEER JAYANTI BY ALL INDIA RADIO.

1414. *Shri R. R. Diwakar: (a) Will the Honourable Minister of Information and Broadcasting be pleased to state whether Government are aware that the All India Radio broadcasts information regarding the respective personalities on Christmas day, Buddha Jayanti, Ram-Navami, etc.?

(b) Are Government aware that no such information is broadcast on Mahaveer Jayanti, i.e., on 21st April every year? If so, why?

(c) In view of the importance of Mahaveer Jayanti, do Government propose to see that broadcasts on Mahaveer are made on that day by the All India Radio?

The Honourable Pandit Jawaharlal Nehru: (a) Yes.

(b) Mahavir Jayanti is also noticed by All India Radio Stations at Delhi, Calcutta and Lucknow.

(c) Does not arise.

CRITERION FOR SELECTION OF RAJPRAMUKH AND QUALIFICATIONS REQUIRED FOR STATES TO FORM UNION

1415. *Shri Baldeo Swarup: (a) Will the Honourable Minister of States be pleased to state how much income and what population are regarded as sufficient for any State or Union of States to form one unit for administrative purposes?

(b) What is the criterion for selecting the Raj Pramukh for a Union of States?

The Honourable Pandit Jawaharlal Nehru: (a) No hard and fast rule has been laid down, each case is judged on its merits.

(b) The Raj Pramukh is elected by the Council of Rulers.

RECRUITMENT TO ADMINISTRATIVE SERVICE OF INDIA FROM FIELDS OF PUBLIC LIFE, COMMERCE AND INDUSTRY

1416. *Pandit Hriday Nath Kunzru: (a) Will the Honourable Minister of Home Affairs be pleased to state whether Government propose to indicate the steps that have been taken to make up the deficiency in regard to Administrative and Secretariat officers of the right type, apart from the recruitment of junior personnel for the Administrative Service, in order to remove the shortage of officers of the age group 25-40, by direct recruitment from the fields of public life, commerce and industry?

(b) If no such steps have been taken, why action on these lines has not been taken?

(c) Have Government any objection to the employment of direct recruits to strengthen the Government machinery?

The Honourable Pandit Jawaharlal Nehru: (a) and (c). Government have already taken steps to form a Central Administrative Reserve for the Central Secretariat by direct recruitment through the Federal Public Service Commission of candidates between the ages of 30 and 50. In addition, steps are being taken to strengthen the Provincial cadres of the Indian Administrative Service in order to enable Provincial Governments to release larger numbers of officers in the required age groups for employment by the Centre. Preliminary selections of Provincial Civil Service officers suitable for the purpose have been made already by *ad hoc* Committee appointed for the purpose. A conference of Chief Secretaries of Provinces was held on the 31st March and 1st April, at which all possible sources of recruitment from the requisite age-groups, including those mentioned by the Honourable Member have been reviewed. The Conference has been able to reach agreement on all points considered by it and its recommendations are at present under the consideration of Government.

(b) Does not arise.

HINDUSTAN TIMES REPORT *re* ARREST OF PERSONS AS R. S. S. MEN WHILE PLAYING FOOTBALL IN SUBZIMANDI, DELHI.

1417. *Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Home Affairs be pleased to state whether the attention of Government has been drawn to a report published in *The Hindustan Times* dated 17th March 1948, that 21 persons were arrested while playing a football match in Subzimandi, Delhi, on Monday, the 15th March 1948, on the plea that a regular R.S.S. meeting was being held in the form of playing a football match?

(b) How many of these 21 arrested persons are still under detention and how many have been released?

(c) Do Government propose to consider the advisability of releasing the persons still under detention?

The Honourable Pandit Jawaharlal Nehru: (a) Yes, but the football match was merely made an occasion for confabulation before and after match.

(b) 17 are still under detention and 4 have been released.

(c) No. Sir. The R.S.S.S. is as the Honourable Member aware, an unlawful organisation and the remaining 17 persons have declined to dissociate themselves from its activities.

ARREST OF PERSONS IN A TEMPLE IN DELHI ENGAGED IN HARI KIRTAN AS BELONGING TO R. S. S.

1418. *Prof. Shibban Lal Saksena: (a) Will the Honourable Minister of Home Affairs be pleased to state whether the attention of Government has been drawn to a press report published in papers that 56 persons were arrested while engaged in Hari Kirtan in Gauri Shanker Temple in Bagichi Madho Das near Red Fort, Delhi, on 16th March 1948, on the plea that they were holding an R.S.S. meeting while engaged in Hari Kirtan? Is this report true?

(b) Are Government aware that a deputation of about 200 ladies gathered outside the Assembly Chamber protesting against the arrests of their children and asked the Honourable the Prime Minister to release them forthwith?

(c) How many of these persons have so far been released and how many of them are still under detention?

(d) When do Government propose to release those who are still under detention?

The Honourable Pandit Jawaharlal Nehru: (a) Fifty-two students were arrested on the 16th March, 1948, while holding a meeting of the Rashtriya Swayam Sewak Sangh, camouflaged as an assembly for holding a Kirtan.

(b) Yes.

(c) and (d). None of them has been released so far. The Chief Commissioner is, however, considering the question of release on their fulfilling certain conditions.

DECLARATION AS UNLAWFUL OF COMMUNIST PARTY OF INDIA BY WEST BENGAL GOVERNMENT.

1419. *Shri Yudhishtir Mishra: Will the Honourable Minister of Home Affairs be pleased to state whether the Government of West Bengal consulted the Government of India before declaring the Communist Party of India as unlawful?

The Honourable Pandit Jawaharlal Nehru: No.

CONSTRUCTION OF AERODROMES IN BHOPAL STATE AND DIRECT AIR SERVICE WITH PAKISTAN.

1420. *Shri Jaspal Roy Kapoor: Will the Honourable Minister of States be pleased to state:

(a) whether any aerodromes are being constructed in Bhopal State, and if so, how many and at what places;

(b) whether from any of these aerodromes direct air service can be had with Pakistan;

(c) whether any air service has been started from any aerodrome in the State;

(d) whether the State has obtained Government sanction for the construction of any aerodrome or the starting of any air service; and

(e) if any aerodrome has been constructed or any air service started without the sanction of Government, what steps Government propose to take in the matter?

The Honourable Pandit Jawaharlal Nehru: (a) The Government of India have no information of any new aerodromes being constructed in Bhopal State.

(b) Does not arise.

(c) No scheduled air service originates from Bhopal, but the Deccan Airways' service from Delhi to Madras includes a landing at Bhopal.

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

TECHNICAL PERSONNEL BOARD TO EXAMINE FOREIGNER TECHNICIANS FOR INDIAN EMBASSIES.

1421. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Home Affairs be pleased to state if there is any proposal for the establishment of a Technical Personnel Board to examine the technical qualifications of foreigners before they are granted visas by the Indian Embassies abroad?

(b) Are Government aware that most of the independent nations have such Boards?

(c) Have Government any record of foreigners employed by Indian companies and individuals?

(d) What is the number of foreign refugees who have been so employed?

The Honourable Pandit Jawaharlal Nehru: (a) No such proposal is under consideration.

(b) Government have no information.

(c) No, Sir.

(d) The information would have to be collected from the Provincial Governments and local authorities concerned; but this would involve an amount of labour and time which would not be commensurate with the results.

PROJECTS FOR INCREASED PRODUCTION OF STEEL COAL, CEMENT, TRANSPORT FACILITIES AND SHIPPING AND THE APPROACH TO UNITED STATES GOVERNMENT FOR ASSISTANCE.

1422. *Pandit Hriday Nath Kunzru: Will the Honourable Minister of Industry and Supply be pleased to state:

(a) whether projects for increasing the production of steel, coal, cement, transport facilities and shipping have been drawn up in India;

(b) if so, whether estimates of additional steel plants, coal-raising machinery, locomotives and the plant and equipment required for the production of wagons, ships and cement have been prepared; and

(c) whether any approach has been made to the United States of America to obtain financial and other assistance similar to that to be given to Western European countries in accordance with the Marshall Plan?

The Honourable Dr. Syama Prasad Mookerjee: (a), (b) and (c). The position regarding the different items is as follows:

Steel.—The Government have decided to set up one or two new steel plants of 500,000 tons annual capacity. Estimates can be prepared only after expert advice has been obtained regarding design, construction and location of the plants.

Coal.—It has been planned to step up production at the rate of 1½ million tons per annum. The total cost of the capital equipment of major categories to be imported from abroad is estimated to be 2 million pounds.

Cement.—The annual target envisaged in the plan drawn up in 1945 was about 50 lakh tons and licences to import machinery are being issued to suitable parties.

Transport facilities.—Availability of rail transport is dependent on the supply of steel and spare parts for the maintenance of locomotives and wagons.

Requirements of motor transport are obtained through commercial channels and no difficulty is anticipated in getting imports.

Shipping.—India's tonnage requirements up to the end of 1948 are estimated at a minimum of 250,000 tons. Government are prepared to release a reasonable amount of dollars for the purchase of the U.S.A. surplus ships.

Government are in close touch with the U.S.A. authorities through their Embassy here and the India Supply Mission in Washington and are trying to obtain a reasonable allotment of steel for urgent requirements. The assistance of the U.S.A. authorities has also been sought in connection with the supply of essential capital goods.

STATEMENTS LAID ON THE TABLE

INFORMATION PROMISED IN REPLY TO CERTAIN QUESTIONS LAID ON THE TABLE
OF THE HOUSE TO-DAY

Mr. Mansubedar's Starred Question No. 422(b), (c) and (l) of 12th November 1946

COMPLAINT EXPORT OF TIMBER, STEEL, CLOTH AND COTTON FROM INDIA

Statement showing Quantities of exports of certain commodities from India (on private account) during 1945-46 and 6 months ending 30th September 1946.

| Commodities. | 1945-46. | 1946-47. |
|--|-------------------|-------------------------------------|
| | | (1st April to 30th September 1946). |
| Timber (Teak wood) | Cu. Tons 615 | 144 |
| Iron or steel and steel bars | Tons 1,138 | 1,600 |
| * Cloth (Cotton piecegoods) | Yards 440,510,258 | 144,863,602 |
| † Cotton (raw) | Tons 135,945 | 100,719 |

Shri R. R. Diwankar's Starred Question No. 133 [b] of 20th December, 1947.

SUBVENTION TO PROVINCES FOR MANURE—SUPPLY

[Statement not printed in the day's Debate. A copy has been placed in the Library of the House. Vide Circular No. LXXXVI dated 9 April, 1948.—Ed. of D.]

Shree M. C. Veerabhu's Unstarred Question No. 6 of 27th November 1947.

COMMODITIES EXPORTED FROM MADRAS TO CEYLON DURING THE YEARS 1937-38 AND 1946-47.

Statement showing the quantities and value various articles exported to Ceylon from the province of Madras during the years 1937-38 and 1946-47

| Particulars of the Article. | 1937-1938 | | 1946-1947 | |
|--|-----------|----------|-----------|----------|
| | Quantity | Value | Quantity | Value |
| 1 | 2 | 3 | 4 | 5 |
| | | Rs. | | R |
| Animals living Cattle. Nos. | 736 | 6,500 | 6 | 2,400 |
| Animals, living Horses. Nos. | 11 | 13,240 | 12 | 53,500 |
| Animals, living Sheep & Goats, Nos. | 30,614 | 6,09,812 | 26,032 | 4,62,319 |
| Animals, living Other kinds. Nos. | 781 | 2,343 | 1,056 | 17,945 |
| Apparel. Val. | .. | 24,194 | .. | 2,22,663 |
| Art works of Val. | .. | 1,719 | .. | 24,253 |
| Bones for manufacturing purposes, Tons | .. | .. | 687 | 1,13,276 |
| Books, Printed etc. Cwts. | 1,748 | 2,08,306 | 2,415 | 6,54,720 |
| Boots & shoes-Others. Pairs. | 13,500 | 28,303 | 41,326 | 2,12,012 |
| Building etc.-Bricks. Nos. | 2,14,305 | 5,918 | 73,59,000 | 35,220 |
| Building Chalk & Lime, Cwts. | .. | .. | 25 | 750 |
| Building Tiles. No. | 62,57,227 | 3,01,955 | 67,68,027 | 7,79,617 |
| Building Other kinds- Cwts. | 4 | 120 | 1,006 | 46,944 |
| Candles of all kinds, Lbs. | .. | .. | 12 | 10 |
| Chemicals etc.-Salt petre. Cwt. | 2 | 12 | 156 | 6,354 |
| Other sorts of chemicals. Val. | .. | 2,347 | .. | 19,400 |
| Coal and coke—Coke. Ton. | Cwt. 7 | 25 | .. | .. |
| Coal and coke—Coal. Ton | .. | .. | 4,000 | 1,39,331 |
| Co-fee | Cwt. 247 | 11,047 | 9,852 | 8,30,636 |
| Coir manufacture—Coir yarn. Cwt. | 646 | 5,293 | .. | .. |
| Coir manufacture—Mats & matting Cwt. | 250 | 6,226 | 1 | 261 |

* No exports were allowed during the stated period specifically against food supply.

† The shares of China, Japan and U. K. in these exports figures are indicated below.

| Cotton (raw) Tons. | China | Japan | U. K. |
|---|--------|--------|--------|
| 1945-46 | 13,163 | .. | 39,006 |
| 1946-47 | .. | .. | .. |
| (1st April to 30th September) | .. | 43,795 | 4,707 |

| 1 | 2 | 3 | 4 | 5 |
|---|----------|-----------|----------|-------------|
| | | Rs. | | Rs. |
| Coir manufacture—Other sorts. Cwt. | 26 | 554 | .. | .. |
| Cardage etc. Cwt. | 4 | 105 | 510 | 17,877 |
| Drugs etc.—Asafoetida. Cwt. | 39 | 2,129 | 122 | 18,063 |
| Drugs etc.—Camphor. lbs. | .. | .. | 122 | 282 |
| Drugs etc.—Senna. Cwt. | 375 | 4,521 | 217 | 5,464 |
| Other sorts of drugs, Dying etc. Value | .. | 89,631 | .. | 3,71,728 |
| Barks for tanning. Cwt. | 2,214 | 6,765 | .. | .. |
| Dying etc.—Cutch and gambier. Cwt. | 21 | 604 | 1 | 107. |
| Dying etc.—Myrobalans. Cwt. | .. | .. | 681 | 4,431 |
| Dying etc.—other sorts. Cwt. | 339 | 2,471 | 103 | 1,399 |
| Earthenware etc. Val. | .. | 17,370 | .. | 56,425 |
| Fibre for brushes & brooms. Tons | Cwt. 11 | 147 | 9 | 6,465 |
| Fish dry unsalted. Cwt. | 1,95,872 | 15,13,102 | 2,97,517 | 1,23,02,403 |
| Fish dry salted. Cwt. | 84,697 | 15,41,714 | 1,58,966 | 92,39,656 |
| Fishmaws & shark fins. Cwt. | .. | .. | 443 | 27,646 |
| Fish wet salted. Cwt. | 4,090 | 38,670 | 57,809 | 10,34,892 |
| Fodder etc.—Rice bran. Ton. | 1,778 | 35,838 | 199 | 10,101 |
| Other sorts of bran & Pollands. Ton. | 1,380 | 81,945 | 6 | 348 |
| Other sorts of fodder Ton. | 1,419 | 76,361 | .. | .. |
| Fruits etc.—Fresh Fruits coconuts. Nos. | 55 | 3 | .. | .. |
| Fruits etc.—Others. Val. | .. | 3,547 | .. | 2,18,942 |
| Fruits—Fresh Vegetables—Onions. Cwt. | 4,89,047 | 14,47,407 | 5,58,225 | 47,67,001 |
| Fruits—other kinds. Val. | .. | 2,71,465 | .. | 7,26,360 |
| Fruits dried etc.—Cashew kernels. Ton | 7 | 9,801 | Cwt. 13 | 1,736 |
| Fruits dried etc.—others. Ton | 702 | 70,382 | 2,691 | 7,97,162 |
| Furniture. Val. | .. | 3,083 | .. | 1,335 |
| Glass and glassware. Val. | .. | 4,647 | .. | 2,72,644 |
| Grains etc.—Jowar & bajra. Ton | 1 | 199 | .. | .. |
| Pulses—Beans. Ton. | Cwt. 4 | 64 | .. | .. |
| Pulses—Gram. Ton. | 169 | 16,046 | .. | .. |
| Pulses—Lentiles. Ton. | 535 | 51,731 | .. | .. |
| Pulses—Other sorts. Ton. | 1,427 | 1,77,874 | .. | .. |
| Grains—Paddy (rice in the husk). Ton. | 826 | 49,403 | .. | .. |
| Grains—Rice (rice not in the husk). Ton. | 79,129 | 93,77,674 | .. | .. |
| Grains—wheat Ton | Cwt. 14 | 136 | .. | .. |
| Grains—wheat flour Ton | 2 | 400 | .. | .. |
| Grains Other sorts. Ton | 219 | 24,855 | .. | .. |
| Guins etc.—Benjamin Cwt. | .. | .. | 2 | 400 |
| Gums etc.—Other sorts Cwt. | 24 | 571 | 46 | 1,938 |
| Hardware and cutlery Val. | .. | 2,00,241 | .. | 6,25,035 |
| Hides & Skins—Raw goat skins. Tons. 10, Nos. 12,100 | .. | 12,240 | .. | .. |
| Hides & Skins sheep skins Tons 7 Nos. 1,46,58 | .. | 6,370 | .. | .. |
| Hides & Skins Other skins Lbs 12 Nos. 2 | .. | 40 | .. | .. |
| Instruments—Musical Val. | .. | 26,474 | .. | 20,291 |
| Instruments—Other sorts Val. | .. | 1,42,455 | .. | 5,28,819 |
| Jewellery Val. | .. | .. | .. | 8,869 |
| Lac—other sorts Cwts. | .. | .. | 3 | 1,904 |

| 1 | 2 | 3 | 4 | 5 |
|--|----------|------------------------|----------|---------------------|
| Leather Hides & skins Td, Buffalow hides | Tons. | Cwt. 1 No. 37 | 104 | ... |
| Cow hides | " | Tons 2 Nos. 2401 | 7,849 | Cwts. 9 Nos. 599 |
| Calf skins—Buffalow | " | Tons 2 Nos. 1280 | 2,400 | ... |
| -do- Cow | " | Lbs. 4 Nos. 2 | 8 | ... |
| Other hides | " | Cwts. 5 Nos. 634 | 1,294 | ... |
| Tanned skins—goat skins | " | Cwts. 7 Nos. 2012 | 1,039 | 2 Nos. 10136 |
| -do- sheep skins | " | Tons, 3 Nos. 33560 | 16,004 | 20 Nos. 98201 |
| -do- Other skins | " | Tons. 15 Nos. 49874 | 28,485 | ... |
| Leather unwrought | Cwt. | 51 | 10,069 | 320 |
| Leather manufactures—Bags & Trunks | Val. | ... | 267 | 20,917 |
| Other sorts | " | ... | 7,835 | 93,277 |
| Liquors—Spirit | Gals. | 24,923 | 17,259 | ... |
| Other sorts | " | 7,386 | 4,847 | 131 |
| Machinery and Millwork of all kinds | Val. | ... | 7,265 | 1,73,026 |
| Manures—Bones for manunial purposes | Tons. | 1,818 | 1,75,632 | 52 |
| Bone Meal | " | 2,734 | 1,79,495 | ... |
| Fish manure | " | 644 | 30,307 | ... |
| Guano | " | 519 | 48,886 | ... |
| Other kinds | " | 45 | 5,887 | 13 |
| Mats & matting. . . . | Sq. Yds. | 86,672 | 4,243 | 16,48,10 |
| Metal & ores— Brass wrought | Cwts. | 982 | 48,317 | ... |
| Copper wrought | " | 3 | 189 | ... |
| Iron or Steel— Pipes & fittings | " | 4 | 84 | ... |
| Iron or steel—Nails Screws & rivets | Tons. | ... | ... | Cwt. 1 |
| Sheets and plates | " | lbs. 78 | 20 | 14 |
| Other manufactures of Iron or steel | " | 1 | 406 | 76 |
| Tin wrought including sheets and plates | Cwts. | ... | ... | 18 |
| Lead other sorts | " | 45 | 1,184 | ... |
| Ores & mineral unenumerated | " | ... | ... | 1 |
| Oils—Essential— Animal oil | Cwts. | ... | ... | 57 |
| Lemongrass oil | Lbs. | 28 | 28 | Gals. 717 |
| Sandalwood oil | " | Gals. 3 21 | 157 | 11,01 |
| Oil—Essential— other sorts | " | Gals. 2 | ... | Gals. 137 |
| Oils—Minerals— Petroleum, Dangerous oil | Gals. | ... | ... | 1,067 |
| Oils—Minerals—other sorts | " | ... | ... | Gals. 117 |
| | | | | 1,121 |
| | | | | 420 |
| | | | | 5,391 |
| | | | | 6,540 |

| 1 | 2 | 3 | 4 | 5 |
|--|------------|---------|------------|---------|
| Oil—Vegetable—Nonessential— | | | | |
| Castor Oil Cwts. | 1976 | 21620 | 885 | 67692 |
| | Gls. 21468 | | Gls. 10105 | |
| Coconut oil " | 14 | 980 | ... | ... |
| | Gls. 168 | | | |
| Groundnut oil | 3493' | 39541 | ... | ... |
| | Gls. 41748 | | | |
| Linseed oil " | ... | | 28 | 1262 |
| | | | Gls. 300 | |
| Seasamum " | 2604 | ... | 3491 | 309486 |
| | Gls. 30304 | 46019 | Gls. 42809 | |
| Other sorts " | 674 | 7836 | 700 | 43856 |
| | Gls. 7742 | | 8459 | |
| Oil cakes—Castor Tons. | 965 | 56046 | ... | ... |
| Groundnut " | 6721 | 348836 | ... | ... |
| Rape & Seasamum " | 14462 | 1365044 | ... | ... |
| Other kinds " | 21 | 990 | ... | ... |
| Paints & colours—other sorts . Cwts. | 86 | 3807 | 2 | 721 |
| Painters material—Terpentine . " | ... | ... | 92 | 4724 |
| Do- other sorts Val. | ... | —775 | ... | 2357 |
| Paper & Pasteboard— | | | | |
| Printing paper Cwt. | 5 | 85 | ... | ... |
| Other kinds of paper " | 18 | 380 | 13 | 1420 |
| Pasteboard—Millboard and cardboard of all kinds " | 400 | 17419 | 7 | 539 |
| Perfumery Val. | ... | 28786 | ... | 252733 |
| Plants living " | ... | 893 | ... | 400 |
| Precious stones " | ... | ... | ... | 1800 |
| Printing lithographic material . " | ... | 23784 | ... | 57633 |
| Provisions—Butter Cwts. | 1 | 52 | ... | ... |
| Confectionery " | 24 | 894 | 8 | 900 |
| Pickles, Chutneys & condiments . " | 49 | 935 | 6792 | 503292 |
| Ghee " | 911 | 38553 | ... | ... |
| Other sorts Cwts. | 1879 | 20092 | 3483 | 298741 |
| Raw Rubber Lbs. | 1674771 | 850505 | .. | .. |
| Rubber manufacture Val. | .. | 2149 | .. | 43898 |
| Essential seeds—Ajwan Tons. | 1 | 200 | 1 | 509 |
| Annoseed " | .. | .. | 40 | 57194 |
| Coriander " | 653 | 93302 | 1698 | 1587404 |
| Curmin other than black " | 3 | 720 | 98 | 125037 |
| Fennel " | 2 | 404 | 4 | 5542 |
| Fennugree, " Cwt. | 1 | 13 | 10 | 2896 |
| Seed—Non-essential—Seeds— | | | | |
| Castor seeds Cwts. | 4 | 55 | .. | .. |
| Cotton Tons. | 81 | 5260 | 70 | 25570 |
| Groundnuts " | 642 | 40932 | .. | .. |
| Mustard " | 213' | 33409 | 1 | 993 |
| Seasamum " | 1258 | 193986 | 163 | 116602 |

| 1 | 2 | 3 | 4 | 5 | |
|--|-------|----------|---------|----------|----------|
| Other sorts | Cwts. | 19 | 238 | .. | .. |
| Seed other than oil seeds | .. | .. | .. | 10 | 814 |
| Shells—Tortoise shell | Lbs. | .. | .. | 24 | 125 |
| Soaps | Cwts. | 16 | 1527 | 457 | 49141 |
| Specimens illustrative of | .. | .. | .. | .. | .. |
| Natural science | Val. | .. | 355 | .. | .. |
| Spices—Betelnuts | Cwts. | 54 | 2233 | 16 | 2534 |
| Do. Cardamoms | .. | 40 | 11360 | 23 | 3583 |
| Do. Chillies | .. | 76406 | 1642932 | 68975 | 5027770 |
| Do. Cloves | .. | 9 | 1105 | .. | .. |
| Do. Ginger | .. | 2673 | 102526 | 187 | 7249 |
| Do. Pepper | .. | 7 | 120 | 1600 | 100325 |
| Do. Turmeric | .. | 12339 | 155869 | 5442 | 273014 |
| Do. Other sorts | Lbs. | 34 | 21 | .. | .. |
| Stationery | Val. | .. | 7090 | .. | 1796458 |
| Stone and marble granite set | Tons. | .. | .. | 10 | 500 |
| Stone & marble other sorts | Cwt. | 1 | 5 | Lbs. 112 | 846 |
| Sugar below 23 D. S. but not below 16 D. S. | Tons. | 128 | 22882 | .. | .. |
| Sugar 15 D. S. & below | .. | 526 | 63502 | .. | .. |
| Molasses | .. | 1230 | 202833 | 8 | 260 |
| Tea, Black | Lbs. | 3367404 | 2302827 | .. | .. |
| Textile Raw cotton | Tons. | 219 | 122505 | .. | .. |
| Do. Cotton waste | Cwts. | 1712 | 29521 | 4712 | 135036 |
| Do. twist & yarn | Lbs. | 147044 | 73794 | 104280 | 115069 |
| Do. Cotton hosiery | Val. | .. | 164 | .. | 2855762 |
| Do. Cotton piecegoods—Grey | Yds. | 21533 | 6510 | 756973 | 427786 |
| Do. -do- white | .. | 31172 | 6938 | 509594 | 450566 |
| Do. do- Coloured | .. | 21672124 | 7133078 | 24781704 | 93305977 |
| Do. Thread sewing | Lbs. | 923 | 204 | .. | .. |
| Do. Cotton manufacture other sorts | .. | 300571 | 73556 | 134159 | 195785 |
| Do. Haberdashery & Millinery | Val. | .. | 485 | .. | .. |
| Do. -do- other sorts | .. | .. | 6822 | .. | 12 |
| Do. Hemp raw | Cwts. | 320 | 5396 | 80 | 3910 |
| Do. Hemp manufactures | Val. | .. | 429 | .. | 684 |
| Do. Jute manufacture—Gunny bags sacking | Tons. | 15 | 343 | 34 | 10545 |
| Do. Jute rope and twine | Cwt. | 211 | 2116 | 139 | 7563 |
| Do. Jute manufacture other kinds | Cwts. | 187 | 2053 | 108 | 11413 |
| Do. Silk manufactured (goods of silk mixed with other materials) | Yds. | 316180 | 127304 | .. | .. |
| Do. Silk piecegoods | .. | 57128 | 73081 | 306 | 3535 |
| Do. Silk thread sewing | Lbs. | 20 | 31 | .. | .. |
| Do. Silk other sorts | .. | 28 | 44 | .. | .. |
| Do. Wool raw | .. | .. | .. | 2482 | 1979 |
| Textiles—Wool manufacture Carpets & rugs | Lbs. | 49507 | 25519 | 106761 | 164399 |
| Do. Wool manufacture piecegoods | Yds. | 1255 | 1121 | .. | .. |
| Do. Wool manufacture shawls | Nos. | 11 | 200 | .. | .. |

| | 1 | 2 | 3 | 4 | 5 |
|-------------------------------------|--------|--------|---------|---------|---------|
| Textiles— Wool manufacture | | | | | |
| other sorts Lbs. | | 2221 | 2290 | 703590 | 1214306 |
| Other textiles—manufactured . Val. | .. | | 647470 | .. | 820 |
| Tabacco—unmanufactured . Lbs. | .. | .. | .. | 849507 | 883607 |
| Do. manufactured—Cigars Lbs. | | 11239 | 25178 | 2167 | 8372 |
| Do. Manufactured—cigarettes .. | | 316782 | 279379 | .. | .. |
| Do. manufactured—other | | | | | |
| sorts | .. | 770 | 1393 | 1745929 | 5801837 |
| Toys— Games and sports | .. | .. | 6905 | .. | 77241 |
| Vehicles—Carriages and carts . Nos. | .. | .. | .. | 16 | 6350 |
| Do. Parts of carriages and | | | | | |
| carts Val. | | | 3799 | | 5917 |
| Do. Ships parts of Val. | | | 360 | | 50139 |
| Do. Vehicles other kinds | .. | .. | 55 | .. | 160 |
| Wax of all kinds Cwts. | | 27 | 2132 | 7 | 1636 |
| Wood & timber Teak wood . C. T. | | 3 | 120 | .. | .. |
| Do. Sandalwood Tons. | Cwt. 4 | | 216 | 1 | 3300 |
| Other kinds of wood & timber Val. | | | 6297 | .. | .. |
| Manufacture of wood Val. | .. | .. | 1091 | .. | 12959 |
| Postal articles Val. | .. | .. | 2700614 | .. | 8637080 |
| All other articles—unmanufactured. | .. | .. | 100076 | .. | 112754 |
| All other articles—manufactured .. | .. | .. | 62306 | .. | 280335 |

Shri Yudhishthir Mishra's Starred Question No. 708 of 8th December 1947.

