

Wednesday,
25th February, 1948

THE
CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES

Official Report

VOLUME II, 1948
(17th February to 4th March, 1948)

SECOND SESSION

of the

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
1948



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CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Wednesday, the 25th February 1948

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

STARRED QUESTIONS AND ANSWERS

ORAL ANSWERS

COMMITTEE FOR STUDY OF CONSTITUTION FRAMED FOR PORTUGUESE INDIA

455. *Mr. R. K. Sidhva: (a) Will the Honourable the Prime Minister be pleased to state whether Government are aware that the Governor-General-in-Council of Portuguese India has appointed a Committee of 23 persons to study and give their opinion on the Constitution framed by the Portuguese, Government for Portuguese India?

(b) Is it a fact that the Portuguese Peoples Association in Goa has refused to be a party to this Constitution?

(c) Is it a fact that the Satyagraha is continuing in some parts of Portuguese India by their nationals?

(d) Do Government intend to take up these matters with the Portuguese Government?

The Honourable Pandit Jawaharlal Nehru: (a) The Government of India understand that out of 62 persons invited by the Governor-General of Portuguese India, a Committee of 21 persons was appointed to express their opinion on the new "Statute" on the 17th and 18th January which dispersed without reaching any conclusion. Subsequently the full assembly of 62 persons was invited by the Governor-General on the 26th January. They also dispersed without reaching any conclusion.

(b) The Government of India are awaiting a report which they have called for from their Consular Representative.

(c) No exact information is available about the extent of the Satyagraha movement in Portuguese India, but political arrests are taking place from time to time.

(d) No. I may, however, draw the attention of the Honourable Member to my answer on 11th February 1948, to Starred Question No. 246 by Honourable Member, Shri V. C. Keshav Rao.

Shri H. V. Kamath: Now that the British imperialists have quitted India, will Government consider the desirability and the advisability of taking steps on a high diplomatic, interstate or international level in order to liquidate the other blustering little jingoes, namely the Portuguese and French chauvinist panjandrums from the soil of India?

The Honourable Pandit Jawaharlal Nehru: In the last part of my answer to this question I referred to a previous answer in which I dealt with this matter. We are very much interested in this question, but it involves all manner of international contacts and for the moment we are not in direct diplomatic relations with the Portuguese Government. It is possible that we may have such direct relations. Meanwhile we can only deal with them through other Ambassadors and this delays matters. We are pursuing the matter.

Seth Govinddas: Are any negotiations going on with the Portuguese Government for our diplomatic relations with them in the near future?

The Honourable Pandit Jawaharlal Nehru: Yes, something has been done. A suggestion was made on the part of the Portuguese Government whether we would be agreeable to have such representation and we agreed to it.

Shri H. V. Kamath: Does the Honourable Prime Minister's answer to my question apply to the French Government as well?

The Honourable Pandit Jawaharlal Nehru: So far as the French Government is concerned, the French Government is represented here and we are represented in France and we have considered this matter and discussed it in some detail with them and I hope that before very long some further steps may be taken.

Mr. R. K. Sidhya: Is it a fact that the Portuguese Governor-General in India has informed his Government in Portugal that in view of the present condition in which the reports are not coming from the people, the *status quo* should prevail?

The Honourable Pandit Jawaharlal Nehru: I am afraid I do not know about the communications between the Portuguese Governor-General and his Government.

Prof. N. G. Ranga: Have Government tried to ascertain whether there is any truth in the news that there were certain negotiations going on between Hyderabad and the Portuguese Government for the acquisition of Marmagao by the Nizam?

The Honourable Pandit Jawaharlal Nehru: This is a difficult question for me to answer about secret negotiations between other Governments. There are all manner of rumours to that effect, but I can assure the House whatever the rumours that actual thing cannot happen.

Shri R. R. Diwakar: May I know who is our Consul at Goa today?

The Honourable Pandit Jawaharlal Nehru: At the present moment there is no regular Consul there because our Consul at Goa has some little time back assumed charge of the Consul-Generalship at Pondicherry. Goa for this purpose is under Pondicherry.