CLOTH, YARN AND SUGAR SUPPLIED TO ORISSA STATE

Quantities of cloths yarn and sugar supplied to the Orissa State during the year ending the 31st October 1947.

| | |
|-----------------|---------------|
| Cloth | 29,360 bales |
| Yarn | 22,024 bales |
| Sugar | 29,675 Mounds |

Shri Algu Rai Shastri's Starred Question No. 722 of 9th December 1947.

EVACUATION OF REFUGEES FROM JHELUM (WEST PUNJAB)

(a) 3,000 and 4,200 non-Muslim refugees arrived in East Punjab by the trains which left Jhelum on the 5th and the 11th November, 1947, respectively.

(b) Half of the refugees belonged to Jhelum property while others had collected from outside on different dates, some as early as October, 1947. The evacuees who came by the first train were given only 6 hours' notice, while those by the second train were given 12 hours' notice.

(c) The first train arrived at Jullundur and the evacuees have since dispersed. The second train arrived at Sonapat, and some of the evacuees were still there in the first week of March.

Shri Profulla Chandra Sen's Starred Question No. 828 of 12th December 1947.

STRIKES IN COTTON MILLS

(a) The statement below shows the total number of man-days lost in the cotton mills in India province-wise from the 15th August to the 15th November 1947 :

| Province | No. of man-days lost |
|----------------------------|----------------------|
| Bombay | 10,58,553 |
| West Bengal | 3,75,200 |
| C. P. and Berar | 78,424 |
| United Provinces | 15,339* |
| Ajmer-Merwara | 7,416 |
| Madras | 6,186 |
| Delhi | 2,480 |
| Total | 15,43,598 |

*Does not include figures of four strikes in which the number of workers involved is not known.

Information regarding cloth-yardage lost province-wise is not available but figures relating to the whole of India and Bombay area so far as known are as follows :

| Month | India (Million yards) | Bombay area (Million yards) |
|--------------------------|--------------------------|--------------------------------|
| August 1947 | 45.9 | 6.2 |
| September 1947 | 58.1 | 36.7 |
| October 1947 | Not available | 16.4 |
| November 1947 | Not available | 2.0 |
| | | 61.3 |

(b) A statement giving an analysis of the causes of strikes is attached.

(c) There was no appreciable delay in the settlement of strikes except in a few cases due chiefly to the mills closing down.

Statement

Showing causes of strikes in cotton mills in India from the 15th August to the 15th November 1947

| Province | Wages and allowances | Bonus | Personnel | Leave & hours | Others | Not connected with industrial disputes | Remarks |
|----------------------------|----------------------|----------|-----------|---------------|-----------|--|-------------------------------|
| Bombay | 23 | 1 | 16 | 1 | 12 | 1 | |
| Ajmer-Merwara | 1 | .. | 6 | 2 | .. | 4 | |
| West Bengal | 1 | .. | 3 | .. | .. | .. | |
| C. P. & Berar | 2 | .. | 4 | 2 | 3 | 20 | Causes not known in 3 cases . |
| Madras | 1 | .. | 5 | 1 | 4 | 2 | |
| United Provinces | 6 | 1 | 5 | | | | Causes not known in 3 cases. |
| Delhi | * 1 | .. | .. | .. | .. | .. | |
| Total | 35 | 2 | 39 | 6 | 19 | 27 | |

Diwan Chaman Lall's Starred Question No 110 of 4th February 1948

REHABILITATION OF REFUGEES THROUGH THE CENTRALLY CONSTITUTED AUTHORITY

Statement

(a) The points at which refugees from Pakistan were detained had to be determined in the contexts of the proximity of the entraining points for Muslim evacuees from East Punjab. It was not always possible to detain the refugees directly at points where they were to be settled. Thus a large number of refugees at one stage numbering over 75 thousand were first taken to Rohtak town after they had been evacuated from Pakistan. At present the number of refugees in Rohtak is about 68 thousand of whom about 17 thousand belong to areas whose refugees are being settled in or around Rohtak district in accordance with the East Punjab Dispersal scheme. The movement under the Dispersal scheme will be regulated according to the availability of land and houses in the districts of Karnal, Rohtak, and Hissar and Gurgaon.

Diwan Chaman Lall's Starred Question No 112 (a), (b) and (c) of 4th February 1948

CONFLICT AMONGST AUTHORITIES re RESETTLEMENT OF REFUGEES

(a) No. About 16 thousand families have been settled on land in Ambala district and in the towns over 70 thousand persons have houses.

(b) No.

(c) No.

Mr. R. K. Sidhva's Starred Question No. 1291 (a) of 5th February 1948.

ALLOTMENT OF LAND BY DELHI IMPROVEMENT TRUST FOR BUILDING PURPOSES

Of the land developed by the Delhi Improvement Trust, an area of 349.9 acres is available for building purposes.

Dr. P. S. Deshmukh's Starred Question No. 146 of 6th February 1948.

INVESTIGATION INTO THE CONDUCT OF TEXTILE COMMISSIONER SERVING IN CENTRAL PROVINCES AND BERAR

The name of the Textile Commissioner, C.P. & Berar, is Mr. K. A. Padmanabhan and he has been working in that capacity since 29th March 1945. The Police did hold the view that this Officer had some ulterior motive in acting beyond his authority in the matter of fixing prices of cloth produced by a certain firm, but after a detailed examination of the facts of the case, the Provincial Government found that there was absolutely no evidence on which a criminal charge could be sustained against the Officer. The question of taking departmental action against him is being examined by the Provincial Government.

Shri Deshbandhu Gupta's Starred Question No. 153 (a), of 7th February 1948.

REGISTRATION OF CLAIMS FOR PROPERTY LEFT IN PAKISTAN

1,257 Claims were tendered for registration with the Deputy Director, Relief and Rehabilitation, Ajmer, upto the 1st February, 1948.

Shri Rohini Kumar Chaudhury's Starred Question No. 157 of 7th February 1948.

NUMBER OF REFUGEES DIED OF INFECTIOUS DISEASES IN COURSE OF EVACUATION

Statement showing deaths amongst the Refugees on account of infectious diseases and other causes during 1st Sept. 1947 to 31st December, 1947

| Provinces or States | Deaths due to infectious diseases | Deaths due to other causes | Total deaths |
|-----------------------------|-----------------------------------|----------------------------|--------------|
| East Punjab | 2,724 | 3,636 | 6,360 |
| United Provinces | 51 | 466 | 507 |
| Bombay | 33 | 44 | 77 |
| Bihar | 2 | 34 | 36 |
| Central Provinces | 17 | 21 | 38 |
| Madras | .. | 3 | 3 |
| Ajmer-Merwara | 4 | 39 | 43 |
| Kapurthala | 53 | .. | 53 |
| Faridkot | 50 | .. | 50 |
| Nabha] | .. | 6 | 6 |
| Jind | 16 | 13 | 29 |
| Patiala 1 | 24 | 197 | 221 |

NOTE.—There were no officially sponsored refugees in Assam & Orissa & therefore the question of deaths amongst them does not arise. The West Bengal Government reported that no deaths had occurred amongst recent arrivals from East Bengal.

Shri Anandhyanam Ayyangar's Starred Question No 335 (a) (b), and (c) of 19th February 1948

PROMOTION OF SECRETARIAT OFFICERS IN GRADES OF SECRETARIES, ADDITIONAL SECRETARIES, JOINT SECRETARIES, ETC.

ON OR AFTER 15th AUGUST 1947

| Name of Ministry | No. of promotions (after 15-8-47) to post of | | | | | Promotions in normal course | Promotions due to premature retirements | Promotions due to transfer to Pakistan |
|---|--|----------------------------|------------------|-----------------|------------------|-----------------------------|---|--|
| | Secretary | Additional Joint Secretary | Deputy Secretary | Under Secretary | Asstt. Secretary | | | |
| Agriculture | .. | .. | .. | .. | 1 | 1 | .. | .. |
| Cabinet Secretariat | .. | .. | .. | .. | .. | 2 | .. | .. |
| Commerce | .. | .. | .. | 2 | .. | 2 | .. | .. |
| Communications | 1 | .. | 1 | .. | 1 | 2 | .. | 1 |
| Defence | .. | 1 | 1 | .. | 5 | 7 | .. | .. |
| Education | .. | .. | .. | .. | .. | .. | .. | .. |
| External Affairs & Commonwealth Relations | .. | .. | .. | .. | .. | .. | .. | .. |
| Finance [Exclg: F.D. (R.D.) & Defence Division] | .. | 4 | 3 | 3 | 2 | 12 | .. | .. |
| Finance (Revenue Division) | 1 | .. | 2 | 1 | .. | 4 | .. | .. |
| Finance (I. & C.) | .. | .. | 1 | .. | 1 | 2 | .. | .. |
| Finance (Military) | .. | 3 | .. | 2 | 2 | 6 | .. | .. |
| Food | 1 | .. | 1 | .. | .. | 1 | .. | 1 |
| Health | .. | .. | 1 | .. | 2 | 2 | .. | 1 |
| Home | .. | .. | .. | 2 | 1 | 2 | .. | 1 |
| I. & B. | .. | .. | .. | 1 | 1 | 2 | .. | .. |
| I. & S. | .. | .. | .. | 1 | 1 | 2 | .. | .. |
| Labour | .. | .. | .. | .. | .. | .. | .. | .. |
| Law | .. | 1 | .. | .. | 1 | 2 | .. | .. |
| Railways* | 3 | .. | 2 | 2 | 1 | 4 | 2 | 2 |
| R. & R. | 1 | .. | .. | 2 | .. | 3 | .. | .. |
| States | .. | .. | .. | 2 | .. | 2 | .. | .. |
| Transport | .. | 1 | 1 | .. | 1 | 3 | .. | 1 |
| W. M. P. | .. | .. | .. | 1 | 1 | 1 | .. | .. |
| Ministry without Portfolio | .. | .. | .. | .. | 1 | 1 | .. | .. |
| Partition Secretariat | .. | .. | .. | .. | 1 | 1 | .. | .. |
| Total | 6 | 1 | 9 | 18 | 22 | 60 | 2 | 7 |

*In the Railway Ministry the information relates to posts which correspond to the Status of Secretary, Addl. Secretary, etc.

Statement showing promotions to higher posts in Attached Offices after the 15th August 1947.

| Name of office | No. of promotions to higher posts | In normal course | Promotion due to premature retirements | Due to transfers to Pakistan |
|---|-----------------------------------|------------------|--|------------------------------|
| Office of the National Savings Commissioner | 1 | .. | 1 | .. |
| Offices attached to the I. & B. Ministry | 2 | 2 | .. | .. |
| Agricultural Marketing Department | 2 | 2 | .. | .. |
| Military Accounts Deptt. | 1 | 1 | .. | .. |
| Archaeological Deptt. | 1 | .. | .. | 1 |
| Director-General of Health Services | 1 | 1 | .. | .. |
| Office of the Director of Customs in the C.B.R. | 1 | 1 | .. | .. |
| D. G., I. & S. | 43 | 18 | .. | 25 |
| D. G. Disposals | 7 | 4 | .. | 3 |
| Chief Technical Adviser, Fertilizer Project | 1 | 1 | .. | .. |
| Coal Commr's Organisation | 4 | 4 | .. | .. |
| Offices attached to the Labour Ministry | 4 | 4 | .. | .. |
| Naval Headquarters | 2 | } 6 | .. | 4 |
| Army Headquarters | 8 | | | |
| D. G., P. & T. | 15 | 4 | 5 | 6 |
| G. G., Civil Aviation | 10 | 3 | 1 | 6 |
| Offices attached to the W.M.P. Ministry | 22 | 16 | 1 | 5 |
| Offices attached to the Ministry of R. & R. | 1 | 1 | .. | .. |
| Offices attached to the Food Ministry. | 15 | 11 | 1 | 3 |
| F. P. S. C. | .. | .. | .. | .. |
| Intelligence Bureau | 6 | 6 | .. | .. |
| Special Police Establishment | 2 | 2 | .. | .. |
| Controller of Ry. Supplies | .. | .. | .. | .. |
| Central Standards Office for Railways | .. | .. | .. | .. |
| Offices attached to the Commerce Ministry | 11 | 6 | .. | 5 |
| Total | 160 | 93 | 9 | 58 |

Seth Govind Das's Starred Question No. 524 of 1st March, 1948

SALARIES OF PROMOTED STAFF OF GUN CARRIAGE FACTORY, JUBBULPORE

Statement

Since May 1945, 231 members of the staff of the Gun Carriage Factory, Jubbulpore, were promoted to higher posts. Promotions made by the Superintendent of the Factory are only provisional and have to be confirmed by the Director of Ordnance Factories at Calcutta. As the papers relating to 44 of these cases of promotion were lost in transit between the Factory at Jubbulpore and the Directorate of Ordnance Factories at Calcutta, some delay occurred in obtaining the Director of Ordnance Factories' confirmation to these promotions. No reminders were received in Ordnance Factory Headquarters, nor did any request to receive a deputation in this connection reach the Director of Ordnance Factories.

Enquiries have been instituted with a view to ascertaining the person or persons responsible for the delay in these 44 cases and to determining what, if any, disciplinary action should be taken.

Seth Govind Das's Starred Question No. 525 of 1st March 1948

DISCRIMINATORY ALLOTMENT OF QUARTERS TO EMPLOYEES OF GUN CARRIAGE FACTORY JUBBULPORE

(a) It is not a fact that the European, Anglo-Indian and Christian staff of the Gun Carriage Factory, Jubbulpore have been allotted staff quarters in the manner suggested in the question.

(b) Compensation in lieu of quarters has been paid wherever admissible.
No.

Shri R. R. Diwakar's Starred Question No. 812(a) of 17th March, 1947.

ESTABLISHMENT OF SCIENTIFIC RESEARCH DEPARTMENT FOR THE INDIAN RAILWAYS

[Statement not printed in the day's Debate. A copy has been placed in the Library of the House. Vide circular No. LXXXVI dated 9th April, 1948.—Ed. of D.]

Shri Kishori Mohan Tripathi's Starred Question No. 913 of 22nd March 1948.

SURVEY OF CHHATTISGARH STATES FOR MINERAL WEALTH

(a) Yes. Reconnaissance mineral surveys have been made of all the Chhattisgarh States, with detailed survey of small portions.

(b) Certain minerals mentioned below have been found to occur in these States:—

Bastar—bauxite, copper, corundum (of no economic value), golds (small quantity), graphite, ilmenite, iron-ore (very large deposit), magnetite (small quantity), lepidolite (promising), limestone, sillimanite (of no economic importance), mica.

Changbhakar—clay, iron-ore (no large scale industry possible), mineral pigments (of no economic importance), coal (no economic importance).

Chhukhadan—clay (inferior quality), haematite (of no economic importance) yellowish clay (no economic importance), lime-stones (grey and reddish), calcareous shales.

Jashpur—bauxite, aluminous laterite.

Kalahandi—graphite, manganese and iron-ores, mica, bauxite (good quality), lithomargic clay, white clay, yellow ochre (of little industrial value).

Kanker—haematite micaceous, haematite, red ochre, yellow ochre, mica (small quantity), gold (small quantity).

Karwardha—white clay, red ochre, yellow ochre, iron ore, limestone (dark grey, total quantity not large), mica, bauxite, gold (small quantity).

Khairagarh—fluorite, white clay, clay shales (no economic importance), red ochre (small quantity), yellowish ochre, limestone (poor in quality), lead (of no economic importance), gold (of no economic importance), bauxite (not of sufficient quantity), pyrite (of no economic importance), korea-copper, lead-ores, etc. (of no economic importance), calo-tufa, white clay (of no economic importance), coal. Nandgaon-limestones and calcareous shales, white clay, lead-ore (small quantity), bauxite (of no commercial value).

Patna—graphite, manganese-ore, rajgarh—coal, iron ore (of no economic importance), limestones and dolomite, mica (of no economic importance), red ochre, white clay, sakti-limestone, red shales.

Sarangarh—limestone, iron ores (of no economic importance).

Surguja—clays, limestone, calcareous—tufa, bauxite, coal, brick and pottery clays, high quality clays, lead ore (of no economic importance), mica, red ochre, yellow ochre, pyrite (no commercial value), hot sulphur springs (a large number).

Udaipur—bauxite, calcareous tufa (small deposit), coal and fire clay (of no practical use), mica (of no practical utility), red ochre, rock crystal (of no economic importance), white clay.

(c) Systematic geological survey is being carried out in pursuance of the Geological Survey of India's five-year plan for Orissa which includes Chhattisgarh States, particularly Bastar, Kalahandi and Patna.

SHORT NOTICE QUESTIONS AND ANSWERS

BAN ON EMPLOYMENT OF WOMEN AS ASSISTANT RESEARCH OFFICERS FOR CENTRAL WATER POWER, IRRIGATION AND NAVIGATION ON RESEARCH STATION, POONA

Shrimati G. Durgabal: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether the attention of Government has been drawn to an advertisement which appeared in the *Statesman*, dated the 14th February, 1948, inviting applications for 18 posts of Assistant Research Officers for the Central Water-Power, Irrigation and Navigation Research Station, Poona;

(b) how many applications have been received;

(c) whether selections have been made;

(d) whether it is a fact that a woman is debarred from applying for one of these posts;

(e) if so, for what reasons;

(f) whether qualified women are available for such posts; and

(g) if so, whether Government propose to re-advertise so that women should also have an opportunity to apply for some of these posts?

The Honourable Shri N. V. Gadgil: (a) Yes.

(b) Government have no information.

(c) No.

(d) Yes.

(e) The duties involved are strenuous. The Assistant Research officers have to do both laboratory and field work and have to do extensive touring. While working on models, they have to stand continuously for long hours. It was considered that women may not be suitable for these posts.

(f) This is a matter of opinion.

(g) No.

Shrimati G. Durgabal: May I know, Sir, whether actually an application has been turned out with the remarks that women are not eligible, but an order to this effect under section 275 of the Government of India Act, 1935, as adapted, has not been adopted by the said department?

The Honourable Shri N. V. Gadgil: I want notice of the question, but in view of the intense feeling expressed by the noble lady, I am prepared to reconsider the question to the extent whether it would not be advisable after all to reserve a post or two for women who are duly qualified.

Shrimati G. Durgabal: May I remind the Honourable Minister that women are against any reservation being made?

Shrimati Renuka Ray: Is there any general rule of the department debarring women or not?

The Honourable Shri N. V. Gadgil: There is no general rule as such.

Mr. R. K. Sidhva: May I know why for these particular posts women have been debarred from applying?

The Honourable Shri N. V. Gadgil: The reasons are given in answer to part (a) of the question.

Mr. R. K. Sidhva: Are these reasons justified?

The Honourable Shri N. V. Gadgil: It is a matter of opinion.

Shri K. Santhanam: How many qualified engineers are available for these posts?

The Honourable Shri N. V. Gadgil: I require notice of the question.

Seth Govind Das: Are the Government aware that nowadays women are ready to bear all the hardships which men are bearing and under these circumstances will Government see that no bar is put anywhere as far as women are concerned?

Mr. Speaker: Order, order. That raises a general question. I am calling the next short notice question.

**SEIZURE OF MAIL BAGS BY NATIONAL GUARDS AND PAKISTAN POLICE
IN EASTER PAKISTAN**

Shri Kuladhar Chaliha: (a) Will the Honourable Minister of Communications be pleased to state whether the attention of Government has been drawn to the communique of the Government of Assam published in the *Hindustan Standard* dated the 1st April, 1948 (Calcutta Edition), in which it is stated that 406 mail bags intended for Assam were seized by National Guards and Pakistan Police at Lalmonirhat and taken away on the 25th and 27th March, 1948?

(b) Does the seizure amount to a breach of the International Postal Convention?

(c) If so, what action do Government propose to take in this matter?

The Honourable Mr. Rafi Ahmed Kidwai: (a) Yes.

(b) Yes.

(c) Government have already taken up the matter with the Posts and Telegraphs Administration in Pakistan for the restoration of the bags.

Shri Kuladhar Chaliha: What steps do the Government propose to take to carry mails safely to Assam.

The Honourable Mr. Rafi Ahmed Kidwai: We are arranging that our mails will not pass through the Pakistan area. From the 15th of this month the mails will be taken throughout through our own territory, first by rail up to Siliguri and from Siliguri by motor bus.

Shri Rohini Kumar Chaudhuri: May I know, Sir, when the Government of India received information about these mail bags?

The Honourable Mr. Rafi Ahmed Kidwai: We received information before we received the cutting from the press.

Mr. R. K. Sidhva: May I know whether this new route will totally eliminate the passage of these mails through the Pakistan area?

The Honourable Mr. Rafi Ahmed Kidwai: That is what I have stated, Sir.

Pandit Lakshmi Kanta Maitra: What has been the response to his application for the restoration of the mail bags? Have the Government got the mail bags back?

The Honourable Mr. Rafi Ahmed Kidwai: Reply has been received and it is being investigated. Our latest information is that the bags are lying at Lalmonirhat and are still safe.

Shri H. V. Kamath: Are they standing still?

Shri M. Ananthasayanam Ayyangar: May I ask the Honourable Minister if the India Government has not agreed to carry mails from Western Pakistan to Eastern Pakistan and *vice versa* through Indian territory?

The Honourable Mr. Rafi Ahmed Kidwai: No, Sir. All the service rendered in this respect is being paid for. We are paid Rs. 33,000 a month for the carriage of their mails and from the 15th we will make our own arrangements.

Shri M. Ananthasayanam Ayyangar: In view of the fact that we are carrying their mails even on payment, why not they agree to carry our mails?

The Honourable Mr. Rafi Ahmed Kidwai: But the arrangement has not been working satisfactorily. Therefore all first class mails are being carried by air mail, and parcels and heavy mails are being sent by rail, and for that we are making a satisfactory arrangement.

Shri Rohini Kumar Chaudhuri: What action is generally taken when such a breach of postal convention takes place and what action do the Government propose to take?

The Honourable Mr. Rafi Ahmed Kidwai: The matter has been taken up both diplomatically and departmentally with the Pakistan Government.

Shri Rohini Kumar Chaudhuri: What action is generally taken in case of such a breach of the convention?

The Honourable Mr. Rafi Ahmed Kidwai: We lodge a protest and sometimes it leads to war.

Prof. N. G. Banga: What is the special need or advantage accruing to the Indian Dominion for them to carry Pakistan mails when they are refusing to provide necessary facilities to carry our mails?

The Honourable Mr. Rafi Ahmed Kidwai: Officially they have not refused it.

Shri Mihir Lal Chattopadhyay: Was any previous information received from the Eastern Pakistan Government that our mails will not be allowed to pass through their region?

The Honourable Mr. Rafi Ahmed Kidwai: They are doing it. Today mails are going through Pakistan.

Shri Mihir Lal Chattopadhyay: What is the reason for withholding those mails?

The Honourable Mr. Rafi Ahmed Kidwai: Perhaps they thought that under the customs law they are allowed to hold up our mails. We have told them they have no such right.

Prof. N. G. Ranga: Why not we ourselves refuse to carry their mails?

Mr. Speaker: These are all suggestions. The information that could be had is already given. I find Honourable Members are arguing. That cannot be done on questions. What is the information they want?

Shri Rohini Kumar Chaudhuri: I want to know whether the Pakistan Government justified their action in taking away these mail bags.

The Honourable Pandit Jawaharlal Nehru: May I remind the House that an Inter-Dominion Conference is going to be held in the course of the next five or six days or a week in Calcutta, and one of the important subjects for discussion is this particular matter. Why they did it, of course they did not justify it. My Honourable colleague said they thought that the new order in regard to customs gave them some right to deal with it. If they thought so, they were completely wrong because there is no relation to the carrying of mails. Anyhow the matter is going to be dealt with at diplomatic level and in a few days' time. It is a serious matter of course, but the House will remember that even serious matters do not necessarily lead, or ought not to lead to action taken in excitement.

Dr. P. S. Deshmukh: Is it not time that we learnt something from Pakistan in all these things?

The Honourable Pandit Jawaharlal Nehru: I hope not, Sir.

Dr. P. S. Deshmukh: Is it not time that we learnt something from Pakistan in all these dealings?

The Honourable Pandit Jawaharlal Nehru: I hope not, Sir.

ATTACK ON IRANIAN HINDUS AND SIKHS IN ABADAN

Giani Gurmukh Singh Musafar: (a) Will the Honourable the Prime Minister be pleased to state whether the attention of Government has been drawn to the news of attack on Iranian Hindus and Sikhs in Abadan, published in the *Hindustan Times*, dated the 4th April, 1948?

(b) Will Government please refer to my starred questions Nos. 879 and 860 in this connection answered on 21st February, 1948 and 18th March, 1948 respectively and state whether the Bill curtailing the trading activities of all foreigners in Iran, referred to in reply to part (c) of starred question No. 842 of 18th March, 1948 has now been passed by the Iran Legislature?

(c) What steps do Government propose to take to safeguard the interests and lives of Indian Nationals in Iran?

The Honourable Pandit Jawaharlal Nehru: (a) and (c). The Government of India have seen the report referred to, but have received no information of any recent disturbances in Abadan. A report has been called for from our Ambassador in Teheran. It is possible that the report refers to an earlier incident which resulted in some 25 Sikhs employees of the Anglo-Iranian Oil Company being repatriated to India at their request.

In December last the Government of India stopped further exodus of Indian labour from Bombay for Iran. Since no fresh incidents have been reported since then and we have been given to understand that the situation in Abadan is normal, we have allowed some recruits to proceed to Abadan. We shall reconsider the position on receiving a further report from our Ambassador.

I might mention that approximately the total number of Indian nationals in Iran is 1663 and not a smaller number which I gave on a previous occasion. We are trying to get the exact figures.

(b) The Government of India have received no intimation that the Bill curtailing trading activities of all foreigners, including Indians, in Iran has yet been passed, although it has been introduced in the *Iran Majlis*. The Government of India have already informed the Government of Iran of their objections to this measure in so far as it applies to Indians.

گیہانی گورمکھ سنگھ مسافر : کہا میں آنریبل پرائم منسٹر سے پوچھ سکتا ہوں کہ
ایران میں مقیم ہندوستانی Ambassador نے اس کے خلاف کیا Protest کیا ہے -

Giani Gurmukh Singh Musafar: May I ask the Honourable the Prime Minister what protest has been made against it by the Indian Ambassador in Iran?

آنریبل پلڈت جواہر لال نہرو : معلوم نہیں آنریبل ممبر صاحب کیا چاہتے ہیں -
اس سلسلے میں کیا میں خط بھیج کروں یا تار پیش کروں - واقعہ یہی ہے - جو
میں نے عرض کیا کہ جو اخبار میں خبر چھپی ہے - جہاں تک مجھکو علم ہے بہت
بڑھا کر چھاپی گئی ہے - واقعات بہت پرانے ہیں اور سدبھل چکے ہیں اور جہاں تک
آدمیوں کے آنے کا سوال ہے صرف پچیس آدمی آئے ہیں - اخبار میں لکھا ہے کہ ہزار آدمی
وہاں سے آئے - ہزار آدمی تو جہاں تک مجھکو معلوم ہے Employed ہوئے نہیں ہیں -
میں نے اس واقعہ کی نسبت ایرانی Ambassador کو شکایت بھیجی Ambassador
کے اسکے جواب میں جو الفاظ ہیں - اگر آپ چاہیں تو میں آپکو دکھا دوں گا -

The Honourable Pandit Jawaharlal Nehru: I do not understand what the Honourable Member wants. Does he want me to produce the letter or the telegram? The facts are as I have already stated. The news which has appeared in the press so far as my information goes is grossly exaggerated. These incidents are very old and the situation is now normal. As regards emigrants only twenty five men have returned so far. The news published in the papers stated that a thousand men had left Iran. To my knowledge, one thousand men are not even employed there. I had complained about this incident to the Indian Ambassador in Iran. If you like I can show you the Ambassador's reply to this.

گیہانی گورمکھ سنگھ مسافر : صرف ایک سہولتگاری سوال میں آپ سے کرنا چاہتا
ہوں کہ اس بل کا جو فارسی مسودہ ہے وہ میرے پاس ہے - اسکی دفعہ ۸ کا اردو ترجمہ
میں آپکو سلانا چاہتا ہوں "اگر کوئی ملک ایران کی پروڈکٹس (Products) کو اپنے ملک

میں import یا فروخت کرنے کی اجازت نہ دے اور ایران کے تاجروں پر اس نسبت سے پابندی لگادے تب ایران گورنمنٹ کو حق ہوگا کہ اپنی اسمبلی کی اجازت سے اس ملک کے باشندگان جو ایران میں رہتے ہیں انکی تجارت کی نسبت قانون میں ایسی ہی تبدیلی کرے

یہ سنانے سے میرا مطلب یہ ہے کہ اگر ایران گورنمنٹ ایران میں ہندوستانی تاجروں پر کوئی پابندی لگاتی ہے تو کیا ہماری گورنمنٹ کوئی جوابی کارروائی کرنے کے لئے تیار ہے -

Giani Gurmukh Singh Musafar: I want to ask only one supplementary question. I have got the draft in Persian of this Bill and give you the Urdu translation of section 8.

“Agar koi mulk Iran ki products ko apne mulk main import ya farokht karne ki ijazat na de our Iran ke tajeron par is nisbat se pabandi laga de tab Iran Government ko haq hoga ke apni Assembly ki ijazat se us mulk ke bashindgan jo Iran main rehte hen unki tijarat ki nisbat qanun main tabdeele kare.”

“If the import of goods made in Iran and the sales thereof are prohibited by any country and if restrictions are imposed on Iranian traders in that country, the Government of Iran will have the right to impose through the Legislative Assembly of Iran, similar restrictions in respect of trade on nationals of that country resident in Iran.”

The object of my reading it out to you is this that in case the Government of Iran imposes certain restrictions on Indian traders in Iran, is our Government prepared to impose similar restrictions on Iranian as a matter of reciprocity.

آریہیل پنڈت جواہرلال نہرو : جی ہاں - اسکی اطلاع دے دی گئی ہے کہ اگر اس

کا اثر ہمارے Nationals پر پورا تو ہم اس پر غور کریں گے کہ ہم کیا کریں -

The Honourable Pandit Jawaharlal Nehru: Yes, Sir, the Government of Iran have been informed that if the Indian nationals are effected, the Government of India will consider what action to take.

Shri H. V. Kamath: Sir, when did this earlier occurrence regarding the repatriation of Sikh employees of the Anglo-Iranian Oil Company take place?

The Honourable Pandit Jawaharlal Nehru: I think in December last.

Shri H. V. Kamath: After our Ambassador took over at Teheran?

The Honourable Pandit Jawaharlal Nehru: I do not remember the exact dates.

Shri H. V. Kamath: Did they ask for repatriation because the economic and trade conditions were deteriorating, or what?

The Honourable Pandit Jawaharlal Nehru: There was a petty incident there at that time—I forget the details of it—and as a result of that a number of Indians wanted to go home. This is a matter entirely between the Anglo-Iranian Oil Company and their employees—we come into the picture only to give protection when needed—and the Oil Company repatriated some people. After that, conditions improved and others are staying on. There the matter stands so far as I know at present.

DEMAND FOR THE RETURN OF REQUISITIONED LAND TO JHANSI PEASANTS

Prof. N. G. Ranga: (a) Will the Honourable Minister of Defence be pleased to state whether the attention of Government has been drawn to the press news, published in the *Hindustan Times*, dated the 7th April, 1948 from Jhansi that 20,000 peasants threaten to march to Delhi in order to press their demand that their lands requisitioned for only three years by the Military authorities for army manoeuvres in the year 1941 should now be returned to them or that adequate compensation should be paid to them?

(b) If so, what are the facts of the case?

(c) Why were not their lands returned earlier or at least compensation paid both for the use of the land and for the deprivation of their lands after the due date?

(d) What do Government propose to do to redress their grievances?

The Honourable Sardar Baldev Singh: (a) Yes.

(b) to (d). The land was requisitioned during the period from 1941 to 1944 for military camps, field firing ranges and tank ranges. The total area requisitioned was about 60,000 acres (including about 20,000 acres in Gwalior State). About 2,600 acres have so far been released. The annual compensation due on this account has been paid up to the 30th June 1947. The U. P. Government have been requested to expedite the payment for the second half of 1947.

The area under requisition is required permanently for essential military purposes.

Prof. N. G. Ranga: Have Government ever tried to provide these people with alternative pieces of land in view of the fact that this is their only means of living?

The Honourable Sardar Baldev Singh: No alternative means of employment have been provided as far as I remember.

Prof. N. G. Ranga: Will Government consider the advisability of doing it at least now?

The Honourable Sardar Baldev Singh: That is always borne in mind and every effort is made.

Prof. N. G. Ranga: In view of the fact that no effort has so far been made, will Government give an assurance to this House that they will certainly take some serious steps in order to provide either alternative employment or alternative land on which they can possibly eke out their living?

The Honourable Sardar Baldev Singh: The only alternative employment that can be given to these peasants is to give them land in exchange of the land that has been requisitioned by the Government, and I think, Sir, that steps might have been taken by the U.P Government, but I could not say offhand what steps have been taken.

Prof. Shibban Lal Saksena: Will the Honourable Minister enquire and let us know?

The Honourable Sardar Baldev Singh: I will enquire about it.

Prof. N. G. Ranga: How soon are the U. P. Government and the Gwalior Government as well as the Central Government expected to pay these people the compensation for the deprivation of their lands once their half-yearly payments become due?

The Honourable Sardar Baldev Singh: Sir, as I have already stated, the half-yearly instalment was paid up to the 30th June 1947. About the second instalment, we have already reminded the U. P. Government.

Dr. P. S. Deshmukh: May I know how the compensation works out per acre?

The Honourable Sardar Baldev Singh: I require notice.

Prof. N. G. Ranga: In view of the fact that these peasants have no other source of employment, do Government realise the seriousness of delaying for nine months the payment of their second half-yearly instalment?

The Honourable Sardar Baldev Singh: The last instalment was paid about nine months ago and the second instalment should have been paid in February or March. It does take one or two months to make the payment.

Prof. N. G. Ranga: That is exactly the point I raised earlier: How soon after the instalment becomes due, do Government think of paying the instalment to these people? Now, they pay every six months. From June to December, it is six months. Are these peasants expected to wait from December till 31st March or 31st April in order to get this payment for the earlier six months?

The Honourable Sardar Baldev Singh: The delay for payment of this second instalment is about three months. I will remind the U. P. Government and inform them that steps should be taken to pay this compensation in time.

Dr. P. S. Deshmukh: May I at least know the total amount of compensation paid? Has the Honourable Minister got the figure?

The Honourable Sardar Baldev Singh: I require notice.

Shri Ramnarayan Singh: Why was this instalment method of payment resorted to? Could not the Government pay at a time?

The Honourable Sardar Baldev Singh: This instalment system was agreed to because we were not sure whether this land will be permanently required by us or not. Now, it has been decided that this land is permanently required for military purposes and the compensation will be paid in a lump sum. The details are being worked out

MOTION FOR ADJOURNMENT

FAILURE OF GOVERNMENT TO CHECK INCITEMENT TO VIOLENCE BY KASIM RAZVI—LEADER OF RAZAKARS OF HYDERABAD

Mr. Speaker: I have received notice of an Adjournment Motion from the Honourable Member Prof. Shibbanlal Saksena. The notice as it stands is argumentative and I have therefore tried to amend it and put therein the substance and the point of his argument.

Before I read the notice, I must again invite the attention of the House to the fact that; I find that, the fact of the Adjournment Motion being given has found a place in the Press this morning. I once told the House that, this practice of publishing anything in the Press is not a very desirable one. I do not mean to suggest that it finds a place through the Honourable Members who are tabling the Motion; but whoever is responsible for it, the practice is not a desirable one. The Press will also take notice of it and if I find this occurring again, it will be my painful duty to proceed against the defaulting members of the Press.

Now, the motion as amended is:

"That the House do stand adjourned to discuss a matter of urgent public importance, namely:

'failure of the Government of India to take effective steps to check incitement to violence and the possibility of breach of peace in the Indian Union, contained in the speech of Kasim Razvi at the mass rally of the Razakars on the 31st of March 1948.'

May I know how the position stands so far as the Government is concerned?

The Honourable Pandit Jawaharlal Nehru (Prime Minister and Leader of the House): Sir, may I say to begin with that I deeply regret that notice of this Adjournment Motion has found its way to the Press. If I may say so, I entirely agree with the remarks that fell from you that this is a very undesirable practice and I trust that this kind of thing will not occur again.

The Motion for Adjournment appears to me inadmissible from a large number of points of view. It is for you to decide. I am not going to deal with those rather legal and technical pleas, but I wish to say this that I think that any discussion on a speech like this, that is to say, a speech that has been reported in the public Press—for us to discuss a speech as well as other connected matters would hardly be in consonance with the dignity of this House, however good or bad that speech may be. Let me, however, say this that this speech, although it is a private speech, nevertheless it comes from the leader of an organisation. I do not know and I cannot say straight off how far the report is correct or not, without further enquiry. But presuming that it is basically correct, the speech is perhaps the most amazing and irresponsible utterance that I have ever come across—not only irresponsible, but as has been said in this Motion, a direct incitement to violence and murder—and Government have given the most careful thought to it and are giving the most careful thought to the situation, as it is developing, in Hyderabad. They cannot obviously ignore such speeches or the consequences that such speeches might produce. That is as much as I can say before the House now. It is obviously a difficult matter for us to discuss at this stage and I do not think it would yield any satisfactory results. I suppose all in the House are agreed that it does not require discussion that the speech as reported, if it is true, is a most objectionable thing. Nobody has two opinions about it. The questions that arise are not on the speech really, but about other matters—what policy should be adopted; what should be done about it; and other questions. Normally speaking, such questions cannot be easily discussed on the floor of this House. Some particular policy—broad policy—might be discussed, but such matters are not normally discussed at all when the Government is engaged not exactly in negotiations, but in dealing with that particular matter initially. It would undoubtedly create difficulties if they were to have such discussion. So, while I appreciate—and not only I appreciate, but the Government appreciates—the apprehension and, if I may say so, the anger of the House that such speeches should be delivered, and Government entirely associates itself with it, still I would beg of the House and of you, Sir, to consider that any discussion of this issue at this moment would not help the House or the Government or go in any way towards meeting the problems that have arisen.

Haji Abdus Sattar Haji Ishaq Seth (Madras: Muslim:) May I raise a point of order regarding the notice, Sir? We can discuss here only matters with which the Government of India is concerned. You were not pleased to read the wording of the original motion—if it is the speech that the Honourable Member wants to discuss here; if that is so, it is quite out of order. What we can discuss is the failure of the Government of India in preventing the man making that speech, or the failure of the Government of India in having the speech published here. What is the particular subject that is to be discussed?

Mr. Speaker: I think I put the point of the motion clearly in the amendment which I made. As I said, the original wording was argumentative in nature, but the point seemed to be that, the effect of the speech as reported is a possibility of a serious breach of peace in the Indian Union and the failure of the Government of India to safeguard against the possibility of breach of peace. That seemed to me to be the point of the argument and that is why I, *prima facie*, thought that the motion could not be ruled out on the ground that it relates to a speech made by some person in a foreign State. It is because of its repercussions here and the duty of the Government of India to safeguard the interests of the Indian Union, that I thought the matter has relevance.

I should like to know what the Honourable Member has to say in view of what has fallen from the Honourable the Prime Minister.

Prof. Shibban Lal Saksena (U.P.: General): Before saying anything, I may tell you that I was extremely surprised to see the report of the motion coming today in the *News Chronicle* and I can only assure you that I gave it to the office at 5.15 last evening and I do not know how it has been published. I hope the Press will take care that they do not publish such news in future.

As far as the motion itself is concerned, I am very glad the Honourable the Prime Minister has given us an assurance that he will watch the situation in Hyderabad and will take care that such speeches are not made in future. It is not this speech that I really wanted the House to discuss, but this speech gives a vivid idea of the situation that is developing in Hyderabad which may cause serious repercussions on the relations between the Communities in our own Dominion and create bad relations between them. My only purpose in moving this adjournment motion was that because of the great flutter caused by the speech in the city of Delhi, the House should reassure public opinion in the country that the Government was fully alive to the situation and it was therefore necessary that this speech should be brought to the notice of the House. Now in view of the assurance of the Honourable the Prime Minister, and his strong condemnation of the speech I shall not press the motion.

Prof. N. G. Ranga (Madras: General): In answer to my Honourable friend Haji Ishaq Seth what he has said is this. I heard it read out by you and one-third came to my mind and that is this: the failure of this Government to see that there are no fifth columnists in the Indian Union especially in view of Razvi's reference to the existence of 4½ crores of fifth columnists in the Indian Union.

Mr. Speaker: Whatever it may be, the matter need not be pursued any further, as the Honourable Member is not going to move his motion.

ELECTIONS TO STANDING COMMITTEES FOR MINISTRIES OF
(i) COMMUNICATIONS, (ii) WORKS, MINES AND POWER,
(iii) TRANSPORT and (iv) FOOD.

Mr. Speaker: I have to inform the Assembly that the following members have been elected to serve on the Standing Committees for the Ministries of Communications, Works, Mines and Power and Transport (Other than Roads):—

Standing Committee for the Ministry of Communications.—Lala Achint Ram.

Standing Committee for the Ministry of Works, Mines and Power.—Shri Basanta Kumar Das.

Standing Committee for the Ministry of Transport (Other than Roads).—Shri Satis Chandra Samanta.

I have also to inform the Assembly that upto 3 P.M. on Thursday, the 8th April, 1948, the time fixed for receiving nominations for election of a member to the Standing Committee for the Ministry of Food, one nomination was received. As there is only one candidate for the vacancy, I declare Shri Nand Lal to be duly elected to the Committee.

PAPERS LAID ON THE TABLE.

AUTHENTICATED SCHEDULE OF AUTHORISED SUPPLEMENTARY EXPENDITURE—OTHER THAN RAILWAYS FOR 15TH AUGUST, 1947 TO 31ST MARCH 1948.

The Honourable Shri R. K. Shanmukham Chetty (Minister for Finance). Sir, I lay on the table in pursuance of section 36 of the Government of India Act, 1935, as adapted, read with sub-section (1) of section 35 thereof, an authenticated schedule of authorised supplementary expenditure for the period 15th August, 1947 to 31st March, 1948 in respect of expenditure other than Railways.

In pursuance of the provisions of Section 36 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947 read with sub-section (1) of Section 35 thereof, I, Louis Francis Albert Victor Nicholas Earl Mountbatten of Burma, Governor-General of India do hereby authenticate by my signature the following schedule of supplementary expenditure from the revenues of the Dominion for the year 1947-48 :—

SCHEDULE

| Service, Administration or Area to which Demand relates | Amount (in thousands of rupees) | | |
|--|---------------------------------|---------|---------|
| | Voted | Charged | Total |
| 1. Customs | 1,74 | .. | 1,74 |
| 2. Central Excise and Salt | 83 | .. | 83 |
| 3. Taxes on Income including Corporation Tax | 5,50 | .. | 5,50 |
| 4. Opium | 5,62 | .. | 5,62 |
| 6. Stamps | 5,02 | 27 | 5,29 |
| 9. Indian Posts and Telegraphs Department | 1 | 97 | 98 |
| 19. Ministry of External Affairs and Commonwealth Relations | 51 | .. | 51 |
| 21. Ministry of Commerce | 4,61 | .. | 4,61 |
| 27. Ministry of States | 38 | .. | 38 |
| 28. Ministry of Defence | 1,24 | .. | 1,24 |
| 29. Ministry of Industry and Supply | 39 | .. | 39 |
| 33. Audit | 2,98 | .. | 2,98 |
| 36. Police | 56 | .. | 56 |
| 37. Ports and Pilotage | 24 | .. | 24 |
| 53. Agriculture | 2,08,82 | .. | 2,08,82 |
| 55. Industries and Supplies | 69,00 | .. | 69,00 |
| 56. Overseas Communications Service | 7,89 | .. | 7,89 |
| 58. Broadcasting | 3,68 | .. | 3,68 |
| 61. Census | 75 | .. | 75 |
| 66. Mint | 2,84 | .. | 2,84 |
| 77. Defence Services Effective (Supplies and Stores) | 1,04,72 | .. | 1,04,72 |
| 78-A. Grants-in-aid to Provincial Governments | 1,40,00 | .. | 1,40,00 |
| 79. Miscellaneous Adjustments between the Central and Provincial Governments | 6 | .. | 6 |
| 81. Civil Defence | 15 | .. | 15 |
| 82. Delhi | 2,99 | 3 | 3,02 |
| 86. Relations with Indian States | 11 | .. | 26 |
| Staff, Household and Allowances of the Governor-General | .. | 1,38 | 1,38 |
| 92. Capital Outlay on Civil Aviation | 56,33 | .. | 56,33 |
| 97. Commuted value of Pensions | 2,65 | .. | 2,65 |
| 99. Capital Outlay on Schemes of State Trading | 8,53,25 | .. | 8,53,25 |

NEW DELHI;
the 7th April 1948.

Sd/- MOUNTBATTEN OF BURMA,
Governor-General of India.

INDIAN RAILWAYS (SECOND AMENDMENT) BILL

The Honourable Dr. John Matthai (Minister for Railways and Transport):
Sir, I move for leave to introduce a Bill further to amend the Indian Railways Act, 1900.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Railways Act 1900."

The motion was adopted.

The Honourable Dr. John Matthai: Sir, I introduce the Bill.

Shri Mohan Lal Saksena (U.P. : General): Before you proceed with the business, may I know if the House is sitting beyond 5 o'clock today?

Mr. Speaker: Yes, I just wanted to be sure about that position from the Government Chief Whip and I have not yet had definite information. (Interruption). I might just state that there was a proposal that the House might sit tomorrow from 10-45 to 1 P.M. But in view of the fact that today was declared the last day on which the House should sit and considering that various Honourable Members have got appointments and have made their own arrangements for tomorrow, it was considered more desirable that, in order to finish the agenda before the House, the House may sit a little longer today instead of meeting tomorrow. So there will be no meeting tomorrow and the session will end today.

The arrangement has been that we will have a recess of half an hour from 5 to 5-30 P.M. and will resume from 5-30 till about 7 P.M. when the work is finished.

Shri Mohan Lal Saksena: Are we to understand that we sit till we finish the business?

Mr. Speaker: Well, I think the better arrangement will be, we sit till 7 P.M. and make an effort to finish by 7 P.M. I said advisedly, "about 7 P.M.". If we exceed by a few minutes or a short time thereafter, the matter will stand differently. I do not propose to prolong the sitting indefinitely and go much into the night.

Shri K. Santhanam (Madras: General): I do not object to the guillotine being put at 7 P.M. but I do not want the motion to be talked out.

Mr. Speaker: I take it that the Honourable Member wants that 7 P.M. will be the guillotine hour, when all outstanding questions will be put to the vote of the House.

An Honourable Member: Are we to finish the entire agenda by the time?

Mr. Speaker: No. As much as the outstanding questions at that time. If it be a Bill, then we shall finish the Bill. We will not take any subsequent Bill if we have not reached that.

ROAD TRANSPORT CORPORATIONS BILL—*contd.*

Mr. Speaker: Then we will proceed clause by clause with the Road Transport Corporations Bill, 1948.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Pandit Thakur Das Bhargava (East Punjab: General): Sir, I move:

"That for sub-clause (1) of clause 3 of the Bill, the following be substituted:

'(1) Notwithstanding anything contained in the Motor Vehicles Act, 1939, a Provincial Government with a view to—

- (a) co-ordinate all forms of road transport;
- (b) prevent uneconomic competition among the various forms of transport; and
- (c) provide efficiently for the transport needs of the public, trade and industry and generally improve the facilities of such transport in speed, convenience and cheapness,

may, with the consent of the Central Government by statute or notification in this behalf, incorporate Road Transport Corporation or Corporations for the whole or any part of the Province'."

Sir, in 1946 when Sir Edward Benthall, the predecessor of the Honourable Minister for Railways placed his demand before the House member after member rose and the demand was defeated, because the mentality then was that as railways were in charge of a European they were the special concern of Europeans whereas road transport was the concern of Indian members of the House. At that time the members thought that there was competition between railways on the one side and lorry drivers on the other, and Indian members wanted to see that the railways did not get the better of the two by sheer influence. Now the entire picture has changed and there is no difference between the railways and the lorry drivers. We want that the railways should be given a fair deal, and if it is in the interest of the country that the railway form of transport should be encouraged it must be encouraged. Again, so far as the principle of this Bill is concerned, I think the matter has been put right by the speech of the Railway Minister in reply to the objection of Mr. Santhanam, that the principle of the Bill is that Government will give their consent and will not dictate terms to the Provincial Governments and the Provincial Governments will be at liberty to behave in whatever manner they think best in the interest of the general public. This being the accepted principle I seek to clarify the Provisions of clause 3 by this amendment. I want that the words "having regard to" be replaced by "with a view to", and also to add that the Provincial Government should either by statute or notification, in whatever way it thinks best, be able to incorporate road transport corporations. Thirdly, I want to insist that the basic and paramount consideration for the Provincial Governments will be the speed, convenience and cheapness of the transport and the general interest of the people living in their jurisdiction. If the railway form of transport gives more convenience and speed and cheapness, it may be that the road transport corporation may not allow the lorry drivers to come into competition with the railways. But if it so happens that the Road Transport Corporation or the Provincial Government thinks that it will be in the interest of the general public that the railway form of transport should not be given any sort of preference, the right course would be, I think, for the Provincial Government and road transport corporations to allow and encourage other swift, cheap and convenient form of transport and give it preference. Unless this is made clear I do not see any meaning in the words, "Notwithstanding anything contained in the Motor Vehicles Act, 1939". That Act and the subsequent attempts at amending it were directed to bring about a state of things in which the railways were regarded as a body which should be protected by this House. In regard to the second amendment of the Motor Vehicles Act for which a Select Committee was appointed of which I was a member, we made every effort to see that the legitimate interests of the railways were protected, but at the same time we tried our best to see that the interests of the general public and the lorry drivers were not imperilled by these amendments. This is the principle which I want to insist upon and want to be accepted by Government, that in the incorporation of these road transport companies the sole point which the Provincial Governments would consider would be the public interest and not the interest of the railways as such. It is for this purpose that I seek to amend these provisions. So far as the co-ordination of all forms of road transport is concerned, the railway interests will be amply protected by enacting this and also uneconomic competition will be avoided. But I place full emphasis on clause (c) of the amendment which is the keynote of the whole thing, that the paramount consideration will be speed, convenience and cheapness of transport for the public, trade and industry. Sir, I move.

Mr. Speaker: Amendment moved:

"That for sub-clause (1) of clause 3 of the Bill, the following be substituted:

'(1) Notwithstanding anything contained in the Motor Vehicles Act, 1939, a Provincial

Government with a view to—

- (a) co-ordinate all forms of road transport;
- (b) prevent uneconomic competition among the various forms of transport; and
- (c) provide efficiently for the transport needs of the public, trade and industry and generally improve the facilities of such transport in speed, convenience and cheapness,

may, with the consent of the Central Government by statute or notification in this behalf, incorporate Road Transport Corporation or Corporations for the whole or any part of the Province'."

The Honourable Dr. John Matthai (Minister for Railways and Transport):

Sir, with regard to the point raised by my Honourable friend I am substantially in agreement with his general view on the subject. But the particular amendment that he has proposed does not to my mind really make any difference to the statement of the objectives of this measure, because the objectives are simply co ordination and development in the cheapest and most efficient manner. The way in which he put it verbally is different from mine but substantially makes no difference.

With regard to the general points that the Honourable Member has placed, when proposals regarding road-rail co-ordination were placed before the old legislature at the time the old Government was functioning, it was turned down by the House on the ground that the Provincial Governments at that time were not represented by Ministries, and they wanted, I think, the whole matter to be reconsidered with the Ministry Governments in the provinces. Since then we have been in active and continual discussion with the Provincial Ministries, and the statement of objectives as put in the Bill is the statement which has resulted from the discussions that we have had with the Provincial Ministries during the past two years. And it seems to me that since there is no difference in substance although there is difference in terms and phraseology, and since this particular form has emerged from the discussions which have been carried on between us and the Provincial Ministries, there is really no case and I would ask my Honourable friend not to press his amendment; it is not going to made any difference to the position. As regards the possibility that the railways may impose their will in regard to the development of transport, that is in settling questions of competition as between railways and road transport, the House will remember that under the terms on which these road transport corporations are going to be based, railways would have only a 20 per cent share in the capital. In other words, the representatives of the Railway Ministry would appear at the Board of Directors as the representatives of a small minority holding, as poor relations. All that it does is to give us a *locus standi* so that we may with due humility place before the 80 per cent shareholders our views on the subject. That is all that happens and I hope the Honourable Member does not want me to deprive the railways of that elementary right.