Prof. N. G. Ranga: How can it be?

The Honourable Pandit Jawaharlal Nehru: Quite so. Our Consul-General at Pondicherry is also in charge of Goa, but in addition to that there is a Vice-Consul at Goa. Now since our Consul at Goa was promoted to Pondicherry, there is no other like appointment at Goa. We did appoint a certain gentleman, but the Portuguese Government did not approve of him on the ground, as they stated, that he was a Portuguese subject. Since then no other appointment has been made.

Shri R. R. Diwakar: Is there any idea of appointing another Consul?

The Honourable Pandit Jawaharlal Nehru: Oh yes. There is always a Vice-Consul there. He is in a sense under the Consul-General at Pondicherry but he functions from Goa and deals directly with us.

Seth Govinddas: Is our Consul-General in Pondicherry an Indian or a foreigner because I think that Consul-General was appointed by the foreign government.

The Honourable Pandit Jawaharlal Nehru: Yes, Sir. The previous Consul-General was an Englishman, but now since his departure our Consul at Goa has been promoted to Consul-Generalship of Pondicherry. He is not a foreigner.

Shri H. V. Kamath: Has not the Portuguese Government so far asked for exchange of Ambassadors with our Government?

The Honourable Pandit Jawaharlal Nehru: I have just answered that question. There has been no formal request but we have been approached indirectly whether we would be prepared to exchange diplomatic representatives, and we said we would be so prepared.

QUARANTINE REGULATIONS FOR INDIAN PASSENGERS AT MANDAPAM BY CEYLON GOVERNMENT

456. *Mr. R. K. Sidhva: Will the Honourable the Prime Minister please state:

(a) whether it is a fact that there are quarantine regulations by the Ceylon Government for Indian passengers at Mandapam;

(b) whether it is a fact that there are special rules for III class passengers;

(c) whether Government are aware that III class passengers who carry with them the vaccination certificates of Health Officers and also comply with all the quarantine requirements are detained by Ceylon authorities at Mandapam whereas upper class passengers are allowed to proceed;

(d) if so, the reasons therefor;

(e) whether it is a fact that quarantine rules are applicable to all passengers irrespective of the class they travel;

(f) whether it is a fact that Mandapam Quarantine is located on Indian soil; and

(g) if the reply to part (f) be in the affirmative in what year, under what conditions and at what price this land was granted to the Ceylon Government?

The Honourable Pandit Jawaharlal Nehru: (a) Yes,

(b) No, Sir.

(c) and (d). Yes, Sir. That is the practice followed by the Medical Officer of the Ceylon Government whose view apparently is that I and II class passengers ordinarily live a more hygienic life and incur comparatively less risk of infection during the railway journey.

(e) The Ceylon quarantine regulations are applicable alike to all passengers irrespective of the class in which they travel, but the issue of a health certificate is at the discretion of the Quarantine Medical Officer, and in the exercise of such discretion the Medical Officer insists on the detention of III class passengers.

(f) Yes, Sir.

(g) The land was acquired by the Government of Madras and transferred without any condition to the Government of Ceylon at various times during the years 1918 and 1928 on payment by that Government of Rs. 7,894-12-11 as market value of the land and the capitalised value of land revenue.

Mr. R. K. Sidhva: Have the Government of India negotiated with the Government of Ceylon regarding discrimination about III class passengers at any time, and if so, with what result?

The Honourable Pandit Jawaharlal Nehru: Our Agent there is in constant touch with the Government of Ceylon and some time last year I think, one of our principal officers of the Commonwealth Relations Department went specially there to meet the quarantine officers and others, and discussed the situation, so that we are having continuous discussions. It is not so much a question of discrimination. The way they put it is this: He has a right to inspect anybody. But normally speaking the Ceylon authorities said the III class passengers are more unhygienic. Therefore, he pays more attention to them.

Mr. R. K. Sidhva: Is it not a fact that our ex-Agent Mr. Aney reported to the Government of India that this distinction requires to be considered and that the matter has been referred to the Government of India?