Shri K. Santhanam (Madras: General): I have to make one point clear. I have tabled an amendment on which there is a change in substance to the original draft. Pandit Thakurdas Bhargava's amendment gives a different version of the clause but the substance of my amendment is also essential for his clause because it also provides for the setting up transport corporations with the consent of the Central Government. My object is that the setting up of the Corporation must be an act of the Provincial Government. They must decide when and how to set it up. There must be no question of taking consent. The Statute must provide the conditions and the purposes for which these corporations should be set up. Provincial autonomy in the matter of road transport should not depend on their consent. That is the substantial amendment.

So far as the actual wording is concerned, I think both the original draft as well as my friend's draft err in putting padding in the Statute. After all the

actual purpose here is the setting up of the Corporations and these Corporations are set up to run road transport, whereas the co-ordination will have to come between the railways and these corporations. It is not a substitute for the Motor Vehicles Act. That is the wrong impression given by this wording. But even after setting up the corporation there should be a machinery for co-ordinating activities between the railways and these corporations and they will have to devise a machinery to operate the road transport in the province. These pad-dings are really superfluous. But the substance is whether these Corporations should be set up with the consent of the Central Government or by the Provincial Government or on their own volition. I maintain that they should be allowed to be set up by the Provincial Governments on their own volition without reference to the Central Government. If the mover does not agree to my suggestion, I shall have to press my amendment as an amendment to his.

Mr. Speaker: I am not clear on that point. Which amendment is the Honourable Member referring to?

Shri K. Santhanam: Amendments 1 and 2. Both are relevant to Pandit Thakurdas Bhargava's as well.

Mr. Speaker: He is referring to amendments Nos. 1 and 2. But amendment No. 1 will stand on a different footing.

Shri K. Santhanam: Even if we take Pandit Thakurdas Bhargava's amendment it is there in the Motor Vehicles Act, 1939. I want to save the other Acts also. That also is relevant to his in substance.

Shri M. Ananthasayanam Ayyangar (Madras: General): But one is different from the other.

Mr. Speaker: The two are entirely different.

Shri K. Santhanam: The difference is only in the purpose.

Shri M. Ananthasayanam Ayyangar: 'With the consent of the Central Government' is different from the Companies law!

Shri K. Santhanam: Number 1 is for the first preamble, and then there is my deletion of the Central Government. Both of them are there. Both the points are in Pandit Thakurdas Bhargava's amendment.

Pandit Thakurdas Bhargava: So far as the amendment of Mr. Santhanam is concerned, I have no quarrel with it. I am ready to accept it. I do not want the consent as condition precedent to legislation. I think no question of consent arises.

Dr. P. S. Deshmukh (C. P. and Berar: General): I have also given notice of an amendment similar to those which are before the House. The wording proposed by me was intended to replace the three clauses in 3 (1). I proposed that the following be substituted in that clause:

"Having regard to—

- (a) the necessity of increasing facilities of road transport for the public, trade and industry ; and
- (b) the desirability of providing a more efficient, economic and less costly form of transport than obtains at the present moment in that area (instead of 'any' it should be 'in that area'.")

I was very glad to hear from the Honourable Minister that he agrees both with the principle and the spirit of the amendment moved by my Honourable friend Pandit Thakurdas Bhargava. My whole point in this amendment was that one of the criteria of judging, the efficiency of the Corporation, and the objects with which this Corporation should be started was that it should work in such a way as to be least costly to the ordinary person. I think I have heard him quite correctly to say that he accepts the principle that these services should make

[Dr. P. S. Deshmukh]

every effort to be as cheap as possible, and should not on the plea of establishment of the Corporation go on increasing the rates irrespective of the convenience or inconvenience of the public. So, if he accepts that principle, I would like to know if it would not be possible for him to accept a suitable change by which this important idea would be incorporated in the section of the Bill? If that is so, probably my friend, Pandit Thakur Das Bhargava will also be satisfied. If no such wording is there, there is nothing to indicate what the situation would be, because the Corporation would be a sort of a statutory body, which will be brought into being by Provincial Governments, and they will probably do as they like, without caring to discharge their responsibility, not only with respect to increasing efficiency and the facilities, but also of maintaining the services as economically and cheaply as possible. That is my submission and I hope the Honourable Minister will agree to alter (c), for instance, by merely changing a couple of words. If we say—

“the desirability of extending and improving the facilities for road transport in any area in such a manner as to provide most efficiently for the needs thereof and of preventing uneconomic competition among any forms of road transport and to run the services as cheaply as possible.”

If he were to accept the addition of these words, it would be thoroughly inoffensive and would serve the purpose. It would also afford a guarantee to the travelling public that they would not have to pay more because the private bus-owner had ceased to ply his motors. I am totally opposed to increasing the cost to the general public as it generally and as a rule happens whenever Government agencies are substituted for private or company agencies. I am not prepared to ask the people to pay more merely for having the satisfaction that the services are state-owned. As I already said “I am opposed to monopolies and thus I think that we must insist that whoever wants concessions and monopolies of one sort or the other must compete on equal terms with the existing agencies and show that they can continue to compete.

Mr. R. K. Sidhva (C. P. and Berar: General): I wanted one point to be clarified. The Honourable Minister said that the Railways' representation would be in a minority, that is 20 per cent., and their voice will not be the deciding factor. But he forgets that the policy of the Railway remains and that is that there should not be any service running parallel to the railways. Will not this policy override the constitution—the minority representation of the railway on the Corporation? After all the policy and the Government rule will intervene. I want to know from the Minister what he thinks about that. If there is a service already existing on a parallel line, will he say that it will be allowed to continue, or will he by the rule-making power say that this interferes with the policy of the Government and notwithstanding our minor representation on the Corporation it shall not be allowed?

Shri M. Ananthasayanam Ayyangar: I feel somehow that this must be only an enabling measure. As the Honourable Minister said, for want of a legal right or jurisdiction the Provincial Governments cannot bring into existence a Corporation and so they have applied to the Centre. The Centre must only prepare in this Bill a draft scheme for bringing into existence a corporation and the legislature of any province might fill in the details. If any province wants to run it through a state department it must be free to do so. That is also accepted by the Honourable Minister. Even where a corporation is brought into existence it may not be that private agencies are absolutely turned out on the road. That is also envisaged. Some of the details are worked out in the Bill itself. So far as the corporations are concerned the Central Government wants to take a certain percentage of shares on behalf of the railways to safeguard the interests of the railways. The quantum of the shares has been reduced to a minimum or minority of 20 per cent. Therefore they may not have a dominant voice. The rest is a free field for enterprise either by the Provincial Government or they may leave it to the bus-owners or those persons who are already

running the services. Under the circumstances "with the consent of the Central Government" need not be there. It is a provincial matter and there is the safeguard that the Central Government must be given 20 per cent. of the shares. This Bill may be passed with the amendment of Mr. Santhanam.

The Honourable Dr. John Matthai: With regard to the point made by my honourable friend Dr. Deshmukh the words "most efficiently" covers the question of cost. It is not necessary to specify the word "cheaply". The only test of efficiency is that the best possible service is available at the least cost. There is no other meaning that you can put into it.

Dr. B. Pattabhi Sitaramayya (Madras: General): Efficiency does not include economy.

The Honourable Dr. John Matthai: If efficiency does not include economy I do not quite understand what efficiency really means.

Shri M. Ananthasayanam Ayyangar: I would suggest a compromise. "cheaply consistent with efficiency."

The Honourable Dr. John Matthai: If the House so desires I am prepared to have it in this form: "to provide most efficiently and at the cheapest cost" or some words to that effect. In my opinion it is quite unnecessary. I do hope the House will accept my assurance that in any kind of business or industrial concern efficiency can be determined only by relating the quantum and quality of service to the expense to which the company is put. There is no other way.

Dr. P. S. Deshmukh: Our experience is that very often it is not so. It is for this reason we feel so keenly about it.

Shri M. Ananthasayanam Ayyangar: It would enthuse the public to welcome this Bill wholeheartedly. There is no harm in having it.

Mr. Speaker: Efficiency and cheapness need not necessarily go together. That is how my mind reacts to it. Things may be more costly to work efficiently. What is necessary is the word "cheaply". "To provide most efficiently and cheaply" means that it should be both efficient and cheap.

Dr. P. S. Deshmukh: I would say "as cheaply as possible consistent with efficiency". That would be better.

The Honourable Dr. John Matthai: I would suggest "to provide most efficiently and economically for the needs thereof".

Mr. Speaker: I might illustrate the point. Even first class coaches may be provided and they may be as economical as possible but it may not be possible for the ordinary public to travel in the first class. That seems to be at the back of the mind of Honourable Members. It may be considered that we are making a change in the whole ideology, as to "the desirability of extending and improving the facilities for road transport."

Shri K. Santhanam: Road transport whether it is cheap or costly is necessary. Wherever it is possible it should be cheap.

Mr. Speaker: It is better we wait for sometime and keep it over. Meantime the Honourable Minister can turn it over in his mind.

Shri K. Santhanam: In the meantime my amendment may be accepted and we may adjust later.

Mr. Speaker: If the House proceeds to accept the amendment of Pandit Bhargava, the Honourable Member's amendment will have to be an amendment to his amendment. If that is not accepted, even then, independently there is scope for his amendment being moved.

Shri K. Santhanam: Whether Pandit Bhargava's amendment is to be moved or not my amendment may be accepted.

Mr. Speaker: What about the other amendments which cover the same ground?

Several Honourable Members: They will be withdrawn.

Mr. Speaker: The only amendment that we have before us will be the amendment of Pandit Bhargava or in the alternative the amendment of Mr. Santhanam to delete the words "with the consent of the Central Government", in case Pandit Bhargava's amendment is not accepted.

Shri K. Santhanam: In any case my amendment would come.

Mr. Speaker: That is what I mean.

Dr. P. S. Deshmukh: If the Honourable Minister would accept my wording of parts (a) and (b) being substituted and (c) being omitted that would be the best possible alternative.

Mr. Speaker: That may be considered later on. I am not touching clause 3 at present. I take it that Dr. Deshmukh is not moving both his amendments.

Dr. P. S. Deshmukh: No, Sir.

Mr. Speaker: I will keep over the amendment of Mr. Santhanam for the deletion of the words "with the consent of the Central Government." We will proceed with the other amendments to this clause.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (1) of clause 3 of the Bill, after the figures '1939', the words 'the Indian Companies Act or any other law' be inserted."

I want to make it more general.

The Honourable Dr. John Matthai: Sir, I accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 3 of the Bill, after figures '1939' the words 'the Indian Companies Act or any other law' be inserted."

The motion was adopted.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (2) of clause 3 of the Bill,—

- (i) for all the words occurring before part (a), the words 'In such Corporation' be substituted;
- (ii) in part (a), for the words 'provision is made and continues', the words 'provision shall be made and continue' be substituted;
- (iii) in part (b), for the words 'provision is made and continues', the words 'provision shall be made and continue' be substituted; and
- (iv) in part (c), for the words 'provision is made', the words 'provision shall be made' be substituted."

All these amendments stand together, because the idea is that the statutory authority given to the Central Government should be taken out of the picture. Therefore they are merely consequential amendments based on that principle.

Mr. Speaker: I would not put the amendment to the vote, if the Honourable Member agrees, because it is consequential to the first amendment.

Shri K. Santhanam: It is consequential to the removal of the words 'Central Government'. Whichever alternative is accepted, the deletion of the words 'Central Government' is common ground.

The Honourable Dr. John Matthai: I accept it.

Mr. Speaker: I will put the motion before the House; but I will put it to vote afterwards in the proper sequence.

Amendment moved:

"That in sub-clause (2) of clause 3 of the Bill,—

- (i) for all the words occurring before part (a), the words 'In such Corporation' be substituted;
- (ii) in part (a), for the words 'provision is made and continues', the words 'provision shall be made and continue' be substituted;

- (iii) in part (b), for the words 'provision is made and continues', the words 'provision shall be made and continue' be substituted; and
- (iv) in part (c), for the words 'provision is made', the words 'provision shall be made' be substituted."

Pandit Thakur Das Bhargava: I beg to move:

"That in part (c) of sub-clause (2) of clause 3 of the Bill, before the word 'compensation' the word 'adequate' be inserted."

In part (b) of sub-clause (2) the provision is for 'adequate representation'; but in part (c) of the same sub-clause the word 'adequate' is not there. It says 'for the payment of compensation'. I know what is compensation. Unless the word 'adequate' is there people may not be adequately compensated. We do not know how Provincial Governments may behave in awarding proper compensation. I had tabled the amendment as 'fair and adequate' compensation but I have dropped 'fair'. We want to insist that these lorry drivers who have done pioneer work should be adequately compensated.

The Honourable Dr. John Matthai: I accept it.

Shri T. T. Krishnamachari (Madras General): As a matter of fact in regard to this particular word we have been fighting elsewhere. The question of 'adequate' or 'just' compensation starts all the trouble. If my honourable friend is going to accept it without realizing its implications he is going to put the whole lot of Provincial Governments in a soup.

The Honourable Dr. John Matthai: Under clause 7 of the Bill the Central Government is in a position to make rules to carry out the purposes of this measure. There is an amendment proposed with regard to that which restricts our rule-making power as regards compensation. My feeling is that if you add the phrase "adequate compensation" here it is possible for the Central Government, by making rules under this clause, to see that whatever provision we make, there may be agreement between the Provincial Governments and the Centre

Shri T. T. Krishnamachari: My Honourable friend is making a little mistake. The introduction of the word in the body of the statute is one thing, and to give the powers to the Central Government to describe what is the nature of the compensation, in the Rules is another. What is contained in the body of the statute takes precedence over the other. Lawyers will have to explain in court how it is adequate and a whole lot of trouble will be raised. There is so much difference between putting it in the statute and in the rule-making power.

The Honourable Dr. John Matthai: It is my intention to accept the amendment which has been suggested by Mr. T. T. Krishnamachari with regard to arbitration. One of the matters on which I certainly think there might be difference of opinion is this matter of compensation. Supposing for example there is difference between the Central Government and the Provincial Government on that matter, it is something that would necessarily go up for arbitration. Therefore the question of what is adequate compensation would be determined on the basis of the statute.

Shri T. T. Krishnamachari: In regard to my amendment this is a matter between the Central Government and the Provincial Government. I am suggesting arbitration. But if the Honourable Member accepts this amendment that will not eliminate the trouble. This is between the parties and the Provincial Governments.

Mr. Speaker: We will take up this point after Lunch. The House is now adjourned till 2-30.

The Assembly then adjourned for Lunch till Half, Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

ELECTION TO STANDING COMMITTEE FOR MINISTRY OF INDUSTRY AND SUPPLY

Mr. Speaker: I have to inform the Assembly that Professor Nibaran Chandra Laskar has been elected to serve on the Standing Committee for the Ministry of Industry and Supply.

ROAD TRANSPORT CORPORATIONS BILL—*concl'd.*

Mr. Speaker: We were last discussing the amendment of Pandit Thakur Das Bhargava about the addition of the word "adequate", and there was some discussion on the term "adequate".

Shri T. T. Krishnamachari: May I suggest that since the Honourable the Law Minister happens to be here, he may be asked to clarify the position for the benefit of a layman like myself.

Mr. Speaker: He knows the point, I believe?

Shri T. T. Krishnamachari: Pandit Thakur Das Bhargava wants to put in the word "adequate" before the word "compensation".

Mr. Speaker: "Compensation to owners" would mean adequate compensation.

Pandit Thakur Das Bhargava: It would not mean adequate unless you make it adequate by the addition of that word. You know even in regard to requisitioned lands the House agreed that the compensation should be one half.

Mr. Speaker: Let us hear what the Honourable the Law Minister has to say. On the discussion raised by the Honourable Member Mr. Krishnamachari I was thinking that the question of adequacy might perhaps raise some complications—adequacy in what respects and in whose opinion, and all that sort of thing.

Dr. B. Pattabhi Sitaramayya: I should like to keep the word "adequate" for this reason that this is a word which is extremely necessary in view of the happenings in other provinces. It is not a question of law at all. The words that have been used have been several—"adequate compensation", "proper compensation", "just compensation", "fair compensation", "equitable compensation"—all these words have been used. But leaving it as mere compensation may just make it nominal compensation. I know that in the United Provinces they have offered Rs. 1,000 for all buses whenever they are taken over. Now this is not compensation. It is nominal compensation. If you say 'adequate' compensation, then of course it may become a subject of dispute in law courts, but if you eliminate the adjective altogether, it will still more become a subject of dispute in law courts without any guidance to the judges. Therefore we must be clear in our own minds whether we mean to give to the bus-owners when we take over the buses compulsorily the compensation to which they are entitled. For instance suppose there is a bus which has run for two years. It has been purchased at a cost of about Rs. 15,000. Now if you give compensation of Rs. 1,000 as a matter of routine, that will be cruelly carried to the utmost degree. It is exercising the power of a giant like a giant. There is no fairness in it. There is no justice, no propriety or equitability in it. Therefore when you are taking over property from a person the value of which can be appraised by men of wisdom and men of sound commonsense and sound judgment, then you must use the word which will help the person who is being deprived of his property. I might

say that after great deliberation we have used the words 'equitable compensation' in regard to compensation payable to *zamindars* on their *zamindari* being abolished. Well, there it is a right that is being taken away. Even so equitable compensation was being contemplated. Equity arose from the fact that not merely the gross income, but the nett income had to be taken into account; the amount of expenditure incurred in collecting revenues; the amount of expenditure involved in irrigation works; also failure of collections. All these things being considered, there being no material object on the basis of which appraisal could be made, we said it should be 'equitable compensation'. But here is a material object, a commodity which could be purchased and sold and therefore you have got a market value here and the market value must be the guidance. In that case the only word to be used is 'adequate' compensation, so that the power of the Provincial Corporations or Governments whichever may come into existence to take over the new concerns may not be exercised arbitrarily and even inequitably.

Mr. Speaker: I might point out one thing. As a lawyer I also feel something about this, but with my limitations of being in the Chair, I will not enter into that arena of controversy. The point here is compensation has to be paid in respect of services which are being taken over or even displaced. I can imagine services being displaced without the fleet being taken over.

The Honourable Dr. John Matthai: If I may intervene now, there is an amendment on the Order Paper asking for the deletion of the words "or have been displaced by reason of the exercise of any powers vested in the Corporation" by my Honourable friend Mr. C. Subramaniam, and it is my intention to accept that amendment.

Mr. Speaker: In that case, it would simply mean "whose services have been taken over by the Corporation". Of course, the basis of compensation would be the cost of the fleet etc., but in order to lessen the controversy and save time, I am just wondering, whether the words "due compensation" would satisfy Honourable Members.

Shri C. Subramaniam (Madras: General): I would submit that compensation has to be paid by the Provincial Governments. They will have to judge what would be the proper amount to be paid according to circumstances. There is another point also. This is a matter of fundamental right. No man could be deprived of his property without being paid compensation, and we are making provision in the fundamental rights what sort of compensation—equitable compensation or adequate compensation or what other sort of compensation—has to be paid in the case of taking over the property of another. In these matters we should be guided by fundamental rights. Therefore let us not be restricted here by saying 'adequate', 'due' or 'proper' or any such thing because after all we are going to be governed by fundamental rights which we will be passing very soon. So let it stand as it is.

Dr. B. Pattabhi Sitaramayya: The 'Fundamental Rights' says 'except in accordance with the law'?

Mr. Speaker: Personally, I do feel compensation would mean an adequate measure of compensation for whatever property is taken over. That is the natural meaning of it, and whether you put the word 'adequate' or not, still a court of law would take cognizance of the value of the property to the owner in ascertaining the compensation, if at all the matter can go to a court of law. That is my own feeling. But in view of what has been felt by Honourable Members, I was shaky about the word 'adequate'. Therefore I was suggesting 'due' compensation instead of 'adequate' because the question of adequacy will raise questions such as different standards of adequacy, adequacy from whose standpoint

[Mr. Speaker]

and all those various complications. That is why I was suggesting 'due' compensation, but my chief business was to save time in discussion.

Shri T. T. Krishnamachari: Sir, may I suggest that there is an amendment to clause 3, which I think the Honourable Minister is willing to accept in some form; that means the Central Government will have to lay down the terms under which compensation should be paid. There the position of the operators is safeguarded because the Central Government will frame the rules as to how the compensation is to be paid.

Mr. Speaker: Still, the word "due" will not do that much harm as the word "adequate" is likely to make.

Shri K. Santhanam: Sir, one point has not received attention here. The whole difficulty is not about the actual stuff which is taken over or not taken over, but about the goodwill and expectations. How far a company has built up its goodwill and what are the expectations of its future profits?—that will be the material element. So, if you put any adjective then the proper consideration of that element may be prejudiced and therefore the word should not be there. The rules may be framed in detail by the Central Government as to how far goodwill will be considered and how far future expectations will be considered; all that is a matter of precise formulation and therefore we should not put the word "compensation" with any kind of adjective and I say it should be left as it is.

Pandit Thakur Das Bhargava: Sir, the words "due" and "adequate" have different meanings. Whereas "adequate" indicates the idea of amplitude from the point of view of the receiver of the compensation, the word "due" implies fair consideration of relevant circumstances only.

Mr. Speaker: That is what I think, and therefore I suggest that the Honourable the Law Minister will be our guide.

The Honourable Dr. B. B. Ambedkar (Minister for Law): Sir, I have not followed the controversy from the beginning, and I personally think that it is not a legal question in the technical sense of the word. But speaking as a Member of the House and not as a Law Minister, I shall say this that the question as to the content of the word "adequate" would depend upon whether the word "adequate" stands by itself or whether it is coupled by a further provision namely "adequate in accordance with rules prescribed by the Government of India". I am not certain about it, but if there is a provision or if the Members of the House could agree to some such provision that the Central Government should have the power to make rules, to lay down the principles on which compensation could be assessed, then in my humble judgment the word "adequate" would not make any difference at all. The result then will be that whatever compensation is assessed in accordance with rules framed by the Government of India would be deemed to be an adequate compensation and there could be no controversy as to the content of that word, apart from the rules framed by the Government of India.

Therefore, my suggestion is this that if some Honourable Members are keen in retaining the word "adequate" in order to give some sort of an assurance to persons whose property is likely to be taken over under the provisions of this Bill, then I think they would do well to agree to a clause like the one I am suggesting:

"adequate compensation as assessed in accordance with rules made by the Government of India in this behalf".

If those words were accepted as limiting or defining the scope of the adequacy, I think there could be no difficulty at all.

Dr. B. Pattabhi Sitaramayya: The difficulty in that is that here we are making a law for the Provinces; it is an enabling law and in this we are trying

to butt in in order to fill up all the details by arrogating to ourselves the rules of compensation. The Honourable the Law Minister will kindly consider that aspect of the matter.

The Honourable Dr. B. R. Ambedkar: The reply to that is very simple. The rules of compensation need not be the same all over India; it would be perfectly possible for the Central Government, in consultation with the Provincial Governments, to make different rules for different Provinces, because the circumstances may be quite different. And I do not think the generality of phraseology such as the one I have suggested would create the sort of difficulty that my friend Dr. Pattabhi Sitaramayya anticipates in this matter.

Mr. Speaker: Then how do we stand at the end?

The Honourable Dr. John Matthai: Sir, I think the Law Minister's suggestion could be embodied in some such phrasing as this:

"Provision is made for the payment of adequate compensation in accordance with rules made by the Central Government under this Act."

Mr. Speaker: Which is the amendment which Mr. Krishnamachari was referring to?

Shri T. T. Krishnamachari: Amendment No. 6 in List No. 2. It cuts out the generality of the rule-making power of the Government of India, but gives them only power in regard to this particular sub-section.

Mr. Speaker: Yes, under that amendment the rule-making power will cover only clause (c).

Shri T. T. Krishnamachari: It is restricted only to sub-clause (c). The generality of the power is taken away, but it is restricted to sub-clause (c).

Mr. Speaker: Then, of course, a compromise out of the situation is very clear. If that power is restricted to rule-making and the word "due" is added—if it is acceptable to the Honourable Members we might say "due compensation"—and we also accept the other amendment, that will meet the points of view of both the sides.

Shri K. Santhanam: With due respect to you, Sir, unless you also put "in accordance with rules" the "due compensation" will by itself become justiciable whether you make rules or not.

Mr. Speaker: That may be adopted if it is acceptable to the House. Is Dr. Pattabhi clear on the fact that what is proposed is due compensation in accordance with rules made?

Dr. B. Pattabhi Sitaramayya: I do not mind, instead of leaving it to the arbitrary pleasure of the Provincial Governments.

Mr. Speaker: And we accept the other amendment if it is acceptable to the Honourable Minister.

Dr. B. Pattabhi Sitaramayya: We dare say these rules will be published in the Gazette for public criticism as is the practice generally?

Mr. Speaker: Of course, it is assumed that they will be published.

The Honourable Dr. John Matthai: I will have it placed on the table of the House.

Mr. Speaker: There is that assurance that, he will have them placed on the table of the House. That is clarified. What about the amendment under discussion? It may be withdrawn then.

Pandit Thakur Das Bhargava: Sir, I beg leave of the House to withdraw my amendment.

Mr. Speaker: Has the Honourable Member leave of the House to withdraw his amendment?

The amendment was, by leave of the Assembly, withdrawn.

Mr. Speaker: Who moves the new amendment?

Pandit Thakur Das Bhargava: Sir, I will move it

I beg to move:

"That in part (c) of sub-clause (2) of clause 3 of the Bill, for the word 'compensation', the words 'due compensation in accordance with rules made under section 7' be substituted."

Mr. Speaker: The question is:

"That in part (c) of sub-clause (2) of clause 3 of the Bill, for the word 'compensation', the words 'due compensation in accordance with rules made under section 7' be substituted."

The motion was adopted.

Mr. Speaker: Now, as regards the "cheap" business.

The Honourable Dr. John Matthai: Sir, I have thought over the matter again in the light of the discussion that took place here. I find on full consideration that the use of the word "cheap" would not be a very satisfactory solution of the problem. My own suggestion is: "So as to provide most efficiently and economically for the needs thereof". My objection to the word "cheap" is that cheapness indicates low cost independently of the quality of service, whereas the word "economically" would mean low cost consistent with the quality of the service, and I think what the Honourable Member wants is service of good quality at the lowest possible expenditure. I think the word "economically" would cover that very much better than the term "cheap".

Pandit Thakur Das Bhargava: It may not be cheap, but it may be economical. Cheapness from the point of view of the public, and economical from the point of view of the Administration. We want "cheapness".

Shri T. T. Krishnamachari: "Economical" is "cheap".

Dr. B. Pattabhi Sitaramayya: The difficulty, Sir, is that there are two points of view. One is that of the Central Government or that of the organisation itself. The other is that of the consumer. Now, when we talk of cheapness, we are talking from the standpoint of the consumer. When we are talking of economy, we are talking from the standpoint of the organisation. For 40 or 50 years under the bureaucracy the controversy has been a most irrepressible one between economy and efficiency. Whenever we wanted "economy" they said "efficiency". We wanted the salaries of the Executive Councillors to be reduced from Rs. 6,666. They said: "No. There must be efficiency." They always sacrificed economy for efficiency. Of course, economy and efficiency can be combined, and though successfully combined, they only satisfy the members of the organisation. Therefore, "economy" serves the Government very well, but it does not serve the consumer. What the consumer wants is this: as a rate payer, he wants every Administration to be run both efficiently and economically. He also expects that the service rendered to him is rendered at easy rates. Now, for instance, one of the big factories may conduct their business and manufacture products economically as well as efficiently and yet they may charge exorbitant profits, so much so the consumer is badly dealt with. That is the difference between the two.