The Honourable Pandit Jawaharlal Nehru: Because of that we sent a special officer to this place and we had a long report from him and we communicated it to the Ceylon Government. Now the question is whether the thing is being done by the Ceylon Government. We can of course, if we so choose, insist that the Ceylon Government should remove that officer and put him somewhere else, may be in Ceylon territory. Then we will have no control over him at all. We prefer to leave him where he is because if on Indian soil we can check any abuse.

Mr. R. K. Sidhva: Is it not a fact that III class passengers also produce the same type of health certificate as upper class passengers and still they are detained?

The Honourable Pandit Jawaharlal Nehru: Sorry, I do not know.

Shri K. Santhanam: May I know if owing to the stoppage of emigration of unskilled labour the whole arrangement has not become meaningless nowadays?

The Honourable Pandit Jawaharlal Nehru: It is not so important as it was, but there is plenty of traffic.

Prof. N. G. Ranga: Has the question been examined whether it would be in the interests of our own working classes, whether skilled or unskilled, who go to Ceylon, to be examined for hygienic reasons on the Indian soil or on the Ceylonese soil?

The Honourable Pandit Jawaharlal Nehru: The Ceylon Government wants to examine them. We can insist on the Ceylon Government doing so on its own soil, not on our soil, but that would not result in any advantage to our people. Probably they will be subjected to still more stringent examination on their soil.

ISSUE OF IMPORT AND EXPORT LICENCES FOR CLOTH TO REFUGEE MERCHANTS

457. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Commerce be pleased to state whether a letter regarding allotment of special quotas for export of cloth to Sind merchants who suffered losses in foreign countries during the war addressed by the Federation of Indian Chambers of Commerce and Industries to the Secretary to the Government of India, Ministry of Relief and Rehabilitation has been passed on to the Ministry of Commerce?

(b) Are Government aware that these merchants have suffered further in the recent disturbances in Sind?

(c) Have they asked for a special quota for export of cloth to foreign countries and if so, what steps do Government propose to take in this matter?

(d) Do Government propose to consider the question of granting import and export licences more liberally to refugees from Sind and Punjab?

The Honourable Mr. C. H. Bhabha: (a) No, Sir. The Ministry of Commerce, however, received a letter No. 2451/739, dated the 16th December, 1947, on the subject, direct from the Federation.

(b) Yes.

(c) Yes. The letter asks for special export quotas to the merchants in question. As however, many of these merchants are already receiving quotas out of the 25 per cent. of destination quotas for the export of cotton piecegoods reserved for newcomers and others who have not received any quotas in the past are also eligible to apply for similar allotments, Government do not propose to take any special steps in the matter.

(d) Refugees from Pakistan who used to receive export quotas while in Pakistan continue to get these quotas in India. The claims of refugees who were doing import trade in Pakistan will also be duly considered provided they produce satisfactory evidence regarding the extent of their previous business. Those refugees, who were not receiving import or export quotas in the past can also apply for such quotas as newcomers and their cases will be considered sympathetically on merits.

Mr. E. K. Sidhva: The Honourable Minister has stated that sufficient quotas have been given to them. May I ask how much quota has been granted to them?

The Honourable Mr. C. H. Bhabha: There is not a particular quantity that is fixed for it. But quite a large portion of the quota that has been reserved for newcomers has been allotted to several of these merchants.

REHABILITATION OF REFUGEES FROM SIND

458. *Mr. E. K. Sidhva: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state the total number of refugees from Sind who came to India, how many of them are located in refugee camps and in which refugee camps they are so located?

(b) What arrangements have been made for their rehabilitation?

(c) How many of them have been employed in services and how many are engaged in trade?

(d) Have they taken any monetary help from Government under the Rehabilitation Scheme?

The Honourable Shri K. C. Neogy: (a) No tally has been kept of refugees who have come to the territories of the Indian Union from Sind. A rough estimate indicates that the number who have come to India upto date may be 5½ lakhs. A statement showing the number of refugees from Sind in the various camps run by the Central Government is laid on the table.

(b) No separate arrangements for rehabilitation of Sind refugees have been made. The general schemes of rehabilitation applicable to other refugees from Western Pakistan will be applicable to them also.

(c) Upto 31st January 1948, the Transfer Bureau has obtained employment for 372 Sind refugees. The number of refugees from West Pakistan who have found employment through the Employment Exchange upto 15th January, 1948, is 11,769. The Employment Exchanges have not maintained separate statistics for refugees from Sind. The number of Sind refugees who have found employment otherwise than through the Transfer Bureau or the Employment Exchanges is not known.

(d) The schemes for monetary help to refugees have started functioning only recently. The information asked for is, therefore, not available. No monetary help under these schemes has so far been taken by any Sindhi refugee in Delhi or in Ajmer-Merwara.

Statement

Name of Camp	Population
Chembur	8,900
Pawai	2,700
Ahmadabad	3,000
Kaira	1,500
Virau	350
Borivili	600
Deolali	2,000
Pimpri	3,310
Visapur	8,394
Dhond	6,719
Marwara Jn.	3,600
Pali	1,400

Name of Camp	Population
Luni	500
Durgapura	8,736
Kolyat	3,000
Rajkot	700
Navlakhi	1,525
Mandvi	67
Okha	353
Deoli	3,000
	62,654
Camps in Delhi :	
Kalkjee Temple Camp	34
Purana Killa	222
Anand Purbat	56
Bela Road	12
Wavel Canteen	9
Highway Camp	696
	1,088
Grand Total :	63,742

Mr. R. K. Sidhva: Is there any camp for Sind refugees in provinces run by Provincial Governments?

The Honourable Shri K. C. Neogy: As far as I am aware there is no special camp reserved for refugees from Sind in any provincial area, which is run by the Provincial Administrations, except perhaps in the case of Ajmer-Merwara.

Mr. R. K. Sidhva: Is it a fact that the Government of India have decided that the Kalyan military camp in Bombay should be reserved for Sind refugees? If so, what is the position today?

The Honourable Shri K. C. Neogy: I should like to have notice of that specific question.

Shri H. V. Kamath: Do the refugees from the urban areas of Sind preponderate over those from the rural areas, or is it *vice-versa*?

The Honourable Shri K. C. Neogy: They are of both categories, but perhaps the urban refugees predominate.

Shri H. V. Kamath: Do the refugees come mostly from Karachi or from the other towns in Sind too?

The Honourable Shri K. C. Neogy: They are coming from all over.

Shri Mihir Lal Chattopadhyay: Are the refugees coming voluntarily or are they being forced by the Government there?

The Honourable Shri K. C. Neogy: It seems to me that they are all coming away voluntarily and they are anxious to come away.

Dr. P. S. Deshmukh: Is there any specific arrangement for the dispersal of the refugees coming from out of Sind? Are they allocated to certain provinces, or are they free to go anywhere they choose?

The Honourable Shri K. C. Neogy: They are allocated to certain camps after they arrive at the reception centres.

Shri Deshbandhu Gupta: What is the number of Sindhi refugees in Delhi?

The Honourable Shri K. C. Neogy: I have no idea about it.

Dr. P. S. Deshmukh: How many of them are there in Bombay?

The Honourable Shri K. C. Neogy: I cannot say that offhand.

Shri Deshbandhu Gupta: In view of the fact that Delhi is already dominated by refugees from West Punjab will the Government consider the desirability of asking the Bombay Government or other Provincial Governments to make special arrangements for refugees...

Mr. Speaker: This question is specifically with reference to Sind refugees.

Shri Deshbandhu Gupta: Sir, I was asking whether in view of the fact that Delhi is already full with refugees from West Punjab the Government will consider the desirability of asking Bombay and other Provinces to make special arrangements for Sindhi refugees.

The Honourable Shri K. C. Neogy: As a matter of fact, the Central Government themselves are going to set up, and have set up, several camps in Bombay Presidency for the benefit of Sind refugees.

Shri Mohan Lal Saksena: Is it a fact that the Sind refugees have started coming after the treatment they recently got at Karachi?