Mr. Speaker: May I make a suggestion with reference to this also? I also thought of this point. I do not know whether it would be agreeable to the Honourable Minister. I suggest the addition of the words "and as cheaply as possible for the needs thereof" after "provide most efficiently".

The Honourable Dr. John Matthai: May I just see how it will read?

Mr. Speaker: It will read as follows:

"in such a manner as to provide most efficiently and as cheaply as possible for the needs thereof."

The Honourable Dr. John Matthai: I will accept it.

Dr. B. Pattabhi Sitaramayya: You may add "consistently with efficiency" also, Sir.

Mr. Speaker: That would not be necessary if the amendment I have suggested is accepted, because it is said there "most efficiently and as cheaply as possible." Now, I think somebody can formally move the amendment.

Dr. P. S. Deshmukh: I beg to move:

"That in part (c) of sub-clause (1) of clause 3 of the Bill, after the words 'most efficiently' the words 'and as cheaply as possible', be inserted."

Mr. Speaker: The question is:

"That in part (c) of sub-clause (1) of clause 3 of the Bill, after the words 'most efficiently' the words 'and as cheaply as possible', be inserted."

The motion was adopted.

Mr. Speaker: How do we deal with the amendment of Pandit Thakurdas Bhargava?

Pandit Thakur Das Bhargava: Sir, all other things are there in the original clause of the Bill. The only clause was the one about "speed" and "convenience". Speed and convenience are of course included in the word "efficiently". Now "cheaply" has also been included. So, I wish to withdraw my amendment to sub-clause (1).

Mr. Speaker: Has the Honourable Member leave of the House to withdraw his amendment.

The amendment was, by leave of the Assembly, withdrawn.

Shri K. Santhanam: Sir, I move:

"That in sub-clause (1) of clause 3 of the Bill, the words 'with the consent of the Central Government' be omitted."

The Honourable Dr. John Matthai: Sir, I accept it.

Mr. Speaker: The question is:

"That in sub-clause (1) of clause 3 of the Bill, the words 'with the consent of the Central Government' be omitted."

The motion was adopted.

Shri K. Santhanam: Amendment No. 3 has been moved.

Mr. Speaker: So I shall put it to the House.

The question is:

"That in sub-clause (2) of clause 3 of the Bill,—

- (i) for all the words occurring before part (a), the words 'In such Corporation' be substituted;
- (ii) in part (a), for the words 'provision is made and continues', the words 'provision shall be made and continue' be substituted;
- (iii) in part (b), for the words 'provision is made and continues', the words 'provision shall be made and continues' be substituted; and
- (iv) in part (c) for the words 'provision is made', the words 'provision shall be made' be substituted."

The motion was adopted.

Shri C. Subramaniam: Sir, I beg to move:

"That in part (c) of sub-clause (2) of clause 3 of the Bill, for all the words beginning with the words 'have been taken over' to the end, the following be substituted:
'are taken over by the Corporation'."

Sir, the object of this amendment is this—yesterday I explained it—that if we accept the principle that a displaced person also should be entitled to compensation, then it would lead to very serious consequences. Tomorrow, you may form a State Trading Corporation for the purpose of taking over the export and the import trade. If we accept the above principle, then a Trader—an importer or an exporter—may come and say: "I have been displaced, and therefore in consonance with this principle, I am entitled to compensation." I suggest that no compensation should be given to persons who have been displaced

[Shri C. Subramaniam]

as such and whose services have not been taken over. It is only with that object that I move this amendment.

The Honourable Dr. John Matthai: Sir, I accept it.

Mr. Speaker: The question is:

"That in part (c) of sub-clause (2) of clause 3 of the Bill, for all the words beginning with the words 'have been taken over' to the end, the following be substituted:

'are taken over by the Corporation'."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I beg to move:

"That to sub-clause (2) of clause 3 of the Bill, the following proviso be added:

'Provided that where no agreement is arrived at or a dispute arises in respect of any matter referred to in this sub-section between the Central Government and a Provincial Government such dispute will be referred to an arbitral tribunal consisting of one nominee of the Central Government, one nominee of the Provincial Government and one nominee of the Chief Justice of the Federal Court who shall be Chairman of the tribunal and the findings of the tribunal shall be final and binding'."

This amendment is necessary because of provision (a) of sub-clause (2), which makes provision for negotiation between the Central Government and the Provincial Governments and in order to avoid a deadlock, we think
3 P. M. there must be a provision for arbitration. That is why I have moved this amendment. Sir, I move.

The Honourable Dr. John Matthai: I accept it, Sir.

Mr. Speaker: The question is:

"That to sub-clause (2) of clause 3 of the Bill, the following proviso be added:

'Provided that where no agreement is arrived at or a dispute arises in respect of any matter referred to in this sub-section between the Central Government and a Provincial Government such dispute will be referred to an arbitral tribunal consisting of one nominee of the Central Government, one nominee of the Provincial Government and one nominee of the Chief Justice of the Federal Court who shall be Chairman of the tribunal and the findings of the tribunal shall be final and binding'."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4 and 5 were added to the Bill.

Pandit Thakur Das Bhargava: Sir, I beg to move:

"That in clause 6 of the Bill, between the words, 'and' and 'in such manner', the word 'save' be inserted."

The Honourable Dr. John Matthai: I have no objection.

Mr. Speaker: The question is:

"That in clause 6 of the Bill, between the words, 'and' and 'in such manner', the word 'save' be inserted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Shri T. T. Krishnamachari: Sir, I move:

"That in clause 7 of the Bill, for the words 'this Act', the words 'clause (c) of sub-section (2) of section (3) of this Act' be substituted."

This limits the scope of the rule-making power of the Government about which there was a discussion some time back, Sir.

Mr. Speaker: The question is:

"That in clause 7 of the Bill, for the words 'this Act', the words 'clause (c) of sub-section (2) of section (3) of this Act' be substituted."

The motion was adopted.

Mr. Speaker: The question is:

"That clause 7, as amended, stand part of the Bill."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Mr. Speaker: The question is:

"That clause 1 do stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Dr. John Matthai: Sir, I move:

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

Mr. Speaker: Motion moved:

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

Shri Rohini Kumar Chaudhuri (Assam: General): Mr. Speaker, we have proceeded in this week at a speed with which if any owner of a motor vehicle or any driver of a motor vehicle had imitated in a public highway, he would have been certainly prosecuted. Sir, this is a very important Bill which had practically upset the most salutary provisions of the Motor Vehicles Act and if my information is correct the time taken in passing the Motor Vehicles Act was nothing short of 7 or 8 days and here in less than a couple of hours time, we have disposed of almost entirely the main provisions of the Motor Vehicles Bill. I do not know, Sir, whether I should congratulate or to express sorrow for the success which has been achieved by the Honourable Minister in charge of Transport. Sir, this Bill, at any rate, has made obscure the position of the Government so far as nationalisation is concerned. It is not more than a couple of days ago that we have in this House enunciated some definite principles of nationalization and there several categories were omitted and we have accepted that a private motor transport business should be outside the pale of the policy of nationalization. We know very well, that it is impossible for any Provincial Government or even for the Government of India to bring to successful fruition the various projects which they have undertaken or they mean to undertake so far as nationalization is concerned. On the top of this we find that encouragements have been given to the Provincial Governments to nationalise private transport and throw out a large body of employees from their business and profession. I could understand if a tripartite agreement had been reached some years ago. Today as some Honourable Members have said there is no necessity for a tripartite agreement. The needs of the hour are food and they cannot carry the other goods or passengers and therefore there cannot be any question of having a measure of this kind to protect the Railways from keen competition.

The second question is: Why are you having this? Why are you throwing this Bill to the temptation of the Provincial authorities? Do the public really demand that the private motor transport should be nationalised? Has there been a complaint in any part of the country? What is the object of thinking of nationalising the motor transport? Is it because the Government wants to make some money out of this business? Can the Government really make an earning out of the motor transport business? Sir, they might show some earning to this extent that whatever is paid by the ordinary private motor business in the shape of income-tax, the Provincial Governments will not have to pay and that will be some gain. But to that extent it will be a loss to the Government at the centre. It might also be shown that the Provincial Governments, when they

[Shri Rohini Kumar Chaudhuri]

run this motor transport business, will not have to pay large sums of money which the private motor owners have to pay as permit fee; and that may be shown to the credit of Government as part of the profit earned by them. But if you exclude from this the income-tax which is paid by the ordinary business man in the motor line, if you exclude from this the permit fee which would have been payable by the ordinary motor transport owner, very little profit will be left to Government. Therefore it is very difficult for ordinary people like us to understand the reason why all attention has been focussed towards the nationalisation of private transport. When they have not been able to improve railway transport what business was there for Government to turn their attention to motor transport, except that they want to show that they can interfere with everything and they can nationalise everything? If you really want to nationalise why do you not nationalise the children of the country? They need nationalisation more than anything else. Most of the children of this country are uneducated, they are not properly fed and clothed and nursed; why not start with the nationalisation of children? Why not take away the children of poor parents and house them and clothe them and give them education? That is something worth striving for; that is a process of nationalisation which we would have all welcomed. But why turn your attention to this motor transport only?

Sir, my Honourable friend has the passing of this Bill to his credit. There is one clause in this Bill—to which I along with others could not give sufficient attention—which says that in the case of a dispute between a private owner and Government while this business is taken over, some compensation shall be paid to him. But who will be the judge of the adequacy or otherwise of this compensation? You have provided here a machinery to settle disputes between the Provincial Government and the Central Government; but what provision is there for settling disputes about compensation to be paid to a private owner? I refer to clause 3(2) (c). Supposing the Corporation or the Provincial Government has taken over the service of a private transport owner and either no compensation or very poor compensation has been paid, and the private transport owner takes his complaint to and urges before the Central Government that they should not accord any sanction to such a take-over unless adequate compensation is fully paid to him, who will judge whether the compensation paid by the Provincial Government has been adequate or not? Has this Bill barred any suit being brought in the civil court where a claim is to be adjudicated upon between the owner of the private transport on the one side and the Government concerned on the other? And shall the appointment of this Corporation be allowed to stand over till such a suit is disposed of? That is a point which should have been answered. I submit that the whole provision of this Bill can be held up by one such single suit where the owner of a private transport business sues the Provincial Government for adequate compensation. And so long as that suit is pending in court the clause which empowers the Central Government to give sanction to the appointment of the Corporation will not operate. So you must either put in a clause in this Bill that no suit shall lie in any court for any breach of the provisions of this law or you must altogether say that no compensation should be paid to anybody whose business has been taken over by the Corporation. I hope the Honourable Minister will turn his attention to this aspect of the matter. It might possibly be said that adequate rules may be framed in order to make provision for that. But I will submit that no rules can be framed which will meet the difficulties that I have pointed out; rules are not intended for that purpose. A specific provision should have been made in the body of the law itself to provide the machinery whereby the compensation payable to the private owner should be fixed. Therefore on the whole I submit that although every member of this House should feel proud that he has been instrumental in the passing of so many measures this session, I do not see what useful purpose will be served by having a measure of this kind so hastily as if

it was part of an Ordinance which you want to apply tomorrow. On the one hand the hands of Government—Provincial as well as Central—are now so full that they cannot go on considering the nationalisation of such small matters when most vital matters are still pending. The other thing is that the law has been so defective in a material particular that the whole machinery of this law can be held up if a regular suit is filed in order to settle the question of compensation.

Sir, I must support the motion before the House, but at the same time I must ask the Honourable Minister to give some reply to the points that I have made.

Prof. Shibban Lal Saksena (U. P.: General): Sir, I am sorry I could not table an amendment that I wanted to move, but I shall draw the attention of the Honourable Minister to one grave omission in clause 3. This Bill is intended to nationalise road-transport or at least it permits provinces to nationalise them. But I have seen so many motions being made by the Government to give effect to their nationalisation schemes but still no provision has been made in any of the Bills intended to give effect to the nationalisation schemes to provide for guarantees for decent conditions of life for labour employed by the Corporations which will administer these schemes. Here we are nationalising road-transport. I had been connected formerly with the bus drivers and mechanics unions who in most cases were also bus-owners when their property was taken over by the U. P. Government and now I happen to be President of several Unions of employees working on the Government motor buses which have replaced private buses. I can certainly say that the passengers are more comfortable now in the new buses, but the salary paid to the staff employed to run them is so ridiculously meagre that there is great discontent among them. The conductors and cleaners and drivers who worked on private buses used to earn about Rs. 100 or Rs. 120 per month plus food; and now Rs. 60 is the usual wage paid to a driver, and similarly low are the wages of other mechanics. I think that is not proper; that is in a way cheating these workmen through nationalisation. In fact when there was no nationalisation these drivers and cleaners used to get much better wages, and now the conditions of service are also harder. I have known these people working for 12 to 15 hours per day. Therefore while I am for nationalisation, I think this measure starts at the wrong end. We should have first nationalised the key industries and improved things. But we have been disappointed; and we have been told that for ten years there will be no nationalisation. In this Bill, the Provincial Governments have been authorised to nationalise road-transport. In fact there is a very sad history of these road transport nationalisation schemes. We remember that the old Government was very jealous of these motor bus owners because in the 1942 movement these people had sympathy for us and they helped us in that movement; they carried us from place to place in spite of police precautions and all that; and so the British Government were keen on nationalising road-transport and bringing it under their thumb. They did not know then that they would have to go away; but our Government also continued the scheme and took away these Bus Companies. In fact I do not think that these small bus-owners should have been so treated; they are not big capitalists. Still I think it is a good thing to nationalise road-transport. But if you nationalise it you must at least give sufficient compensation to those whose livelihood you take away. So I have my sympathy with those who complain that in many places this has not been done. But while I am for nationalisation I shall draw the Honourable Minister's attention to a very important omission. While he has put in three conditions for nationalisation in clause 3(2), he must also add a fourth condition and insist that the conditions of labour employed by the Corporation and in

[Prof. Shibbani Lal Saksena]

the buses plied by them will be such as to satisfy all the regulations for a decent treatment of labour and that labour will not be exploited in any way. I also hope that care will be taken that the conductors, cleaners and other mechanics who work on these buses do not get a lesser wage than what they were getting on private buses. I think this is important; in fact if I had an opportunity I should have liked to move for the insertion of another clause in addition to the three clauses mentioned in clause 3 (2) saying that when you grant permission to a Provincial Government to take over the road-transport system, you must also lay down that the conditions of labour will be satisfactory and there shall be no exploitation and that they shall be paid adequate wages, so that it may not be said that under nationalisation, labour will be in a worse condition than under private companies. Sir, I support the motion.

The Honourable Sir John Matthal: Sir, the main issue that has been raised is whether we are imposing nationalisation upon the Provincial Governments by accepting this Bill. I explained yesterday at considerable length that we are not doing it, and on any sort of construction that you put on this Bill that does not arise. All that we do is that in the matter of providing an organisation for road-transport we are giving Provinces a fair field and no favour.

Mr. Speaker: The question is:

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

The motion was adopted.

CALCUTTA PORT (PILOTAGE) BILL

The Honourable Dr. John Matthal (Minister for Railways and Transport):
Sir, I move:

"That the Bill to provide for the transfer of control over pilotage on the River Hooghly to the Commissioners for the Port of Calcutta, be taken into consideration."

[At this stage Mr. Speaker vacated the Chair, which was then occupied by Shri K. Santhanam (one of the Panel of Chairmen).]

Sir, the purpose of this Bill is to transfer the control over pilotage on the River Hooghly from the Central Government to the Port Commissioners at Calcutta. The Port Commissioners of Calcutta, under the Calcutta Port Act have several responsibilities in regard to the working of the administration of the port. They are in charge of the docks and jetties in the port; they control pilotage to this port (units); they are also in charge of the surveying and bridging of the whole navigable length of the river Hooghly from the limit of the port up to the sea. It is an anomaly in regard to the present administration of the Calcutta Port that while the Port Commissioners have responsibilities over all these matters, the responsibility for controlling the pilots in the Bengal Pilot Service is vested in the Central Government. The result of that anomaly has been that there is a considerable amount of administrative confusion. There is also, ineffective supervision. The Central Government is not in a position to exercise sufficient control sitting here. The proper course, from the administrative point of view, therefore, is to entrust the Commissioners of the Port of Calcutta, who are responsible for every other function in regard to the Port of Calcutta, with powers for the control over the pilotage. The real reason for the continuance of this anomaly I have not been able to find out. But my own impression is this. Piloting along the course of the river Hooghly is one of the most difficult in the way of pilotage anywhere in the world. Therefore, it was necessary to recruit men of very high skill and for that purpose recruitment used to be done by the Secretary of State. Since the men were recruited by the Secretary of State they became members of what in the old days used to be called an "Imperial Service". As they were members of an "Imperial Service". They were

obsessed with dignity and importance attached to an Imperial Service and were unwilling to come under the control of a local body like the Calcutta Port Trust. They thought that their dignity would suffer if they were not under the control and supervision of the Central Government. That position has completely changed now. As regards the Calcutta Port Trust we have, for the first time, an Indian Chairman, an Indian Deputy Chairman and, as the House knows, we are taking steps to have better Indian representation on the Port Trust of Calcutta. And, therefore, 't seems to me worthwhile from every point of view to transfer control of the Bengal Pilot Service from the Central Government to the Port Commissioners of Calcutta. This Bill aims at doing it.

Mr. Chairman: Motion moved:

"That the Bill to provide for the transfer of control over pilotage on the River Hooghly to the Commissioners for the Port of Calcutta, be taken into consideration."

Mr. E. K. Sidhya: (C. P. and Berar General): Sir, if you refer to the Bombay and Madras Port Trust Acts and also the Karachi port Trust Act—which no more is a part of India—you will find that the pilot Service in all these ports is under the control of the port Commissioners. I was all along perplexed why an exception should have been made in the case of the Bengal pilot service alone in that it should be under the control of the Central Government. The Honourable Minister has given us the reason why an exception was made in the case of the Calcutta Port Trust. I am very glad that the amending Bill seeks to do away with this anomaly. I fail to see why, if the other Port Trusts could successfully pilot their ports, the Calcutta Port Trust alone could not do that. The only difference between Calcutta and the other ports is that while the former is navigated by the river Hooghly, the others are on the high seas.

But while one anomaly is sought to be removed, a new anomaly is introduced by the proviso to clause 5 which reads:

"Provided that any such order made by the Commissioners shall, as respects any officer whose salary amounts to or exceeds one thousand rupees, be subject to the previous sanction of the Central Government."

I do not see any reason why a special provision should be made in the case of Members of the Bengal Pilot Service alone. There are members in the pilot service of the other ports like Bombay Madras. Again pilots are not the only officers under a port trust. Besides the pilots There are many others, like Engineers, Managers and Deputy Managers who draw more than one thousand rupees. I, therefore, fail to understand why a solitary distinction should be made in the case of officers of the Calcutta Pilot Service. This proviso almost amounts to this that the pilots are under the control of the Central Government. I am entirely in agreement with the other provisions of the Bill, and support it. But I would draw the attention of the Honourable Minister to this provision and would request him to look into it.

With these words, Sir, I support the Bill.

Shri B. Das (Orissa: General): Sir, I welcome this Bill. Sir, the Calcutta Port Trust is controlled by the British Chambers of Commerce. The Hooghly pilot system covers nearly 60 miles from Calcutta to the Diamond Harbour, which is visited by international steamers and ships. That was why the Secretary of State was particular of recruiting Europeans to that service. I wonder whether there are one or two Indian officers in that Pilot Service. I no doubt admit that the Bengal Pilot Service, has a great history and a great tradition behind it and novels and romances have been written about the services they have rendered to foreign shipping in India. But I do hope that I will have a word of assurance from my Honourable friend the Transport Minister that in future no foreigner will be recruited and that he will issue a directive to the Port Commissioners that

[Shri B. Das.]

they will take in no more outsiders. Let me hope the Calcutta Post-Commissioners will prove responsive although the Calcutta, Bombay and Madras Port Trust Bill will become an Act in the autumn session of this House. That Port Trust must work henceforth to serve India and Indians.

With these observations, Sir, I support the Bill.

The Honourable Dr. John Matthai: I can briefly explain the points raised. As regards the point raised by Mr. Sidhva, the real difference between this particular case and the cases in Bombay and Madras is this. Here are members of a government service being transferred to the control of the Port Trust. Therefore it is necessary for the Central Government, whose service it is at present, to have some say in determining the salaries that they draw while they are under the Port Trust. So we have just reserved a certain measure of control in order to see that these officer's terms and conditions of service are safeguarded.

Mr. Chairman: The Honourable Minister will please address the Chair.

The Honourable Dr. John Matthai: I am sorry.

As regards the question raised by Mr. Das with regard to the European and Indian members of the Pilot Service, the position is that there are 37 members of the Bengal Pilot Service. Out of that 16 are Europeans and 21 are Indians. Out of the 21 Indians, seven are at present apprentices.

The arrangement we have made with the Calcutta Port Trust is that when the Bengal Pilot Service, is dissolved, the Calcutta Port Trust would be free to take over as such of these men as they consider suitable. For practical purposes, the arrangement would work out like this. We cannot altogether dispense with Europeans immediately. Such of the Europeans as are taken over by the Calcutta Port Trust would be engaged on the basis of short-term contracts ranging from three to five years, whereas the Indian members of the Bengal Pilot Service would be taken over as permanent servants of the Pilot Service, and it is our aim to increase the Indian personnel in the Bengal Pilot Service as soon as possible.

Mr. Chairman: The question is:

"That the Bill to provide for the transfer of control over pilotage on the River Hooghly to the Commissioners for the Port of Calcutta, be taken into consideration."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 2 stand part of the Bill."

Clause 2 was added to the Bill.

The motion was adopted.

Shri T. T. Krishnamachari (Madras: General): Sir, I move:

"That in clause 3 of the Bill, the following be added at the end:

'as may be prescribed by the Central Government from time to time'."

Under this clause, the Commissioners' duty is to maintain a sufficient number of pilots and the sufficiency has to be prescribed by somebody. That is why I have moved this amendment.

Mr. Chairman: The question is:

"That in clause 3 of the Bill, the following be added at the end:

'as may be prescribed by the Central Government from time to time'."

The motion was adopted.

Mr. Chairman: The question is:

"That Clause 3, as amended, stand part of the Bill."

The motion was adopted.

— Clause 3, as amended was added to the Bill.

Mr. Chairman: The question is:

"That Clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Shri T. T. Krishnamachari: Sir, I move:

"That in part (a) of sub-clause (1) of clause 5 of the Bill, before the word 'wages', the word 'salaries' be inserted."

Actually a pilot should be paid a salary. So the inclusion of this word is necessary.

Mr. Chairman: The question is:

"That in part (a) of sub-clause (1) of clause 5 of the Bill, before the word 'wages', the word 'salaries' be inserted."

The motion was adopted.

Mr. Chairman: The question is:

"That Clause 5, as amended, stand part of the Bill."

The motion was adopted.

Clause 5, as amended, was added to the Bill.

Mr. Chairman: The question is:

"That Clauses 6 and 7 stand part of the Bill."

The motion was adopted.

Clauses 6 and 7 were added to the Bill.

Pandit Thakur Das Bhargava (East Punjab: General): Sir, I move:

"That in part (a) of clause 8 of the Bill, the word 'it' occurring in line three be omitted."

Mr. Chairman: The question is:

"That in part (a) of clause 8 of the Bill, the word 'it' occurring in line three be omitted."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I move:

"That in part (b) of clause 8 of the Bill, after the word 'salaries', the word 'wages' be inserted."

In this case the word 'wages' was left out: whereas in clause 5 it was the word 'salaries'. Hence the amendment.

Mr. Chairman: The question is:

"That in part (b) of clause 8 of the Bill, after the word 'salaries', the word 'wages' be inserted."

The motion was adopted.

Pandit Thakur Das Bhargava: Sir, I move:

"That in part (d) of clause 8 of the Bill, for the words 'have been', the words 'may be', be substituted."

Mr. Chairman: Amendment moved:

"That in part (d) of clause 8 of the Bill, for the words 'have been', the words 'may be', be substituted."

The Honourable Dr. John Matthai: I agree with the Honourable Member that the words "have been" are perhaps not very satisfactory. But I would suggest "are" instead of "may be", namely, ". . . engaged in the pilot service who are injured in the execution of their duty. . . ."

Pandit Thakur Das Bhargava: Either of the amendments will make it logical and consistent. Any of the two amendments will do.

Mr. Chairman: If the Honourable Member accepts this amendment, he may withdraw his own and move this one in its place.

Pandit Thakur Das Bhargava: Very well.

Mr. Chairman: Has the Honourable Member leave of the House to withdraw his amendment?

The amendment was, by leave of the Assembly, withdrawn.

Mr. Chairman: Will the Honourable Member move the other amendment?

Pandit Thakur Das Bhargava: Sir, I move:

"That in part (d) of clause 8 of the Bill, for the words 'have been', the words 'are' be substituted."

Mr. Chairman: The question is:

"That in part (d) of clause 8 of the Bill, for the words 'have been', the words 'are' be substituted."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I move:

"That in clause 8 of the Bill, the following new part be added at the end:

'(e) the provision of educational, recreational and other amenities for pilots and other officers and servants of the Commissioners employed in pilot service'."

Sir, this clause refers to expenditure on Pilotage account and various items are catalogued. But there is no provision for expenditure on amenities for people under the Commissioners as pilots and other servants. That is why I thought fit to move this amendment. Sir, I move:

Mr. Chairman: Amendment moved:

"That in clause 8 of the Bill, the following new part be added at the end:

'(e) the provision of educational, recreational and other amenities for pilots and other officers and servants of the Commissioners employed in pilot service'."

Mr. R. K. Sidhva. I only want some more explanation. Does this mean that all facilities should be provided for the pilots—for their education for their family and recreation? Well, these are very highly paid officers and I would like to know whether such facilities should be provided. I can understand it in the case of servants who are the lower paid staffs but I fail to understand the idea of the Honourable Mover when he desires the preservation of all these kinds of recreation, educational facilities and other amenities for officers drawing Rs. 1,000 and over:

Mr. Chairman: This is purely an enabling clause. There is no obligation to do anything.

Shri T. T. Krishnamachari: If I may be permitted, I will explain.

Mr. Chairman: No, no. The Honourable Member cannot speak for a second time.

The Honourable Dr. John Matthai: It is a matter of discretion with the Port Commissioners whether they spend more on this particular item or not. It does not mean that the Port Commissioners are compelled. It has I think a wholesome influence on officers and servants to be provided with such facilities as the Commissioners may be able to provide.

Mr. Chairman: The question is:

"That in clause 8 of the Bill, the following new part be added at the end:

'(e) the provision of educational, recreational and other amenities for pilots and other officers and servants of the Commissioners employed in pilot service'."

The motion was adopted.

Mr. Chairman: The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9, 10 and 11 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

The Honourable Dr. John Matthai: Sir, I move:

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

Mr. Chairman: The question is:

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

The motion was adopted.

LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL

The Honourable Dr. B. R. Ambedkar (Minister for Law): Sir, I move for leave to withdraw the Bill further to amend the Legal practitioners Act, 1879, and the Indian Bar Councils Act, 1926.

Sir, after the Government of India had taken the decision to withdraw this Bill there were two ways of carrying that decision into effect. One was the ordinary method of allowing the Bill to lapse by making no motion about it in two consecutive sessions and the other method was to adopt the way which I have adopted, namely to table a direct motion seeking the permission of the House to withdraw the Bill. The reason why I adopted the direct method of tabling a motion to seek the permission of the House to withdraw the Bill was because it was felt that in view of the circumstances relating to this Bill, the House was entitled to some explanation justifying the decision of the Government to withdraw this Bill.