The Honourable Shri K. C. Neogy: That is so.

Prof. N. G. Ranga: Are Government registering these refugees from Sind?

The Honourable Shri K. C. Neogy: Yes.

Dr. P. S. Deshmukh: Have Government any estimate of the non-Muslim population which is still there in the city of Karachi?

The Honourable Shri K. C. Neogy: I am afraid such a question is difficult to answer on the spur of the moment. It fluctuates from day to day.

Dr. P. S. Deshmukh: Can he not say even approximately what percentage is still there?

The Honourable Shri K. C. Neogy: As a matter of fact, Karachi is getting quite a large number of people coming from other parts of Sind everyday. It is therefore very difficult to give any such percentage on any day.

Seth Govinddas: What is happening to the property of the refugees who are coming from Sind, either from Karachi or from the other places of Sind?

The Honourable Shri K. C. Neogy: So far as their property is concerned, I noticed in the press the proceedings of the Sind Legislative Assembly where the Government are proceeding with a measure relating to the disposal of the property left by the evacuees.

Dr. P. S. Deshmukh: What is our Ambassador in Pakistan doing?

Mr. Speaker: I think these questions are being discussed every now and then.

Shri Mohan Lal Saksena: Have the provisions of the particular measure referred to by the Honourable Minister been brought to the notice of the High Commissioner or the Honourable Minister in charge?

The Honourable Shri K. C. Neogy: They are definitely within the knowledge of the High Commissioner. This is under discussion in the Sind Assembly at the present moment.

Mr. R. K. Sidhva: It was stated that special trains will be arranged to evacuate the Sindhis. May I know whether the special trains have since been arranged?

The Honourable Shri K. C. Neogy: Special trains are running almost regularly, but then the tempo of evacuation slowed down for a few days very recently.

UNEMPLOYED REFUGEES REGISTERED IN EMPLOYMENT BUREAU

459. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state how many refugees who have registered their names for service in the employment Bureau, are still without service?

(d) What is the result of the request of the Government of India to Provincial Governments to absorb these refugees in services in their provinces?

The Honourable Shri K. C. Neogy: (a) The number of refugee applicants for employment on the Live Register of the Employment Exchanges on 15th January, 1948 was 51,979.

(b) All the Provincial Governments have generally agreed to waive their domicile restrictions in the case of experienced Hindu and Sikh refugees formerly serving in Pakistan. A number of refugees have actually been absorbed by certain Provincial Governments. A statement of figures so far available is laid on the table of the House.

Number of Refugees employed by Provincial Government

Madras Province	8	
Delhi Province	2,149	
Central Provinces	310	
West Bengal	2	
United Provinces	214	
Ajmer-Merwara	75	
East Punjab	13,590	(From West Punjab including persons in Government Service on the 14th August, 1947 who opted for Service in East Punjab plus 123 persons from provinces other than West Punjab).

Mr. R. K. Sidhva: May I have some idea from that statement as to how many approximately have been absorbed by Provincial Governments.

The Honourable Shri K. C. Neogy: It is very nearly 16,000. The statement gives figures Province by Province.

Mr. R. K. Sidhva: Which is the Province in which the largest number have been observed?

The Honourable Shri K. C. Neogy: Naturally, East Punjab.

WITHDRAWAL OF PAKISTAN ARMED POLICE FROM CHARSANDASPURA WEST BENGAL

460. *Shri Basanta Kumar Das: Will the Honourable the Prime Minister be pleased to state:

(a) whether the armed police force from the Eastern Pakistan which occupied a portion of Charsandaspur in the Murshidabad district of West Bengal has been withdrawn therefrom;

(b) whether Charsandaspur is now wholly under the administration of the Government of West Bengal;

(c) whether the dispute over the ownership and possession of this territory of Charsandaspur is still pending;

(d) if the dispute referred to above has not been finally settled, whether the Government of Eastern Pakistan have agreed to a settlement by a joint survey by the two Provincial Governments concerned of the two Dominion Governments; and

(e) if the answer to part (d) above be in the negative, how the dispute is proposed to be finally settled?

The Honourable Pandit Jawaharlal Nehru: (a) Yes, but armed parties of Eastern Pakistan Government (employed on anti-smuggling work) are still maintained.

(b) No. It is wholly under East Bengal Administration.

(c) Yes.

(d) and (e). It has been agreed to by the Governments of West Bengal and East Bengal that a joint survey will be made by the Directors of Land Records and Surveys of the two Provinces and the results of the survey reported to Government. A final decision will be taken by the two Dominion Governments.

Pandit Lakshmi Kanta Maitra: Have Government fixed any time limit for any report to be made by the Government of West Bengal in this respect?

The Honourable Pandit Jawaharlal Nehru: Not that I am aware of. I cannot answer that question straight away.

Pandit Lakshmi Kanta Maitra: I wanted to know whether or not this joint survey is being made at the instance of the Central Government. If so, whether they have sent any directive as to the time by which this report has to be submitted to the Government of India.

The Honourable Pandit Jawaharlal Nehru: The survey is being made at the instance of the Central Government because it is a Dominion matter, but through the agency of the West Bengal Government.

Pandit Lakshmi Kanta Maitra: May I also know from the Honourable Prime Minister if the actual map on which the boundary was demarcated by Sir Cyril Radcliffe has been published so far. There has been a good deal of confusion created by reason of the non-publication of the map itself.

The Honourable Pandit Jawaharlal Nehru: I believe it has been published repeatedly. Whether it has been formally published or not, I am not quite clear in my own mind. But the Honourable Member will remember that this is a land between rivers which a normal map would not easily show—it is a tiny tract of alluvial land which it is difficult to show in a normal map.

Pandit Lakshmi Kanta Maitra: Is it not a fact, Sir, that the map on which the demarcation was actually made by Sir Cyril Radcliffe was a very old and antiquated map copy of which was not generally available? Therefore, I want to know from the Honourable Minister if Government has taken any steps to publish that particular map, which would set all disputes arising out of this matter at rest?

The Honourable Pandit Jawaharlal Nehru: So far as I know Government has taken no special steps to publish that map. I am not quite clear that the publication of that map would settle all disputes because having gone into this matter in another case we found the map was not absolutely clear. What we will have to go back to is the language of the Report, rather than the map, which helps a little bit more.

Pandit Lakshmi Kanta Maitra: May I tell the Honourable Prime Minister that the maps at present available in the Province of Bengal with regard to the particular area are entirely different from the map on which Radcliffe made the demarcations? There has been considerable difference—the description does not help there because there has been

Mr. Speaker: Order, order. It seems to be an argument. What is the information that the Honourable Member wants?

Pandit Lakshmi Kanta Maitra: I am not arguing, I am giving him the facts.

Mr. Speaker: He may give him the facts elsewhere; now he may obtain information.

Pandit Lakshmi Kanta Maitra: I am asking the Honourable Prime Minister if he is aware that the map of the particular area which is in vogue in Bengal at present is entirely different from the map on which Radcliffe made his boundary demarcations.

INVESTIGATION INTO LAXMANATHEERTHA AND HARANGI IRRIGATION PROJECTS, COORG

461. *Shri C. M. Poonacha: (a) Will the Honourable Minister of Works, Mines and Power be pleased to state whether Officers of the Government of India were deputed to Coorg during October 1947 to investigate the Laxmanatheertha and Harangi Irrigation Projects in Coorg?

(b) If so, what are their findings?

(c) Have they submitted their report?

(d) Is it a fact that the Government of Mysore had raised some objections against these projects?

(e) If so, what action have the Government of India taken in this matter?

(f) What is the estimated cost for each of these projects?

The Honourable Shri N. V. Gadgil: (a) Yes.

(b) In regard to Harangi Project, the original site for the construction of an anicut near the Harangi Village was discarded in favour of a site lower down where a dam 100 feet high could be constructed. The new site needs detailed investigations and the project has to be prepared afresh, as regards Laxmanatheertha Project the anicut site already selected is considered suitable but detailed investigations are necessary.

(c) Yes.