Sir, the origin of the Bill goes back to the time when the Interim Government was in office before the 15th August, 1947. I understand that two Honourable Members had tabled two Bills in order to relieve the legal practitioners who had participated in the August 1942 Movement and who were on that account hauled up before the different High Courts with the result that their names were removed from the roll of practitioners of the High Court for conduct which was prejudicial to the provisions contained in the two Acts referred to in the Bill. The Bills, as the House knows, lapsed because the Assembly changed. When I took charge of the matter I *pro forma* and having had no time to consider the matter moved that the Bill be introduced and the Bill was accordingly introduced. Subsequent to the taking of the charge of this portfolio I sought to make an investigation as to the number of practitioners who were affected by the action taken under the existing law by the different High Courts and I found that altogether there were not more than seven persons against whom action was taken. Out of the 7, four were in Madras and two or three I think were in Allahabad and there were no more cases of that sort at all. Having those facts before me I began to examine the position and to find out whether in order to grant relief for so small a number of lawyers, *viz.*, 7, it was necessary to undertake legislation which had the effect of completely altering the very fundamentals of the provisions contained in the two Acts, *viz.*, the Legal practitioners' Act and the Indian Bar Councils Act. My conclusion was that it would be quite possible for Government to relieve the seven people who were affected by the existing laws and the decision of the High Courts without undertaking such fundamental changes in the law affecting lawyers. That decision was accepted by the Government and it is on the authority of the Government that this motion has been tabled. The procedure which the Government propose to adopt in this matter is to allow the seven persons who are affected to make their application to the various High Courts for the renewal of their *sanad* and the cancellation of the orders made against them and the provincial Governments would be instructed to instruct their Advocate General to appear before the High Court when the applications came for consideration and to support the applicants in obtaining the redress that they might seek. I think that will meet the exigencies of the case. It would also give Government time to consider whether the two Acts which govern the legal practitioners at all need any changes in the light of the experience which we have.

Pandit Lakshmi Kanta Maitra (West Bengal: General): What about section 30?

The Honourable Dr. B. R. Ambedkar: We shall examine that if necessary. As I said, for the moment the action proposed by the Government is quite so sufficient to give relief to the people whose interests we are seeking to protect by the changes which we had proposed to make. I hope the House will accept the motion.

Mr. Chairman: Motion moved:

"That leave be granted to withdraw the Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926."

Shri T. T. Krishnamachari (Madras: General): Sir, I want to say a few words for this reason that I was probably the first in the field to introduce a Bill for the same purpose in 1945 for amending Section 12 of the Legal Practitioners Act and the relative section of the Indian Bar Councils Act, which Bill as the Honourable Minister said had lapsed. I accept the position as mentioned by the Honourable Minister that by executive direction the Government could see that these seven people do not suffer any longer but I do not think that is at all adequate. My Honourable friend, said that Government will consider whether there is any necessity to amend these provisions of the two Acts. My own feeling is that the necessity is there. It may be said that in the past we were under a foreign government and as a result such thing happened. But it is quite conceivable that some circumstances might come into being in the future and the mere fact that the shape of the Government has changed does not mean that there is adequate protection to a lawyer so long, as the statute is as it is. The amending bill sought to restrict the lawyers' offence to acts, involving moral turpitude and that is as it should be. My own feeling is that the House should ask from the Honourable Minister something more, than what he has chosen to give us, an assurance that is definite that before long the position will be re-examined and a suitable amending Bill will be brought forward by government. The position at present could be eased by the seven persons being allowed to practise by the restoration of their *sanads*. But the Honourable Minister cannot give a categorical assurance that there will be no recurrence of such action by the executive, whoever might be the authority. This makes an amendment of the two acts imperative.

Mr. Chairman: There is no provision at all for forcing the Government to proceed with a Bill. Therefore Honourable Members should seek some other remedy than taking the time of the House on a voting of the motion for withdrawal of the Bill. I do not want to shut the discussion, but any Honourable Member can bring forward a Bill and push it or bring a Resolution, or do something of the kind. But I suggest we should not take the time of the House on a voting of this motion.

Dr. B. Pattabhi Sitaramayya (Madras: General): The Honourable Minister himself has asked for support of the motion and we have a right at least to ask of him some explanation.

Mr. Chairman: The Honourable Minister has given an explanation.

Dr. B. Pattabhi Sitaramayya: We want a clarification on a single point. The method he has suggested by way of remedying the grievances of those seven people who have been the victims of Bureaucratic anger is that they should put in an application for the restoration of their *sanads* and that the Advocates-General in the respective provinces would be requested to support those applications.

Mr. Chairman: Standing Order No. 50 says:

"The member who has introduced a Bill may at any stage of the Bill move for leave to withdraw the Bill; and if such leave is granted, no further motion may be made with reference to the Bill."

Prof. N. G. Ranga (Madras: General): But the leave is not granted yet.

Mr. Chairman: The real trouble is you cannot force him. There should be some purpose in taking the time of the House. Of course Honourable Members are free to make use of the time, but if it is purposeless. . . .

Prof. N. G. Ranga: Will you kindly resume your seat, Sir?

Mr. Chairman: Will the Honourable Member withdraw what he said?

Prof. N. G. Ranga: How can I address the House if the Chair goes on standing all the time? (Interruptions) All right, Sir, I withdraw.

Mr. Chairman: The Honourable Member must know better to behave.

Prof. N. G. Ranga: I have already told you I have withdrawn my remark.

Dr. B. Pattabhi Sitaramayya: In regard to this matter there is a question first of granting leave, and secondly there is the question of his asking for support. When he asks for support it means that he asks for leave to be granted to withdraw the Bill. In doing so he has made a suggestion. I just wanted to ask of the Honourable Minister whether it is not necessary according to the procedure that he has laid down that the application, supported as it may be by the Advocate-General, should be approved of by the Bench. If there are Judges—and there are such Judges—who still think that the old victimization must continue, what would be the remedy. I wanted to put this question to the Honourable Minister.

The Honourable Dr. B. R. Ambedkar: My friend has made a most extravagant assumption. I have never heard of such a thing that when the Advocate-General supports the request the High Court refuses it. However, if such a contingency arises the Government is always there to see that proper remedies are adopted.

Shri Rohini Kumar Chaudhuri (Assam: General): Mr. Chairman, I thank you for the opportunity you have given me of speaking on this motion which, as a lawyer I feel, is a vital motion. It would not have taken much time to pass this legislation. We have passed today and yesterday more momentous pieces of legislation in a much shorter time, and if you only allow fifteen to twenty minutes on this Bill we might have passed the Bill and made it into a statute. It is a useful Bill. I am sure that the Honourable Minister in charge of this Bill or his predecessor did not want to initiate this measure only in order to benefit the seven persons. No legislation is at any time introduced only to benefit a specific number of individuals or persons. Legislative enactment is necessary for the people not only for the present but for posterity. Here, for various reasons, being victims of bureaucratic anger, some persons of the legal profession were not allowed to carry on their profession. That was all under the British Government which was in power. But does the Honourable Minister mean to say that such an occasion will not arise again tomorrow? Supposing by any means the Communist Party is in the Government and the tables are turned, is it not possible that they will do the same thing in respect of the members of this House or the members of the present party in power? Will they spare them because they belong to the Congress Party? The British Government did not spare them because they belonged to the Congress Party and they wanted to punish them and topped them from practising in the law courts. Suppose the Communist Party or the Socialist Party came into power and if they found reasons to prosecute or convict these people, would they be allowed to practise if this legislation is not there? You cannot be sure of yourself. You don't know the future. Today you are in power. Tomorrow you may not be in power. Tomorrow you may be subject to ruthless, unjust rule. Another party may come to power and they may stop all these lawyers of the Congress Party from practising in the future altogether. Why not have this legislation now? No law is intended for any

[Shri Rohini Kumar Chaudhuri]

specified persons. It is a bad and unjust argument to put forward that because these persons have now been exempted from that bar of practicing therefore we need not proceed with this Bill. After all we want to show that so long as a man is not guilty of any offence involving moral turpitude he will have every right to proceed with his avocation. So I say if any piece of legislation was important today, including even the much-anticipated Hindu Code, this piece of legislation is more important than anything. Any lawyer who is in politics would feel that such legislation should be made a statute as soon as possible. What stands in the way of passing it today. Why does the Honourable Minister withdraw the Bill? Let him put this Bill before the House. We shall pass it today in twenty or fifteen minutes. Let us have it as a law and we shall then feel very much more stronger. Why withdraw it? We can sit till midnight and pass the Hind Code. There need not be any anxiety about it. Let us pass the Bill and we shall all be grateful to the Honourable Minister for Law.

Mr. Chairman: My attention has been drawn to a Ruling of the Chair which says that if any Member moves for leave to withdraw a motion and it is objected to, the question is put forthwith without further debate. Obviously, as I expected, this is the ordinary rule of commonsense.

Dr. B. Pattabhi Sitaramayya: It may be commonsense; but you are forcing a decision.

Mr. Chairman: But this is a Ruling of the Chair.

Dr. B. Pattabhi Sitaramayya: Rulings are not binding like case law; they can change.

Mr. Chairman: I am here making the Ruling for today.

The question is:

"That leave be granted to withdraw the Bill further to amend the Legal Practitioners Act, 1879, and the Indian Bar Councils Act, 1926."

The motion was adopted.

HINDU CODE

The Honourable Dr. B. R. Ambedkar (Minister for Law): I beg to move:

"That the Bill to amend and codify certain branches of the Hindu Law, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shri M. Ananthasayanam Ayyangar, Shrimati G. Durgabai, Shri L. Krishnaswami Bharathi, Shri U. Srinivasa Mallayya, Shri Mihir Lal Chattopadhyay, Dr. P. S. Deshmukh, Shrimati Renuka Ray, Dr. P. K. Sen, Babu Ramnarayan Singh, Shri Kishorimohan Tripathi, Shrimati Ammu Swaminadhan, Pandit Balkrishna Sharma, Shri Khurshed Lal, Shri Brajeshwar Prasad, Shri B. Shiva Rao, Shri Baldeo Swarup, Shri V. C. Kesava Rao and the Mover, with instructions to report not later than the last day of the first week of the next session of the Assembly and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, it is a matter of great pity and also of great regret both for myself and I believe also for the members of the House that so important a measure as the codification of Hindu Law should have come for discussion before the House almost at the far end of the session. We have, according to the arrangement announced by the Honourable Speaker this morning, to conclude the debate on this motion by 7 O'clock from now, with an interval of half an hour. I think it my duty that within the limitations in which we are placed I should give more time to Members of the Legislature to express their views on the various points raised by this Bill and I should like to contribute my own mite to the fulfilment of this wish which I have expressed. The only way by which I could do it is to set an example by myself to make my opening speech as brief as I can possibly make. I regret it very much to have been required to come to that decision because this Bill is of such a vast character that if one were to expound it fully, and

thoroughly, and to explain its provisions as against the background of the existing Hindu Law, I have not the slightest doubt that such an effort would take not less than four or five hours. But that is impossible, and the House therefore will forgive me if I confine myself to placing before it the most salient points which mark a departure from the existing law as we know it today.

Sir, this Bill, the aim of which is to codify the rules of Hindu Law which are scattered in innumerable decisions of the High Courts and of the Privy Council, which form a bewildering motley to the common man and give rise to constant litigation, seeks to codify the law relating to seven different matters. Firstly, it seeks to codify the law relating to the rights of property of a deceased Hindu who has died intestate without making a will, both female and male. Secondly, it prescribes a somewhat altered form of the order of succession among the different heirs to the property of a deceased dying intestate. The next topic it deals with is the law of maintenance, marriage, divorce, adoption, minority and guardianship. The House will see what is the ambit and the periphery of this Bill. To begin with the question of inheritance, under his head the Bill enacts a new principle, at least for certain parts of British India. As many members who are lawyers in this House will know, so far as inheritance is concerned, the Hindus are governed by two different systems of law. One system is known as *Mitakshara* and the other is known as *Dayabhag*. The two systems have a fundamental difference. According to *Mitakshara*, the property of a Hindu is not his individual property. It is property which belongs to what is called a coparcenary, which consists of father, son, grandson and great grandson. All these people have a birth-right in that property and the property on the death of anyone member of this coparcenary passes by what is called survivorship to the members who remain behind, and does not pass to the heirs of the deceased. The Hindu Code contained in this Bill adopts the *Dayabhag* rule, under which the property is held by the heir as his personal property with an absolute right to dispose it of either by gift or by will or any other manner that he chooses.

That is one fundamental change which this Bill seeks to make. In other words, it universalises the law of inheritance by extending the *Dayabhag* rule to the territory in which the rule of the *Mitakshara* now operates.

Coming to the question of the order of succession among the heirs, there is also fundamental difference of a general character between the rule of the *Mitakshara* and the rule of the *Dayabhag*. Under the *Mitakshara* rule the agnates of a deceased are preferred to his cognates; under the *Dayabhag* rule the basis of heirship is blood relationship to the deceased and not the relationship based on cognatic or agnatic relationship. That is one change that the Bill makes; in other words, here also it adopts the rule of the *Dayabhag* in preference to the rule of the *Mitakshara*.

In addition to this general change in the order of succession to a deceased Hindu, the Bill also seeks to make four changes. One change is that the widow, the daughter, the widow of a pre-deceased son, all are given the same rank as the son in the matter of inheritance. In addition to that, the daughter also is given a share in her father's property; her share is prescribed as half of that of the son. Here again, I should like to point out that the only new change which this Bill seeks to make, so far as the female heirs are concerned, is confined to daughter; the other female heirs have already been recognised by the Hindu Women's Right to Property Act of 1937. Therefore, so far as that part of the Bill is concerned, there is really no change in the Bill at all; the Bill merely carries the provisions contained in the Act to which I have made reference.

[Dr. B. R. Ambedkar]

The second change which the Bill makes so far as the female heirs are concerned is that the number of female heirs recognised now is much larger than under either the *Mitakshara* or the *Dayabhag*.

The third change made by the Bill is this that under the old law, whether the *Mitakshara* or the *Dayabhag*, a discrimination was made among female heirs, as to whether a particular female was rich or poor in circumstances at the death of the testator, whether she was married or unmarried, or whether she was with issue or without issue. All these considerations which led to discrimination in the female heirs are now abolished by this Bill. A woman who has a right to inherit gets it by reason of the fact that she is declared to be an heir irrespective of any other considerations.

The last change that is made relates to the rule of inheritance in the *Dayabhag*. Under the *Dayabhag* the father succeeds before in preference to the mother; under the present Bill the position is altered so that the mother comes before the father.

So much for the order of succession of heirs to a deceased male Hindu. I now come to the provisions in the Bill which relates to intestate succession to females. As Members of the House who are familiar with Hindu Law will know, under the existing law the property held by a Hindu female falls into two categories; one is called her *stridhan*, and the other is called "woman's property". Taking first the question of *stridhan*, under the existing law *stridhan* falls into several categories; it is not one single category, and the order of succession to the *stridhan* of a female under the existing law varies according to the category of the *stridhan*; one category of *stridhan* has a different law of succession than another category and these rules are alike both as to *Mitakshara* as they are to the *Dayabhag*. So far as *stridhan* is concerned the present Bill makes two changes. The one change it makes is that it consolidates the different categories of *stridhan* into one single category of property and lays down a uniform rule of succession; there is no variety of heirs to the *stridhan* in accordance with the different categories of the *stridhan*—all *stridhan* is one and there is one rule of succession.

The second change which the Bill seeks to make with regard to the heirs is that the son also is now given a right to inherit the *stridhan* and he is given half the share which the daughter takes. Members will realise that in formulating this Bill and making changes in rules of succession, it is provided that while the daughter is getting half the share in the father's property, the son is also getting half the share in the mother's property so that in a certain sense the Bill seeks to maintain an equality of position between the son and the daughter.

Coming to the question of the "woman's estate", as members of the House will know under the Hindu Law where a woman inherits property she gets only what is called a "life estate". She can enjoy the income of the property, but she cannot deal with the corpus of the property except for legal necessity; the property must pass after the death of the woman to the reversioners of her husband. The Bill, here again, introduces two changes. It converts this limited estate into an absolute estate just as the male when he inherits gets an absolute estate in the property that he inherits, and secondly, it abolishes the right of the reversioners to claim the property after the widow.

An important provision which is ancillary to the rights of women to inherit property contained in this Bill is a provision which relates to *Dowry*. All members of the House know what a scandalous affair this *dowry* is; how, for instance, girls who bring enormous lot of property from their parents either by way of *dowry* or *stridhan* or gift are treated, nonetheless, with utter contempt, tyranny and oppression. The Bill provides in my judgment one of the most salutary provisions, namely, that this property which is given as

dowry to a girl on the occasion of her marriage shall be treated as a trust property, the use of which will inure to the woman and she is entitled to claim that property when she comes to the age of 18, so that neither her husband nor the relations of her husband will have any interest in that property; nor will they have any opportunity to waste that property and make her helpless for the rest of her life.

Coming to the provisions relating to maintenance, there is mostly nothing new in this part of the Bill. The Bill prescribes that the dependents of a deceased shall be entitled to claim maintenance from those who inherit his property either under the rules of intestate succession or who inherit the property under his will. There are 11 different kinds of dependants enumerated in this Bill. I believe, at least speaking for myself, it is an unfortunate thing that even a concubine is included in the category of dependants, but there it is; it is a matter for consideration. The liability to maintenance is cast upon those who take the estate of the deceased. As I said, there is nothing very new in this part of the Bill.

There is another part of the Bill which is important and it relates to the rights of a wife to claim separate maintenance when she lives separate from her husband. Generally, under the provisions of the Hindu law, a wife is not entitled to claim maintenance from her husband if she does not live with him in his house. The Bill, however, recognises that there are undoubtedly circumstances where if the wife has lived away from the husband, it must be for causes beyond her control and it would be wrong not to recognise the causes and not to give her separate maintenance. Consequently the Bill provides that a wife shall be entitled to claim separate maintenance from her husband if he is (1) suffering from a loathsome disease, (2) if he keeps a concubine, (3) if he is guilty of cruelty, (4) if he has abandoned her for two years, (5) if he has converted to another religion and (6) any other cause justifying her living separately.

The next topic to which I wish to make a reference concerns the question of marriage. The Code recognises two forms of marriages. One is called "sacramental" marriage and the other is called "civil" marriage. As members will know, this is a departure from the existing law. The existing Hindu law recognises only what is called "sacramental" marriage, but it does not recognise what we call a "civil" marriage. When one considers the conditions for a valid sacramental marriage and a valid registered marriage, under the Code there is really very little difference between the two. There are five conditions for a sacramental marriage. Firstly, the bridegroom must be 18 years old, and the bride must be 14 years old. Secondly, neither party must have a spouse living at the time of marriage. Thirdly, parties must not be within prohibited degree of relationship. Fourthly, parties must not be *sapindas* of each other. Fifthly, neither must be an idiot or a lunatic. Except for the fact that similarity of *sapindaship* is not a bar to a registered marriage, so far as other conditions are concerned, there is no difference between the sacramental marriage and the civil marriage. The only other difference is that the registered marriage must be registered in accordance with the provisions in the Bill while a sacramental marriage may be registered if parties desire to do so. Comparing the rules of marriage contained in the Bill and the existing law, it may be noticed that there are three differences which the Bill makes. One is this, that while the existing law requires identity of caste and sub-caste for a valid sacramental marriage, the Bill dispenses with this condition. Marriage under the Bill will be valid irrespective of the caste or sub-caste of the parties entering into the marriage.

Pandit Thakur Das Bhargava (East Punjab: General): If the marriage is between persons belonging to different castes, will it be valid? ..

The Honourable Dr. B. R. Ambedkar: Let me proceed with my speech. If the Honourable Member puts the question while making his speech, I shall reply to it.

The second provision in this Bill is that identity of *gotrapravara* is not a bar to a marriage while it is under the existing law. The third distinctive feature is this, that under the old law, polygamy was permissible. Under the new law it is monogomy which is prescribed. The sacramental marriage was a marriage which was indissoluble. There could be no divorce. The present Bill makes a new departure by introducing into the law provisions for the dissolution of marriage. Any party which marries under the new Code has three remedies to get out of the contract of marriage. One is to have the marriage declared null and void; secondly, to have the marriage declared invalid; and thirdly, to have it dissolved. Now, the grounds for invalidation of marriage are two: One, if one party to the marriage had a spouse living at the time of marriage, then such a marriage will be null and void. Secondly, if the relationship of the parties fell within what is called the ambit of prohibited degrees, the marriage could be declared null and void. The grounds for invalidation of the marriage are four. First, impotency. Second, parties being *sapinda*. Third, parties being either idiotic or lunatic. Fourth, guardian's consent obtained by force or fraud. In order not to keep the sword of dissolution hanging on the head, the Bill, in my judgment very wisely, has provided a limit to an action for invalidation. It provides that a suit for the invalidation of marriage must be filed within three years from the date of the marriage; otherwise the suit will be barred and the marriage will continue as though there was no ground for invalidity. The Bill also provides that even though the marriage may be invalidated and may be declared invalid by a Court of Law, the invalidation of marriage will not affect the legitimacy of the children born and they would continue to be legitimate just the same.

Then coming to the question of divorce, there are seven grounds on which divorce could be obtained. (1) desertion (2) conversion to another religion (3) keeping a concubine or becoming a concubine (4) incurably unsound mind (5) virulent and incurable form of leprosy (6) venereal diseases in communicable form and (7) cruelty.

Coming to the question of adoption, there again, most of the rules embodied in the Bill are in no way different from the rules obtaining under the present law. There are two new provisions in this part dealing with adoption. Firstly, under the Code it will be necessary for the husband if he wants to make an adoption to obtain the consent of his wife and if there are more than one, at least the consent of one of them. Secondly, it also lays down that if the widow wants to adopt, she can only adopt if there are positive instructions left by the husband authorising her to adopt and in order to prevent litigation as to whether the husband has, as a matter of fact, left instructions to his wife, the Code provides that the evidence of such instructions shall be either by registered deed or by a provision in the will. No oral evidence would be admissible, so that chances of litigation are considerably mitigated. The Code also provides that the adoption may also be evidenced by registration. One of the most fruitful sources of litigation in this country is the question of adoption. All sorts of oral evidence is manufactured, concocted; witnesses are suborned; widows are fooled; they one day declare that they have made one adoption and subsequently they make an avowal that they have not adopted and in order that all this litigation may be put a stop to, the Code makes a salutary provision that there may be registration of adoption by a Hindu.

Then there is the question of minority and guardianship, the last subject which the Bill seeks to codify. There is nothing new in this part of the Code and, therefore, I do not propose to say anything so far as that part in the Bill is concerned.

As members will realize, the points which arise out of this Bill for consideration and which are new are these: First, the abolition of birth-right and to take property by survivorship. The second point that arises for consideration is the giving of half-share to the daughter. Thirdly, the conversion of the women's limited estate into an absolute estate. Fourthly, the abolition of caste in the matter of marriage and adoption. Fifthly, the principle of monogamy and sixthly the principle of divorce. I have sought to enumerate these points separately and categorically because I felt that in view of the limited time we have at our disposal, it would be of help to the Members of this House if I could point out what are the points of debate on which attention may be concentrated. These departures which are made in this Bill undoubtedly requires justification, but I think it would be a waste of time if I at this stage undertook any defence of the departures enacted by this Bill. I propose to hear Honourable Members as to what they have to say on the points which I have enumerated, and if I find that it is necessary for me to enter upon a justification, I propose to do so in the course of my reply. Sir, I move.

Mr. Chairman: Motion moved:

"That the Bill to amend and codify certain branches of the Hindu Law, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shri M. Ananthasayanam Ayyangar, Shrinati G. Durgabai, Shri L. Krishnaswami Bharathi, Shri U. Srinivasa Mallayya, Shri Mihir Lal Chattopadhyay, Dr. P. S. Deshmukh, Shrinati Renuka Bai, Dr. P. K. Sen, Babu Ramnarayan Singh, Shri Kishorimohan Tripachi, Shrinati Ammu Swaminadhan, Pandit Balkrishna Sharma, Shri Khurshed Lal, Shri Brajeshwar Prasad, Shri B. Shiva Rao, Shri Baldeo Swarup, Shri V. C. Kesava Rao and the Mover, with instructions to report not later than the last day of the first week of the next session of the Assembly and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Dr. B. Pattabhi Sitaramayya (Madras: General): Mr. Chairman, Sir, I rise at an early moment in order to catch your eye in the hope that I shall have the ear of the House while having the eye of the Chairman. This is a very interesting piece of legislation which has been presented to this House, a piece of legislation for which the country has been waiting for long. This country having passed under the rule of foreigners for nearly a thousand years has not been able to effect that social progress which is incidental to changes in society in the world and which takes place imperceptibly by force of ever-changing custom. Custom is a force which is generally patronized, appreciated and recognized by the rulers. Unfortunately this country has had no kings for a long time to whose inspiring example the subjects could look up for any changes in society: In the West even today if a social change is required all that is to be done is for the King to initiate that change and all the people will follow as a matter of course. You might have heard the story of Edward the Eighth who when he was Prince of Wales, went to a far distant island and having heard from the people that their occupation was gone because of the change of fashions, asked what the fashion was which had ruined the occupation. They said formerly they were manufacturers of straw hats and now straw hats had given place to felt hats and therefore they had lost their occupation. The next day he appeared in public on a ceremonial occasion with a straw hat and the straw hat industry was at once revived. That is the power of the king; he is not merely the political head of a State, but head of society, the exemplar, the mentor and the monitor. As such he evaluates the customs—age-long, traditional and hoary—sanctified by age, and it lies in his power to change that custom one way or the other. But

[Dr. B. Pattabhi Sitaramayya]

what has been our fate since the British rule had come into existence? So long as the Muslims were ruling this country they copied our customs and we copied their customs; there was an inter-mixture and inter-currency of customs and therefore some measures of social progress. But after the British came, when they came to be looked upon as untouchables and even unapproachables by the vast majority of the population of this country, the situation was that they were afraid to touch the customs of this country with the longest pole. They were afraid of any interference with the socio-religious structure which was a delicate structure almost like a chemical balance and bore the repercussions of the smallest change coming from abroad and from adventitious sources. They were afraid that such repercussions would be ruinous to the stability of their empire in this country, and therefore they adopted the plausible and seemingly reasonable attitude of not interfering with the religion or the custom of the land. In this manner the Judges of the High Courts always helped to register the custom as it had existed for long centuries behind, and never registered a change in the custom as marking a progress in society. Thus custom became petrified and when custom became petrified progress became impeded altogether, and for a hundred and fifty years our society has not been able to make any progress. If social evils had been pointed out by missionaries at one stage they were so pointed out in a spirit of carping criticism rather than in a spirit of progressive helpfulness. And as time advanced and English education took root and as democracy spread its tentacles and got firm hold upon the affections of the people another change came into being. The very missionaries and clergymen who were so keen on educated Indians throwing off the trammels of their orthodoxy became suddenly conservative and critical of the drastic changes which the English-educated people were taking to with a certain amount of irresponsible ease. They began to inquire whether after all these people who were so readily taking to these changes meant to take to these changes or whether they were simply throwing away by way of relaxation the rigid customs of age and of society. They did not like it because the spirit of reform is always destructive of their own power. In the encouraging of reform themselves they saw the dangers to their rule and the missionary saw at once that he was encouraging a certain amount of rebellious spirit in the nation. Now *Brahmoism* came half-way between Christianity and conservatism. *Brahmosim* was looked upon as the saving factor in this country, but *Brahmoism* was thereupon condemned by the missionary because it provided a halting house for the reform spirit of the nation. Thus the missionary himself became conservative. Englishmen became conservative, custom became rigid, society became petrified and congealed and coagulated, as it were, in a chamber which was not wide or expansive. Thus we have suffered, so much so that the issue of a post-puberty marriage in the Punjab was declared illegitimate by the High Court. This was the last straw that broke the back of progressive society. Immediately there was an attempt to break the bones of custom, by trying to reform the marriage law. Act 8 of 1870, popularly known as the *Brahmo Marriage Act*, required, however, a certain denial statement, "I repudiate that I am a Hindu or a Muslim or a Christian or a Parsee or a Jain or a Jew." This obnoxious declaration was associated with the provisions of that Act. Therefore it did not become popular. Later on the *Sarda Act* came into being; fortunately it has set the seal of authority upon that piece of social reform which the heads of orthodoxy were imposing and were impeding. A new era has begun. The Indian National Congress which had started in 1885 had till 1919 associated with it as an ancillary and an auxiliary a social reform organisation which dealt with the social evils of the country and suggested various legislative measures also. But there was a non-willingness on the part of the British Government to effect those legislative changes, and as time progressed there was also an unwillingness on the

part of society to accept the social reform at the hands of foreigners in this country.