(d) and (e). The Honourable Member's attention is invited to reply to part (b) of the Starred Question No. 553 given on 11th March 1947 and reply to question No. 14 given on 18th November 1947. So far as Government of India are aware, the Mysore Government have raised certain objections only in regard to the Laxmanatheertha Project which are under consideration.

(f) Harangi Project—cost estimated by Coorg Administration in 1946—Rs. 23,40,000.

Laxmanatheertha Project—cost by Coorg Administration estimated in 1943—Rs. 3,25,000.

These estimates are liable to changes on account of rise in prices modifications in projects as a result of detailed investigations.

Prof. N. G. Ranga: What is the approximate extent of land which is expected to be irrigated by these two projects?

The Honourable Shri N. V. Gadgil: So far as the Harangi Project is concerned it is approximately 9,000 acres, and for Laxmanatheertha Project it is about 3,000 acres.

Shri H. V. Kamath: What is the total area of arable land in Coorg?

The Honourable Shri N. V. Gadgil: It is impossible offhand to give any answer to this.

Shri C. M. Poonacha: How long will it take for a final decision to be taken?

The Honourable Shri N. V. Gadgil: The report submitted by the officers of the Commission is under consideration and we will take the decision as early as possible.

Shri R. R. Diwakar: What is the type of crops that may grow in that particular area which is going to be irrigated?

The Honourable Shri N. V. Gadgil: I require notice for such a detailed question.

REHABILITATION OF REFUGEES IN STATES

462. *Shri Ram Sahai: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state what are the names of the States where refugees have been sent, and what is the number of refugees sent to these States? .

(b) Have the refugees sent to the States been provided with suitable occupations or not? If not, why not?

(c) Have Government any such scheme under consideration for keeping watch over the conditions of the refugees and for seeing whether they have been provided with suitable occupations?

The Honourable Shri K. C. Neogy: (a) The names of the States where refugees have been sent and the number of refugees so far sent to each of them are given below:—

Name of State	Number of refugees sent
1. Gwalior	3,200
2. Alwar	6,193
3. Rewa	3,300
4. Indore	3,008
5. Bharatpur	11,110
6. Kotah	2,140
7. Ratlam	127
8. Bikaner	4,523

In addition to these, fairly large numbers of refugees have arrived in these and some other States on their own.

(b) Most of the refugees sent to the States are agriculturists. Some of them have already been allotted lands for cultivation. Land is being allotted to others. Measures are being taken to provide them with bullocks, ploughs and other implements of agriculture. Refugees who are not agriculturists are also being absorbed in the economy of the States where they have been sent. Unfortunately the land offered for resettlement of refugees in some of the States is virgin soil without irrigational facilities and has failed to attract the refugee peasants.

(c) Visits are paid by the officers of the Ministry to keep a watch over the conditions of the refugees and the progress of their rehabilitation. I have called for fortnightly report on the progress of settlement in each State.

Mr. R. K. Sidhva: Is it not a fact, Sir, that the Bhavanagar State had announced that they could accommodate 15,000 refugees and that that announcement was made through the Government of India? May I know whether there are any refugees in Bhavanagar State, and if not, what is the reason?

The Honourable Shri K. C. Neogy: I have given the figures that I have got. As regards Bhavanagar I do not exactly recollect the number of refugees that they are prepared to take. I can make a statement on that position if the Honourable Member gives notice of a Question.

Seth Govinddas: Is there any scheme of sending refugees now to those States which have merged in different Provinces, and if so, is there any negotiation going on with those Provincial Governments in which those States have merged?

The Honourable Shri K. C. Neogy: I recollect that in one particular case the Authorities were addressed, and the reply was to the effect that for certain reasons it would not be prudent for us to send any refugees there.

Shri Deshbandhu Gupta: Will the Honourable Minister give the figures of evacuees also from those States mentioned in reply to part (a)?

The Honourable Shri K. C. Neogy: I am afraid the question does not arise, but if my Honourable friend puts down a Question I will answer it: the information will have to be obtained from the States.