Fortunately, Sir, today we have survived those times. I am glad I am alive to see the age when on the initiative of the National Government a progressive measure of reform, comprehensive in outlook, far-reaching in its result, radical in its nature, is being put forward, which embraces the rights of women in regard to inheritance, in regard to marriage, in regard to property, in regard to divorce, in regard to personal freedom. And I hope, as time advances we shall have more and more of reforms in this direction to which this measure points today.

Let us start with the full rights that have been conferred upon the woman after the death of her husband. In our *Shastras* it has been briefly described that the woman is the bond slave of her father when she is young, to her husband when she is middle-aged and to her son when she is a mother. Of course all epigrams, aphorisms, proverbs, platitudes and truisms are half truths. There is a core of truth about them. We sometimes find it useful to quote these things but there is a core of untruth also about them and we should try to understand the full significance of all these.

According to the measure before us, a woman will have property in her own right and be able to dispose of her property. I have been trying to see whether the Law Minister would explain when these rights would come into force. Supposing after the passing of this measure a man dies and his widow inherits his property: what are her rights compared with the rights of a widow whose husband died one year ago? The latter possesses limited estates. What is the change sought to be introduced? Can widows with only limited estates convert those limited estates into full right estates with the right to give away, to mortgage, to sell and so on, irrespective of whether there is legal necessity in the interests of the family or not? That is a point which I have been trying to understand by turning up the pages of the measure before me but I have not been able to understand it. I dare say in his reply the Mover of the Bill will be so good as to elucidate the point.

The 'rights' of the daughter is a matter on which I have been feeling very keenly. When speaking to English people, or when discussing Indian conditions and society with savants and scholars coming from abroad, I have never been tired of praising my own system. If you wish to understand the basis of a system, or appraise any of its social customs or practices, you must not take it in its present degenerate condition. But you must take it in all its pristine purity and glory. I look upon child marriage as a splendid institution as our ancients conceived it because they conceived it good for the average man and the average woman to be married. And this marriage is a good thing because the child has to be grafted into another family and grafting should take place while the plant is young and not when the plant has become old. But then, the conception itself has changed. Now we live in an age when it is much more happy to be bachelors and criticise others' wives than to marry and beget children. Therefore our ideals have changed and therefore the principle of child marriage may not be binding upon us. Each one is at liberty to live his or her own life according to her or his pleasure and there is no obligation imposed by society and social conditions have changed. Under the circumstances, we should not indeed be the victims of past tradition, past customs, past events.

But how shall we deal with the facts which exist at the present day: so many daughters and so many sisters are not merely vegetating but they are rotting in their homes. While we praise our systems to others, we cannot

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shut from our own eyes the fact that our sisters and daughters and other relations are rotting in their own homes unable to get any relief. Latterly I have suggested a love strike for our women. That is the only remedy which I have thought out and I have been able to think it out as a remedy directed against this custom. I read a book called "The Impregnable Women" while I was in the Ahmednagar Fort. There was a war in England and all the women wanted to resist the war. How could they resist? The men are greedy. The men are pugnacious and blood-thirsty. They want to fight. They want to measure the strength of the tiger and ape with the strength of the ape and tiger in others. Therefore the women said: let us have a love strike. No young maiden would speak to her lover: no wife would speak to her husband: no mother would speak to her son. The men were boycotted. There was no social life between men and women until the war about to be declared was cancelled. They said they would not mix with these people. But I will not push the matter further. I suggest that if in a village, or town, or mohalla, there is ill-treatment of a single woman, all our wives had better have a club and go away from our houses and live there for 24 hours and very soon the recalcitrant husband will be brought to his senses. All the men will bring their moral influence to bear upon this man and they will tell him: "What the hell are you doing? All our homes are broken up and they will remain broken unless you take back your wife."

You may laugh now. But what else are you going to do? Are you going to prosecute the man? He will bring up his charges. Are you going to prosecute the wife? She will bring a number of charges. You should not enter into the quarrels between husband and wife. Once I found a husband beating his wife. I went and interfered. The woman turned round and came down on me like a wolf on the fold. She said: "It is my husband who is beating me. Who the hell are you to interfere?" Therefore it is not possible for you easily to interfere in domestic affairs. After all the *Kowravas* and *Pundhawas* when they fought, they used to say: "we are 100 against 5 but against a third party they said we are 100 plus 5." So in these domestic quarrels both are against us when we meddle in their affairs. So if the daughter is to be happy she must be able to inherit property in her own right. I find that the position of a wife is most obsequious. Her sister's son comes. Her brother comes. She wants to give them a good present. But the wife has to wait upon the goodwill of her husband in order to get even Rs. 5. After all this man has his moods. And he may be in a good mood or a bad mood. So she must have some property which she can call her own. Would you wish her to get rid of some of her jewels? The idea is fantastic. No woman will sell away her jewellery even after her husband's death because after her husband's death that jewellery stands as the symbol of the unity of herself and her deceased spouse. I know it. I have spoken to many women.

Mr. Chairman: Does the Honourable Member want to speak for a longer time?

Dr. B. Pattabhi Sitaramayya: I am sorry. I was not looking at the time. I would like to continue.

Mr. Chairman: The House will now adjourn for half an hour and re-assemble at Half Past Five of the Clock.

The Assembly then adjourned till Half Past Five of the Clock in the afternoon.

The Assembly re-assembled at Half Past Five of the Clock, with Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Dr. B. Pattabhi Sitaramayya: Mr. Speaker, I was dealing with the question of a share for the daughter from the patrimony. I am in the habit of twitting my lady friends by asking them "Why do you want a share? You are going to become the queens of another home? My wife has become the queen of my home and she is the unquestioned head of the family. She is getting the keys of her own safe and so will you get the keys of the safe of another home." But that is not enough. It is not enough to be at the mercy of a husband, however dear that husband may be. A woman must have her own right and when she has her own right she is better respected by the husband and although the doctrine of self-effacement on the part of the woman has been carried on in our country and society for ages long, yet the fact remains that in the modern day the conception of self-respect has completely altered the position. One must be able to say that she has a little money to deal with in her own right.

Hitherto I have had a little doubt as to whether we are not depriving all the sons of the share to which they are legitimately entitled if the daughter also comes in for her share. Now the Bill before us gives a share in the *stridhana* to the sons to the same extent to which the daughter is given a share in the father's property. That largely equalises things and warns all parents that they should have an equal number of sons and daughters. That is the only condition that is imposed upon us and that will be able to balance our economy. We must also balance our progeny.

But there is another difficulty. After all as things stand it looks as though we cannot say hereafter in marriage invitations that my daughter is being given in marriage to so and so. There will be a new language adopted. My daughter and so and so will marry each other. That is the new language adopted. Still the fact remains that except in Malabar, where the husbands go to their wives' houses, here our daughters generally go to their husbands' houses. Of course the position in Malabar is entirely the reverse of our conditions and it will take hours to deal with the question. I am not going to stray into that very interesting topic. Yet the fact remains when the daughter goes away from her father's home the wonder is whether she is able to enjoy the property that is given to her by her parents. I have asked my Muslim sisters and brothers as to whether the age-long custom of giving a half share to a daughter, half of the son's, is really, practically, enjoyed. They said that except in towns it is not enjoyed. Somehow or other the brother does the sister in the eye and knocks off her property and gives her some compensation. That may or may not be so but the fact remains that there is that supreme danger and the greatest danger in this matter is that when you recognise the fact that 80 per cent. of *pattadars* are able to pay only Rs. 10 as tax on $2\frac{1}{2}$ acres of wet land or four or five acres of dry land, where on earth is there a chance for them to give a share to the daughter, which she can carry with her or which she can enjoy. I doubt very much from the practical side but on the theoretical side at any rate the thing is unquestionably quite correct.

When thus you have raised the status of women in society and when you have conferred upon her the right to absolute property then you must also give her certain rights which self-respect engenders in her naturally. The conditions of marriage are not conditions of slavery. It is all very well to say that marriages are made in heaven and that once a husband always a husband or once a wife always a wife. It is a very good rule but at the same time there are conditions like drunkenness, persistent cruelty, immoral character

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on the part of the husband, diseases like leprosy, impotency and various other conditions which are enumerated by the law Minister which justify a separation of the husband from the wife. If a man feels free and has the right to stray abroad and do whatever he wants to do, if he can marry a second time when the first wife is alive, then of course it must be equally open for the wife also to marry a second husband while the first one is alive. Imagine that condition. I sometimes ask friends when I see a young man dressed in hat, boot and suit and by the side goes a nicely clad Hindu lady dressed in all the beautiful folds of the Hindu saree "Will you kindly reverse your dresses? Will the husband wear a *dhoti* and the wife a hat and skirt of a European woman, how will it look?" It will look absurd, as absurd as when you sign your name in your mother tongue over an English document. Once an officer asked me not to sign in Telugu over an English document. Then I said that the reverse situation of an English signature over a *Telugu* document is equally incongruous. Therefore we must give full freedom to our sisters, mothers and daughters and enable them to have judicial separation if necessary and divorce. But I trust and hope that the distinguished ladies who are here and who have been labouring for years in the cause of rights for women will preach and propagate the fact and the doctrine that divorce is a reserve fund not to be drawn upon for current expenses, that divorce should be the ultimate resort for causes which are otherwise irremediable. Public opinion, personal influence, family persuasion, all these are there. You must remember that the quarrels between a husband and wife during the day are generally closed up in the night and therefore there is not much chance of perpetuating these quarrels. We should not make much of them. In America there is a State called Indianopolis, where the porter cries "Indianopolis Station, Twenty minutes for divorce." The divorce court is in the railway station itself. Any husband and wife having a quarrel in the train, could apply for divorce and get it before the train departs. That should not be our position. Our divorce must be a kind of reserve fund like the jewellery on a woman's person, always to be drawn upon under conditions of the greatest necessity and never to be lightly utilised.

The question of adoption is a very difficult question. The Honourable Law Minister has assimilated the *Mitakshara* practice to that of the *Dayabhaga*. I suppose *Dayabhaga* obtains in Bengal and *Mitakshara* in South India and in Bombay there is a law called *Mayuka*, according to which amongst the non-Brahmins it is not necessary for the husband to give permission and the widow can adopt a child. I had read a judgment of the Privy Council some ten or twelve years ago. I want that law to be copied in other parts, where such adoption is not permissible according to *Mitakshara*. After all why does a family adopt a boy? To perpetuate the family. Is it not the right of the widow to perpetuate the family as much as of the deceased husband? Is it only the exclusive right of the man who is deceased to perpetuate the family. If a boy could inherit the property, why should it not be open to the mother to adopt the boy in her own right apart from the written or the registered permission of her husband either by a document or by a will. In English law oral wills are permissible; whereas written wills require two signatures, oral wills require nost such thing. After all by oral wills properties worth lakhs and crores are alienated. "All to wife" on a newspaper bit is held to be a valid will. Then why should it not be permissible in law for a husband to give permission orally to his wife in order that she can adopt. These are points which the Select Committee will have to give its consideration to. (An Honourable Member: "Why permission at all?") That is my contention. If permission is necessary why not oral permission? Relax the law regulating adoption as much as possible.

Then there is the question of monogamy. I am very sorry to note that young girls in their blooming youth do not understand all the conditions that must be observed in regard to the proper selection of match for marriage. We have an ancient saying which when rendered into English says: You must consider the prosperity, good looks, tradition, pedigree, culture—all these things you must consider before you select a husband. But now it has become rather common—and a very distinguished authority has confirmed the statement—that educated girls have the habit of picking ready-made husbands who have already got a wife and five or six children. Why does this happen? It is due to the want of education during their college days about these matters. Somehow these things are considered taboo and everybody shrinks from talking about them although a lot of private talk is inevitably done in regard to these matters. The forbidden fruit has never remained untasted. Therefore it is necessary that we provide teaching in regard to these matters. I once spoke to a certain friend of mine—he has given freedom to his daughter with regard to the selection of his son-in-law—and in the course of his conversation he told me a story which I later related to his daughter and son-in-law much to their amusement. She was asked by him 'Do you wish to marry so and so,—a boy who is handsome, good-looking, is well educated, passed B.L., or is in the profession, is the son of a rich man and has an upstairs house and she said 'No, father, has he got no motor car and electric lights? If he has got a motor car and electric lights, no matter to whom you give me in marriage I am willing to marry him''. Such are the temperaments, tendencies and trends of untutored youth and therefore it is very necessary that we should teach them about all these matters. It is not enough to make laws; but it is necessary to propagate these laws and propagandize these laws in order to educate our young girls in the direction of monogamy. That is very necessary.

I welcome every aspect of this Bill. If there are defects which are obvious here and there I daresay they will be remedied by all the distinguished personalities whose names have been mentioned in connection with the formation of the Select Committee. I have taken a little more time than necessary. Perhaps I can hold forth for hours together. I have got the experience of 68 years covering a careful study of all kinds of conditions and I would have liked very much to continue except for the fact that today's time is limited and we must apply the guillotine at 7 o'clock and some of our sisters and brothers are very anxious to speak and I am also anxious to hear them.

Mr. Naziruddin Ahmad (West Bengal; Muslim): Sir, I am in the most unfortunate position of having been charged with the communication of certain views which have been entrusted to me by some of my friends. They are some criticisms of the Bill. I must however assure the House that personally I would fully support the Bill. Its provisions are largely in accord with the laws which prevail in my own community and the Bill tries to do absolute justice to all regardless of practical results. It is however with some amount of nervousness that I have risen to speak. When I find that sturdy members of the House who would have spoken against the Bill have quailed before a powerful array of five distinguished members of the fair sex, ready to stand to their guns, little courage can I muster in giving out the views which I am charged to communicate.

Sir, the Honourable the Law Minister has not told us anything about the opinions that have been collected and printed in the pamphlets which have been circulated to us. They were made available to us at a very late stage. If it was desired that Honourable Members should read them, analyse them and tell the House the result of their analysis I think the time is too short. There is a pamphlet—the Report of the Hindu Law Committee—which con-

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tains a large number of opinions. I am sorry this was not circulated amongst the members. (An Honourable Member: "It was circulated"). It was not. This book was not circulated.

The Honourable Dr. B. R. Ambedkar: It was kept in the Library for a very long time.

Mr. Naziruddin Ahmad: It was not kept in the Library for a very long time. It has been placed in the Library very recently. I had to buy it from the market. It is only recently that some copies were kept in the Library.

Prof. N. G. Ranga (Madras: General): What is it?

Mr. Naziruddin Ahmad: When an Honourable Member like Professor Ranga asks 'what is this?' it only shows . . .

Prof. N. G. Ranga: I asked what is it you are referring to.

Mr. Naziruddin Ahmad: The Report of the Hindu Law Committee.

Prof. N. G. Ranga: That is, the Rao Committee. Its Report has been before the public for a year.

Mr. Speaker: Whatever it be, the Honourable Member may proceed.

Mr. Naziruddin Ahmad: The Report has been published only recently. I submit that in this Report there is a dissentient minute of the late Justice D. N. Mitter. He has collected a large number of opinions against the Bill. I do not wish to read them. He has classified them province by province and subject by subject. There is no time to deal with them, but he has said that the principles of the Bill are opposed by the entire Hindu community, that is, the orthodox section of the community.

I have studied as carefully as it was possible for me within the short time available the recent opinions on the Bill obtained by the Government and circulated to us. I find there is a volume of opinion against the Bill. In fact, at the time when the Committee was hearing evidence the evidence in Bengal was also all one way. Now in the opinions circulated I find the opinion in West Bengal is all one way. It is clearly against the Bill. What is remarkable is that there is an opinion by the Secretary of the Government of Bengal in the Ministry of Law. That opinion is to be found in paper No. 4, opinion No. 17. That opinion is against the Bill. It says that this is not a proper time to take the Bill. (An Honourable Member: 'When was that?') It bears no date. It has been circulated only recently—five or six days ago. In fact it says that the Bill is of far-reaching importance and enough consideration has not been given to the opinions expressed. The House will be pleased to consider the different categories of objections. One is that this Bill should not be considered by a mixed Legislature consisting of members of various communities. It is for this reason that I am particularly anxious to speak as it was feared that men of different communities will rather support the Bill and spoil the cause of orthodox Hinduism. It is for this reason that I hasten to declare that I am not supporting the Bill as the Hindu community is much against it.

One of the objections is that the introduction of women's shares would introduce litigation. There are many opinions that this would lead to excessive fragmentation, that it will lead ultimately to the destruction of that joint family system amongst the Hindus which has saved the community from the destructive effects of fragmentation from which the Muslims most terribly suffer. It is said also that the Hindu law—the *Vedic* literature and the *post-Vedic* literature known as the "*Srutis*" and the "*Smritis*"—have a divine origin. But the present Bill goes, it is said, against the very structure, the very religious basis and the very religious structure, of the Hindus. It is on this

ground that it is seriously opposed. It is argued that you cannot regard all this religious law, all this sacred literature as so much nonsensical superstition. They have kept the Hindu society alive for ages though it is quite true that society cannot remain stagnant. It must move. But it must move cautiously and with experience.

The present Bill makes a change with a sweeping stroke. Another point that has been made apparent in these objections is that the present Legislature was elected on one issue, namely the attainment of independence. The present Bill, which is really of a very sweeping and complicated character, and its principles have not been before the public and it would therefore be better to wait to digest opinions and to pass a constitution and hold elections making this a definite issue before the public. It will then be seen whether the public at large really desire it. In fact it is said that the Bill was not properly circulated. Many associations got only a few days' time or even a few hours' time to consider and give their opinions. In these circumstances it is argued that the Bill should not be taken into consideration at this stage.

Then there is another important aspect of the question. The Bill attempts to make the law applicable to Hindus uniformly throughout India, but it has been pointed out that the effect of uniformity will not be attained in view of the shortness of time. It is well known that agricultural land is beyond the purview of this House. It is a provincial subject. Whatever law we may pass will affect only non-agricultural land, whatever that expression may mean. That expression is also vague. It has been defined in the Income-tax Act for the purpose of taxation and this Bill as well as many other Acts have taken that as the basis. There may be lands which lie midway between agricultural and non-agricultural lands. In fact, apart from this distinction, a large proportion of our property—about 80 per cent.—consists of culturable land. Thus it is perfectly clear that the Provinces will have to deal with them and they may deal with them in a different manner, and some provinces may not deal with them at all. And then again we have the acceded States. Though Hindu Law is to be the same—and it is attempted to make it uniform—the States people may legislate or may not legislate, and in case they legislate they may make different provisions. In fact the Provincial Governments and the States will be largely guided by local custom and local opinion and I believe it will be extremely difficult for the West Bengal Legislature to pass a law which is so much against the opinion of that Province. It will therefore come to this that if we pass this law the result would be that in the case of a man having two classes of properties—a house or building and certain agricultural land—one set of law will apply to non-agricultural land and another set of law will apply to agricultural land. Whatever law you pass, it should be uniform and it would be far better to collect opinions from the Provincial Governments, and to ask for their consent to give jurisdiction to this House to pass a comprehensive legislation as we have done in some cases. If comprehensiveness and completeness is the objective, it is better that the Central Legislature should be armed with their consent and deal with it on an all-India basis, and it would also be a proper thing to ask the States to co-operate in this matter. These are some of the difficulties. As we are working against time, it is impossible, as the Honourable the Law Minister has pointed out, to deal with even some of the salient features of the Bill. It is also impossible to deal with some of the objections except from the border point of view. One thing that strikes me is that the opinions have not been very carefully studied. We have not got any analysis of these opinions collected point by point and supplied to the members to enable them to deal with them. It is very difficult for private Members to read the opinions at a high speed and to analyse them, store them in different compartments of their brains and use them in a classified form. On a matter of such great

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importance as this, it would have been extremely desirable for the Honourable Minister's Department to classify the opinions, as was done before in such cases, and circulate them to enable members to consider each point in the light of the objections or support in respect of each of them.

Shri L. Krishnaswami Bharati (Madras: General): It is there in the Report of the Law Committee, classified, analysed and all that.

Mr. Naziruddin Ahmad: I am grateful for the remark, but the opinions of which I am speaking have been received and circulated after the report. In fact the opinions which have been circulated by the Department were received only recently and they are on the Bill as it is. But the opinions collected in the Report of the Hindu Law Committee were collected before the drafting of the Bill, that is during the enquiry stage. The Honourable Member has missed the point that the opinions I am speaking of are not those published in the Report. They were separately printed and circulated. These are the opinions which I talk of. I think these should have been carefully analysed and printed along with the various points. Sir, I do not wish to labour the matter. Personally I am in favour of the Bill, but these are some of the objections which I have been asked to put forward by certain of my friends. That is the reason why I have put them before the House. There are a large number of other points, but they are of a minor nature. In view of the shortness of the time at our disposal I think I should cut short my speech. Then again legislation should rather follow public opinion. It should follow rather than create or over-ride public opinion, and I am giving a quotation from a famous authority, the father of modern politics, Edmond Burke. He said on a famous occasion:

"To follow, not to force the public inclinations, to give direction, a form and technical dress and a specific sanction to the general sense of the community is the true end of legislation."

But it has been pointed in the objections that there is no public opinion behind this Bill. It is pointed out in some of the objections that only some of the educated section and some of the ultra-modern section are behind it, but the masses, most of whom are ignorant, are indifferent to it and it has not been fully circulated in the way a subject of this importance should have been. In these circumstances I submit this for the consideration of the House that it would have been better if the House gave directions to the Select Committee in matters of a disputed nature, but in this case we are sending the Bill without any directions. I should seek a little clarification from the Honourable Minister for Law. With these few words, Sir, I hope the points raised in the objections would be carefully considered and due decisions would be reached.

With regard to the personnel of the Select Committee, nothing could be said. The ablest, the most authoritative, and most well-informed of the Members have been taken in it and I hope and believe that they will do full justice to the objections raised against the Bill.

Shrimati Hansa Mehta (Bombay: General): Mr. Speaker, Sir, I congratulate the Honourable Minister for bringing this Bill even at this late hour of the Session. I also congratulate, or rather I express my sense of 6 P.M. gratitude to Sir B. N. Rau and his colleagues for the great labour they have bestowed on the Report on which these recommendations are based. This Bill to codify the Hindu Law is a revolutionary Bill and though we are not quite satisfied with it it will be a great landmark in the social history of the Hindus. But since this Bill was drafted many things have happened and one of the biggest things that has happened is the achievement of our political freedom. Our new Constitution is in the making; we have already agreed upon

the fundamental principles on which this new Constitution is to be drafted. The new State is going to be a democratic State and democracy is based on the equality of individuals. It is from this point of view that we have now to approach the problems of inheritance and marriage etc. that are before us. The Select Committee will therefore have to see that the new Bill is drafted on these principles.

It is true that the Code has abolished the sex discrimination with regard to inheritance. A woman is recognised as an heir and she is also entitled to enjoy her property in her full rights; that is, the Code has abolished the limited estate of the woman. Even then we feel that it does not go far enough. A daughter who is recognised an heir inherits the property, but she inherits half the share of the son. This violates the principle of equality on which we have again and again said that our new Constitution is going to be based—a Constitution which aims to secure for the people of this country justice, social, political and economic. We therefore feel that the daughter should get an equal share in the property of her father with the son, and the son also should get an equal share in the property of his mother with the daughter. It is also argued that a daughter gets her share from her father as well as from her husband, while the man does not get anything from his wife. We have already proposed, that is the Women's Organisations have said, that the husband can also inherit the property of his wife in the same way that the wife inherits the property of her husband. In the Indian Succession Act the provision for the inheritance of husband is already there and I think we shall do well to copy that provision.

People have argued, and the Honourable friend who spoke before me has said that if a daughter is given her share, especially in a landed property, there will be fragmentation of land. But why is this argument trotted out in the case of a daughter's inheritance? The same thing applies if a man has more than one son; if he has, say, four or five sons the land has to be fragmented; why is the argument not trotted out then, and only trotted out when the question of daughters inheriting the property comes up? The better thing would be that there should be law against fragmentation and the property should be sold if it goes below the prescribed limit. Or there is another alternative and that is collectivisation of the land.

Then with regard to the question of marriage. I am gratified, and the women of India will be very happy to know, that the principle of monogamy is recognised, and if the Code comes into being then the principle of monogamy will be established. Sir, we have felt that all civilised nations, all civilised communities have adopted the principle of monogamy. Disrespect for women and all the atrocities that we hear of perpetrated on women are I think due to the fact that this principle of polygamy exists. If we had monogamy I do not think that women would have been abducted, married off or other things would have happened to them. This is a very wholesome principle and I hope the House will accept it.

But with regard to some of the conditions of marriage there are one or two points that I would like to suggest. With regard to the marriage of the *sapindas* and the definition of *sapinda*, that requires a little revision; we are not quite satisfied with the definition that is given in the Code. Then again, we would like the age of marriage also to be a condition of a valid marriage. We have got the Sarada Act but that is not satisfactory; that has not satisfied the people because it has not been able to prevent child marriages; it is not effective. For that reason we would like the law to be more drastic. If we want sixteen to be the age of marriage, then it is very necessary that it should be included as one of the conditions of valid marriage and I would like the Select Committee to make that change.

[Shrimati Hansa Mehta]

Then, with regard to divorce, even that, from the point of view, of some does not go far enough. There is, however, one thing that I would like to bring to the notice of the members of the Select Committee and that is, the time given for desertion. If a man or a woman deserts his or her spouse, it has been provided, he or she can divorce her or him after five years. Five years is the period given in the Code. Even in "Narad Smriti" it is given that a childless woman should wait for three years. After three years she can marry again. So why not also bring that particular provision here, that if a woman is childless, she need not wait till five years, but can divorce her husband after three years? If a woman has got children, then five years would be the right period, but for a childless woman three years would be a reasonable period.

With regard to guardianship, here also the Code has not made any changes in the present law. Father is the natural guardian of the children. The mother does not come in. We would like the mother also to be a co-guardian of the children with the father.

With regard to adoption, I think the whole chapter should be scrapped. We are a secular State. We want to be a secular State. Adoption in Hindu law is for religious purposes. Why should a secular State have anything to do with a religious custom? What we are concerned with is whether adoption which is for religious purposes should be recognised by the State for purposes of inheritance. We say that it should not. If a child is adopted—whether it is a boy or a girl—we would like a daughter also to be adopted—if a child is adopted not for religious purpose, but for real purpose, i.e. that the parents want a child, then that child should have the same rights as the natural child. But if there is adoption for religious purposes, only then I think that adoption should not be recognised for purposes of inheritance.

These are some of the important points that I would like the Select Committee to consider. Speeches have been made,—at least my Honourable friend Dr. Pattabhi has made a very long speech—praising all sorts of things about our past traditions. We have looked too much to the past. We must now look to the future. It is for the future generation that we are making this law. It is not for us, but for the future generation that is coming after us that this law will be applied. We have to look to the future conditions. After all, it is the conditions that determine the law. The law reflects the society. The law reflects the conditions in which the people live. We have to see that the future generation is not fettered by our own prejudices with regard to marriage or divorce or with regard to any other ideas that we may have today. I hope the Select Committee will consider that and produce a Bill which will be a great boon to the future Hindu society.

श्री राम सहाय : स्पीकर महोदय, विलके बारे में मुझ कुछ विशेष नहीं कहना है। आजकल की हिन्दू सोसाइटी के लिहाज से यह विल जिस तरीके से बनाया गया है, वह बहुत ही अच्छा है। लेकिन मुझे एक दो आपत्ति इसमें मालूम होती हैं और वह मैं सेलेक्ट कमेटी की रिविजन्स के लिये बयान करना जरूरी समझता हूँ।

वैरिज (marriage) के सम्बन्ध में पार्ट ४ सेक्शन ३ (६) [Part IV Section 3 (6)] में यह बताया गया है कि माइनर (minor) गर्लज़ (girls) के गार्जियन

(guardian) को रजामन्दी हासिल करना लाजमी रक्खा गया है । लेकिन जहाँ तक मैरिजके इनवैलिड (invalid) करार देने का सवाल है वहाँ सेक्शन ५ (Section 5) में यह बतला दिया गया है कि अगर ऐसी इजाजत हासिल न भी की गयी हो तो महज इसी वजह से मैरिज (marriage) नाजायज नहीं होजायेगी समझ में नहीं आता कि जहाँ पर जरूरी समझा गया कि गार्जियन की रजामन्दी जरूरी है फिर रजामन्दी हासिल न करने की बिना पर नाजायज क्यों न होना चाहिये । फ्रॉड एण्ड फोर्स Fraud and force से अगर गार्जियन की रजामन्दी हासिल की गई हो तो वह मैरिज इनवैलिड हो सकती है । लेकिन अगर बिलकुल ही इजाजत हासिल न की गयी हो तो मैरिज नाजायज क्यों न हौनी चाहिये । खिलाफ इसमें बतलाया गया है कि वह महज इस वजह से नाजायज करार नहीं दी जायगी । एक आपत्ति तो इसमें यह है जिसके मुतालिक सेलेक्टकमेटी (Select Committee) को गौर करना चाहिये ।

दूसरे मुझे उत्तराधिकार (Succession) के सम्बन्ध में यह निवेदन करना है, जैसा अभी श्रीमती हुंसा मेहता ने इस बारे में कहा है । लेकिन मैं उनके विचार के विपरीत यह ख्याल करता हूँ कि इस तरह से सक्सेशन (Succession) कायम करने से जो आधार भूत सिद्धान्त धर्मशास्त्र के हैं, वह एक तरह से खत्म होजाते हैं । मेरा इन बातों से यह भ्रम नहीं है कि स्त्रियों को कोई राईट्स (Rights) नहीं मिलने चाहिये । लेकिन मेरे ख्याल से इसमें उनको पुरुषों से भी ज्यादा राईट्स दे दिये गये हैं । इस तरीके से मैं अर्ज करूँ कि जहाँ एक पुत्री को अपनी पैतृक सम्पत्ति में और पति के कुटुम्ब की सम्पत्ति दोनों में हिस्सा मिलता है, वहाँ कोई भी विधान इस बिल में इस किसम का नहीं है कि किसी पुरुष को उसकी पैतृक सम्पत्ति के अलावा उसको अपने फादर-इन-लॉ father-in-law की सम्पत्ति में शेयर (share) मिलता हो । इस तरीके से आज तक जो भी इनजस्टिस (injustice) स्त्रियों के साथ की जाती रही है वह इस बिल में पुरुषों के साथ की जा रही है । इसके विपरीत यह बात कही जा सकती है कि जो उसकी पत्नी होगी उसको अपनी पैतृक सम्पत्ति से हिस्सा मिलेगा और इस तरीके से वह बराबर हो सकेगा । लेकिन जिन ख्यालात के तहत और बुनियादी हालात के तहत इस बिल को लाने की जरूरत महसूस हुई है, उन बातों पर विचार करने से इस तरह असल समस्या का हल नहीं निकलता । कारण कि जो सम्पत्ति किसी स्त्री को अपनी पैतृक सम्पत्ति में से मिलेगी, वह उसका स्त्री-धन होगा और उस पर उसके पति का कोई भी हक नहीं होगा । इस लिये उससे कोई विशेष लाभ उसको न होगा । इस तरीके से यह दूसरी बात में सेलेक्ट कमेटी की तबियत के लिये पेश करता हूँ और यह पर ध्यान देकर देखा जाना चाहिये ।

[श्री राम सहाय]

एक बात मुझे और अर्ज करनी है और वह यह है कि धर्म-शास्त्र के सिद्धान्त मौजूदा हालात के लिहाज से कितने ही खराब क्यों न हों लेकिन उनके आधारभूत सिद्धान्त जो हैं वह मैं समझता हूँ कि हमें मानना चाहिये और उन आधारभूत सिद्धान्तों को सामने रख कर ही सारी बातों का फैसला करना चाहिये और मौजूदा हालात को वजह से जितनी तरमीम जरूरी हों वह करनी चाहिये और महज किसी आवेश में या किसी पाश्चात्य सभ्यता की नकल करने के नाते पर हमें उसमें कोई तरमीम नहीं करनी चाहिये जिससे हमारे सामाजिक सोसाइटी का जो ढांचा हो उसमें बाधा उत्पन्न हो और उसमें किसी तरह की दिक्कतें पेश आयें जो मुनासिब न हों। इसलिये मैं यह निवेदन करूंगा कि जो सेलेक्ट कमेटी के सदस्य हैं वह इन बातों पर गौर करके उसको सुधार करने की कोशिश करेंगे।

(English translation of the above speech)

Shri Ram Sahai (Gwalior State): Mr. Speaker, Sir, I have nothing to say particularly in reference to the Bill. I appreciate the manner in which this Bill has been drafted after keeping in view the needs of the present-day Hindu Society. But I find in it one or two defects, and I think it necessary to explain them for the consideration of the Select Committee.

It has been laid down in Section 3(6) of Part IV of the Bill that in case of minor girls, the consent of her guardian must be obtained for her marriage. But so far as the question of declaring the marriage as invalid is concerned, it has been stated in Section 5 that it shall not be deemed to be invalid merely on the ground that such consent was not or had not been obtained. I fail to understand why it should not be deemed to be invalid when it has been expressly laid down that the consent of the guardian must be obtained. If the consent of the guardian had been obtained by means of fraud or force, that marriage can be deemed to be invalid, but if the consent had not been obtained at all, then why should not the marriage be deemed to be invalid? On the contrary it has been laid down that the marriage will not be deemed to be invalid merely for this reason. This is the one defect which should be considered by the Select Committee.

Another point which I have to mention is in regard to 'Succession' and which Mrs. Hansa Mehta has just referred to in her speech. But I do not see eye to eye with the views expressed by her and am of the opinion that the manner in which the order of succession has been prescribed ignores the fundamental tenets of *Dharam Shastras* (Hindu Code of Law). I do not mean that the women should not be given any rights. I am of the opinion that, they have been given more rights here than men. I may point out that while a daughter gets a share both in her patrimony and the property of her husband's family, there does not exist any such provision in this Bill which gives a man a share in the property of his father-in-law in addition to his patrimony. The men are, thus, being subjected to the same injustice which has upto now been done to the women. On the contrary, it can be argued that the share which his wife will get in her patrimony will make up the deficiency. But after considering objects underlying the Bill and the worldly conditions which have necessitated it, it is felt that the real problem remains unsolved. The reason for this is that the property which a woman acquires out of her patrimony shall be treated as her *Stridhana* and her husband will have no right to that, therefore, he will not derive any particular benefit from this. In this way, I submit this second point for consideration by the Select Committee which is very essential.

I have yet to say another thing. Whatever may be the differences between the tenets of *Dharamshastra* and the present day conditions, I feel that we must follow the fundamental principles propounded therein; and keeping these in view we should decide all the issues. We should make only those changes which are considered necessary in view of the present conditions and trend of the society. We should not resort to introduce any change merely under excitement or in imitation of the western civilisation which may obstruct the growth of our society and produce some sort of difficulties that may not be desirable.

Therefore, I would submit that those who are members of the Select Committee should consider these things and try to make necessary amendments.

Dr. B. V. Keskar (U.P.: General): Sir, I take this opportunity of congratulating the Honourable the Law Minister for bringing this Bill forward in spite of the inordinate delay that has taken place since this idea was first conceived. Sir there is no doubt that this is a very, very important Bill. As my Honourable friend, Dr. Pattabhi said, I do not think there has been any bill so radical and so revolutionary which is trying to change the very foundations of Hindu society, a society which has remained fossilized for the last thousand years. No doubt, and it is to that that I want to draw the attention of this House and the members of the Select Committee, the very fact that this society has remained fossilized for the last thousand years and has developed such inertia, such lethargy, in the body politic that all manner and all kinds of forces will come forward to impede the passing of this Bill and passing of any Bill to change the existing structure of Hindu society. It is to this inertia, this lethargy of Hindu society which has probably become its bane, that the members of the Select Committee and the Honourable the Law Minister will have to look to, because I have no doubt that until this Bill is passed, to the very last moment every sort of effort will be made to see that this Bill does not become a law. The changes that are suggested are such that there is a fundamental change in Hindu law. I know that orthodoxy will try in every way. My Honourable friend, Mr. Naziruddin Ahmad was good enough to voice the alarm of a certain section of the orthodox society about the revolutionary nature of this Bill. No doubt, some of the changes suggested appear revolutionary. But as Dr. Pattabhi rightly observed the changes are really not revolutionary. They are due to the fact that for the last so many centuries, Hindu society has not been allowed to evolve. So we have to try to change in a few days what would have been done in centuries. I would, therefore, ask the Members of the Select Committee not to fall a prey to the pressure of what is called the so-called orthodox opinion which is really the opinion of the inertia of so many centuries which does not want anything to change, but after thinking over it for years and years, which really considers that any change is an attack on Hindu religion. I would ask them to guard against these and go forward in spite of all this pressure.

There is no doubt that quite apart from the question of making any radical change in Hindu law, the necessity for consolidating the Hindu law was very urgent. Sir, the present day Hindu Law is a maze; it is a jungle like the *Tarai* or *Sunderbans* in which all sorts of practices and traditions come up; in which all that *puranic* books and prevailing customs in many parts of India, in many regions and provinces, in many castes, sub-castes, sub-sub-castes come into play, and which is naturally a paradise for lawyers. This to a certain extent might not have been undesirable, but it has grown to such an extent that the time has come when this maze of traditions and counter-traditions should be put an end to and we must rationalize and consolidate the law. This is quite apart from any question of changing the Hindu Law. So from both points of view, I would say that a bill of this kind is overdue.

[Dr. B. V. Keskar]

I rather would warn the members of the Select Committee to see that the Bill is not delayed too much. Already the first Committee was appointed in 1944. The idea and some of the proposals about the Bill have been circulating for the last so many years and even now we find before us proposals which will circulate it the more. Now I would like them to try to curb this period of discussion as little as possible and to bring this Bill before the House, the latest before the next session. Sir, I welcome this Bill.

Begum Aizaz Rasul (U. P.: Muslim): Sir, I do not desire to take up much time of the House, because I know that the time is very limited, but I think I would be failing in my duty if I do not stand up and welcome the measure that has just been brought before the House by the Honourable the Law Minister. Sir, it is in the fitness of things that with the achievement of freedom in this country and the establishment of a National Government, a measure of this kind should have been brought before this House. I only hope that the Select Committee will not delay giving its report and that this House will have an opportunity of passing this measure into law, and putting it on the statute book as early as possible.

There is no doubt, Sir, that the provisions of this Bill are extremely far-reaching and the provisions about marriage, divorce, inheritance and adoption that are being brought forward are extremely radical measures. It is an extremely important matter and the codification of Hindu law will certainly be looked upon as one of the most momentous pieces of legislation that has ever been brought forward in this House.

Sir, without going into the different clauses of this Bill, I welcome this measure. Sir, it is by the Status of the women of a country that the society of that country is judged and there is no doubt that the Hindu women were very backward in India. The Muslims have taken pride in the fact that the *Shariat* law gives them great rights. I agree with my Honourable friend, Dr. Pattabhi when he said that although the *Shariat* has given many rights, they are not followed in the letter and I do know that there are many parts in India today where in spite of the fact that Muslim women do enjoy all the rights given to them by *Shariat*, they are not being followed in the letter at all. In the Punjab the customary law still prevails and the daughters are absolutely disinherited from the property of their fathers. In the same way in the U.P. although in some parts of the Province *Shariat* has prevailed, Muslim women do not share in the property amongst the *talukdars* and therefore, I am glad that this piece of legislation that is being brought forward will put the Hindu women on a par with Muslim women as far as their rights are concerned. As I said, Sir, I hope that no section of society will oppose this measure. There is no doubt that this being such a fundamental measure and also connected in many ways with religion, there will be certain sections of society amongst the Hindus who will oppose it, but, Sir, it needs courageous minds to bring forward courageous measures and therefore, I hope that orthodox opinion in the country which looks with disfavour upon this legislation will not stand in the way of its being passed and I hope that this Bill that is going now to the Select Committee will come out even in a more improved form and that this measure will not be delayed. Society should not be static and as we go forward on the road to progress, it is necessary that women should come into their own and unless the women of India stand on their own feet economically, it is absolutely impossible for India to go forward on the road to progress. With these few words, I give my whole-hearted support to this measure.

Shri Bokini Kumar Chaudhuri (Assam: General): Sir, I think I must congratulate the Honourable Minister-in-charge of this Bill. He must have greatly liked this hour of the day when he has received so much attention from society.

sections of the House. But I think I should not be considered to be criticising in a wrong spirit when I say that the title of this Bill is a misnomer; it is not a Hindu Code but it should more appropriately have been called a Hindu Woman's Code. Sir, I do not understand why only three or four days after we passed the Resolution about having a secular Government and stopping of communal organisations we should have gone out of our way to legislate in such a hasty manner only for a particular community. After having decided to eschew all communal organisations I should like to know why we should not have been given time to think out and draw up a piece of legislation which would include all subjects of the State, Hindu, Muslim, Christian, etc. If the Honourable Minister is not led away by fair influences in this House I think it is not yet too late to withdraw this Bill, and if he withdraws it with a promise to bring in a more comprehensive Bill at a later date, his action in so withdrawing would have greater merit than the withdrawal which he made a few minutes ago. I know that some women of our country are very anxious to snatch away a portion of inheritance from their brothers; I know some influential women of this country are anxious to put an end to marriages to which they were unwillingly led and which they have found unbearable. It is also perhaps a fact that some educated and progressive ladies of our country who cannot think of polygamy of any kind are now anxious to have legislation for the removal of these things. By enacting this Hindu Code you are revolutionising the whole structure of Hindu life and law and custom. But for whom are you doing it and who is going to be benefited by it? The large mass of people who depend on agriculture and agricultural property are outside the pale of this legislation. Are the poorer Hindus in our villages clamouring for divorce? Are they clamouring for properties to be got from their parents? Not at all. You want this legislation for what you call the enlightened section of our people, men and women. It is for the rich man who gave his daughter in marriage to a poor man who hoped to give his wife some position but has not been able to give it and his daughter has become unhappy; and so he wants to get rid of this marriage. This legislation is going to help that kind of individual.

Then, Sir, with reference to custom and usage, custom plays a very important part in Hindu law as administered in my province. I want to lay particular stress on our province because there is no one who represents us in the Select Committee. As all lawyers would know, the customs which have taken the place of Hindu law in Assam are very peculiar. I can cite the Privy Council case of "*Maniram Kalita*" *versus* "*Keri Kalitani*" which has practically revolutionised Hindu law as administered among the Hindus.

Then there is the question of tribal people. According to this [Bill] they would be considered Hindus and they are really Hindus if they have not adopted Islam or Christianity or Buddhism, etc. Are you going to thrust on them this piece of legislation? If you ask them to have this system of inheritance they will simply revolt against you. There are different kinds of custom in Assam. Amongst the *Khasia* people of Assam the youngest daughter inherits the property. Now you are giving it to the widow, the son's widow, the widowed daughter, the son's daughter-in-law and so forth. Will they tolerate it for a moment if you introduce this legislation among them? You have introduced sacramental marriage and civil marriage. Shall I tell you how the *Cacharis* get married? Some boys and girls come to know each other and the girl is forcibly taken away from the parents after which the ceremony of marriage takes place. Will you ask them to go to the Registrar's Office and get married there?

Then we are very much against dowry. These rich people who can afford to give dowry get their daughters married very quickly, even though they may

{Shri Rohini Kumar Chaudhūri}

be blind or ugly. If I had no money I would mortgage my house and everything that I possess in order to give a dowry and thus get rid of my daughter. But what will happen now? The daughter will inherit part of the property. So when I seek brides for my sons—fortunately I have five sons—I shall look forward to that family where the daughters will inherit something and not go to an ordinary person who will have to borrow or mortgage his property. Are you going to legislate for poor people in this way? Among the poor there is only agricultural property. If you include the tea gardens that is different, but there is no agricultural property among them. And there is no question of big inheritance and therefore the poor man's daughter, however beautiful and accomplished she may be, has no chance. I think this measure requires very serious consideration, so far as customs and usage and other points are concerned, and it is not proper to pass this legislation in such hurry. I should have said something more also, Sir, but in this House there are persons who are still unmarried; so it would not be fair on my part to disclose all my objections to this Bill.

The Honourable Dr. B. R. Ambedkar: Mr. Speaker, my task is considerably lightened by the fact that the Bill has received such an ample measure of support from this House. I shall, therefore, confine myself to replying to some of the points which have been made by the speakers who have participated in this debate.

I would begin with the observations made by my Honourable friend, Mr. Naziruddin Ahmad. Sir, I thought that the Legislature was not a court and that a Member of this House who is a lawyer certainly does not come here either to practise or to plead. But somehow my friend, either for fee, or out of pure generosity, undertook the task of representing the views of some of his clients who probably had not the courage to say what they had in their mind. I shall, however, not raise any technical objections, but deal with the points that he has made.

Sir, his complaint was that the Bill had not sufficient publicity and that the public was not given as ample an opportunity as the importance of the measure required. I should have thought that the clients of my Honourable friend had rather misinformed him on this point. This Bill had its origin in a legislation which took effect in the year 1937. Ever since that year the provisions of this Bill have been bandied from one side to the other, from committee to committee. For instance, in the year 1941, the Home Department appointed a Committee to consider some of the difficulties that arose out of the Women's Rights to Property Act of 1937, to report upon the difficulties and to suggest remedies. This Committee which is known as the Rau Committee made its report on the 19th June 1941. My Honourable friend, if he had referred to this report, would have seen the immense amount of publicity that that Committee gave to its proposals, the number of questionnaires that it issued, the statements that it received, the witnesses that it examined and the peregrinations it undertook from province to province in order to ascertain local public opinion. Again in 1942 this very Committee submitted two draft Bills, one on succession and the other on marriage. The Hindu Succession Bill was introduced in the Assembly in 1943. That was referred to a joint Committee of both Houses. That joint committee again invited public opinion and a volume of them were collected and circulated to the then legislature in existence. Having regard to all these, I am sure that the statement made by my Honourable friend that the Government had not given sufficient publicity cannot be accepted as truth.

He also referred to the report, the Minority Report, of Justice Mitter, where also he has analysed the *pros and cons* of the various points contained in this Bill. Sir, I do not like to say anything derogatory of a member of a Committee, who has done such useful work, but I cannot help saying that this

member really ran away from his own opinion. If my Honourable friend, Mr. Naziruddin Ahmad were to read the report of the majority he will find that all the propositions contained in that Bill which give rights to women were really based upon a publication of this member of the Committee in the year 1930. In that book he had propounded the view that the case law which had limited the rights of the women had no foundation. Ultimately for reasons best known to him he did not subscribe to his very opinion which he had expressed in that book. I, therefore, submit that there is no point in this argument.

My Honourable friend also referred to the fact that this Bill is after all confined to property other than agricultural land. The conclusion he drew from that fact was that this codification was only a partial codification, because a large part of the property which is the subject matter of inheritance is left untouched by the provisions of this Bill. Sir, there are two explanations for the non-inclusion of non-agricultural property. My Honourable friend, if he refers to the Schedules to the Government of India Act, where the subject matter of legislation for Centre and the Provinces have been set out, will find that land is put in the "Provincial List". As a result of the judicial interpretation given by the Federal Court it was held that the word "land" or item "land", which is included in the "Provincial List" not merely covered tenancy land, but also covered succession to land and consequently any provision with regard to the succession to land made by the Central Legislature would be *ultra vires*. In order that this may not happen the Committee very deliberately exempted agricultural land from the provisions of this Bill. But what I would like to say is something different. I should have thought that the omission of land from this Bill far from being a flaw or a fault in the Bill was probably an advantage, because I believe there is no necessity that a uniform law of inheritance should apply to all sorts of property. Property varies in its nature, varies in its importance in the social life of the community and consequently it may be a matter of no mean advantage for society to have one set of law of inheritance for agricultural property and another set of law for non-agricultural property. It may be that on a better consideration of the situation, Indian or Hindu society may come to the conclusion that land which is the foundation of its economic life had better be governed by the law of primogeniture so that neither the junior sons nor females may take part in the inheritance. As I said, the question having been left open it is to the advantage of the society that it may consider the matter *de novo* and afresh. I do not, therefore, regard that the comment made by my Honourable friend on the part of this Bill is really a matter to be apologised for.

Coming to my friend, Mr. Chaudhuri, he considers, this piece of legislation as a communal legislation. I agree that inasmuch as it refers to Hindu society, which is one of the many communities inhabiting this country, it might well in a logical sense be called a communal piece of legislation. But what is the alternative? If my Honourable friend's alternative was that there ought not to be communal laws of inheritance and communal laws of marriage, but there ought to be a common civil code, applying to all sections, all communities, all persons: in fact applying to citizens without discrimination as to religion, creed or caste, I am certainly one with him. Certainly, that is not his conclusion. His conclusion is, if I understand him, that this legislation by reason of the fact that the other day a view was expressed that the future society here stated would be secular, had no right to legislate for a secular community: that would be a most disastrous conclusion. This country is inhabited by very many communities. Each one has its special laws, and merely because the State desired to assume a secular character it should withdraw itself from

[Dr. B. R. Ambedkar]

regulating the lives of the various communities, undoubtedly would result in nothing but chaos and anarchy. I certainly myself am not prepared to subscribe to that sort of a proposition.

His second comment was that the Bill had not taken into consideration the customary law. He cited some ruling of the Privy Council. I should have thought that at this hour of the day it was unnecessary to cite the authority of the Privy Council because it has been well established by a long course of decisions, that so far as the Hindus are concerned custom would override the text of the "Smriti". We all know this. But what are we doing? What are we doing is this. We are shutting down the growth of new customs. We are not destroying existing customs. The existing customs we are recognising because the rules of law which are prevalent in Hindu society are the result of customs. They are born out of custom and we feel that they have now grown so sturdy that we can indeed give them flesh and life in the body politic by our legislation.

He also said that we had not taken into consideration the question of the tribal people, whose life is undoubtedly governed in a large measure by customary law. If my friend had read the definition in this code as to who is a Hindu and who is not and to whom this Code applied, he would have seen that there is a clause which merely said that persons who are not Muslims, Parsis, or Christians, shall be presumed to be Hindus: not that they are Hindus. The result is that if a tribal individual chooses to say that he is not a Hindu it would be perfectly open to him, under this Code to give evidence in support of his contention that he is not a Hindu, and if that conclusion is accepted by the Court he certainly would not be obliged by anything contained in this Bill.

Shri Rohini Kumar Chaudhuri: My point is that he did not like to be called a Hindu and still wanted to retain all the customs of the Hindu!

The Honourable Dr. B. R. Ambedkar: The position taken is this: that once a person chooses to call himself a Hindu, he must accept the generality of law which is prescribed for the Hindu. We do not want this anarchy. A Hindu is a Hindu for all purposes. If a tribal person does not want to be a Hindu the way is open to him to prove that he is not and the Bill will not apply to him.

Then my friend, Dr. Sitaramayya asked me to tell him whether the rule of law contained in this Bill, whereby the women will acquire absolute estate in the property which they inherit, will apply to widows who have already taken the estate before the passing of the Act. I am afraid I must say that the Bill has no retrospective effect.

Nor would it be possible to give retrospective effect to the principles of the absolute property of women, for the simple reason that long before this Bill will come into existence, vested rights would have been created in that estate, and it would not be right and proper to divest them however much our sympathy may be with the widow.

Mrs. Hansa Mehta raised several questions indicating that the women, and particularly herself, were not satisfied with some of the provisions contained in the Bill relating to the rights of women. It may be that in an ideal sense the Bill does not come up to expectations. But I would like to tell her that she must remember that this society is an inert society. The Hindu Society has always believed that law-making is the function either of God or the "Smriti" and that Hindu Society has no right to change the law. That being so, the law in Hindu Society has remained what it was for generations to come. Society has never accepted its own power and its own responsibility in moulding its social, economic and legal life. It is for the first time that we are persuading Hindu

Society to take this big step, and I have not the slightest doubt in my mind that a society which has bucked up courage enough to tolerate the large step that we are asking it to take by reason of this Bill, will not hesitate to march on the path that remains to be trodden and reach the goal that she has in mind.

Sir, much has been made of the fact that there is a great deal of public opinion which is opposed to this Bill. I have certainly not weighed the opinions that we have received, but I do like to say this, that this is hardly a question which we can decide by counting heads. This is not a question which we can decide in accordance with the opinion of the majority. When society is in a transitory stage, leaving the past, going to the future, there are bound to be opposing considerations: one pulling towards the past and one pulling towards the future, and the test that we can apply is no other than the test of one's conscience. I have not the slightest doubt in my mind that the provisions of this Bill are in perfect consonance with the conscience of the community, and I have therefore no hesitation in putting forth this measure although it may be as a matter of fact, that a large majority of our countrymen do not accept it.

Mr. Speaker: The question is:

"That the Bill to amend and codify certain branches of the Hindu Law, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shri M. Ananthasayanam Ayyangar, Shrimati G. Durgabai, Shri L. Krishnaswami Bharathi, Shri U. Srinivasa Mallayya, Shri Mihir Lal Chattopadhyay, Dr. P. S. Deshmukh, Shrimati Renuka Ray, Dr. P. K. Sen, Babu Ramnarayan Singh, Shri Kishorimohan Tripathi, Shrimati Annu Swaminadhan, Pandit Balkrishna Sharma, Shri Khurshed Lal, Shri Brajeshwar Prasad, Shri B. Shiva Rao, Shri Baldeo Swarup, Shri V. C. Kesava Rao and the Mover, with instructions to report not later than the last day of the first week of the next session of the Assembly and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

Mr. Speaker: This brings to a close our long session which commenced on 7 P. M. the 28th of January and I heartily thank all the Members for the sincere co-operation, which I have always had from them.

The Assembly then adjourned sine die.

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 Motor Vehicles (Amendment) Bill—
 Motion for leave to introduce. 1288.
 Protective Duties Continuation Bill. 2584-89, 2594, 2605-09.
 Provincial Insolvency (Amendment) Bill—
 Motion to consider as reported by Select Committee. 3006, 3102-03.