Shri Deshbandhu Gupta: The Honourable Minister explained that virgin soil is placed at the disposal of these refugees, whereas large quantities of property has been left behind by evacuees. Why not give preference to refugees in respect of those properties?

The Honourable Shri K. C. Neogy: My honourable friend assumes that virgin soil is being offered in every State to refugees. Virgin soil is offered in such States wherefrom perhaps there has been no exodus of Muslim.

Shri Deshbandhu Gupta: Is it not a fact, Sir, that a large number of Muslims left Alwar and Bharatpur, while the number of Hindu and Sikh refugees from Pakistan accommodated by these States is considerably less?

The Honourable Shri K. C. Neogy: More and more refugees are going there. The refugees have been allotted land evacuated by the Muslims who left for Pakistan.

Shri H. V. Kamath: Has the distribution of refugees among the various states been made on a definite understandable basis, or just at random?

The Honourable Shri K. C. Neogy: The distribution is based mainly on an understanding with the States concerned.

Shri Mohan Lal Saksena: Will the Honourable Minister kindly make enquiries as to whether the information about the resettlement of refugees furnished by the Alwar State is correct?

The Honourable Shri K. C. Neogy: I have had Alwar inspected more than once through officers of my Ministry, and am satisfied that things are progressing satisfactorily; and now that the administration of Alwar is under the control of the Central Government, I hope there will be no ground for complaint whatsoever.

Mr. R. K. Sidhya: Sir, the Honourable Minister said that if I put a question regarding Bhavnagar, he will answer it. In view of the statement made by me that the Bhavnagar State has already announced that they can accommodate 15,000 refugees: will the Honourable Minister put himself in communication with the Bhavnagar State?

The Honourable Shri K. C. Neogy: I am prepared to do so.

TREATMENT OF REFUGEES BY CUSTODIAN OF EVACUEE PROPERTY AND OTHER OFFICIALS

463. *Giani Gurmukh Singh Musaffar: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether the attention of Government has been drawn to a letter which appeared in the '*Indian News Chronicle*' dated the 11th October, 1947 under the caption "Is it people's rule"?

(b) If so, what steps have been taken to see that the West Punjab Refugees are treated by the Custodian of Evacuee Property and other officials with sympathy and kindness?

The Honourable Shri K. C. Neogy: (a) Yes.

(b) Strict instructions have been issued to ensure courteous treatment to refugees and other visitors.

TRANSFER OF PROVIDENT FUND ASSETS OF REFUGEE TEACHERS FROM PAKISTAN

464. *Giani Gurmukh Singh Musaffar: (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state whether it is a fact that on behalf of displaced refugee teachers the All-India Refugee Teachers' Association submitted Memoranda to Government, and also sent a deputation to wait on the Honourable Ministers regarding the transfer of their Provident Fund Assets from Pakistan?

(b) Is it a fact that the Advisory Committee, Relief and Rehabilitation Ministry of the Government of India made practical suggestions after examination of the whole question?

(c) Are Government aware that not a single teacher has so far received his Provident Fund Assets? If so, what action have Government taken with regard to the transfer of the Provident Fund Accounts?

(d) Has any agreement been reached between the two Governments and if so, do Government propose to lay a copy of the same on the table of the House?

(e) If nothing has been done so far, do Government propose to take up the question now?

The Honourable Shri K. C. Neogy: (a) Yes.

(b) The Advisory Committee have made certain recommendations.

(c) Yes. Government hope to announce shortly the procedure regarding withdrawals by refugee teachers from their Provident Fund Accounts in Postal Savings Banks.

(d) and (e). The general procedure regarding transfer of Postal Savings Bank accounts has already been announced. A copy of the Press Communiqué issued on the subject is laid on the table. Free transfers of the accounts in the Imperial Bank are also allowed. As regards accounts in the Co-operative Banks a scheme is being worked out jointly by the Registrars of Co-operative Societies East and West Punjab.

PRESS COMMUNIQUE

Savings Bank Deposits, Postal Cash Certificates and Other Certificates, e.g. National Savings

(a) (1) In regard to Post Office Savings Bank Accounts it is recognised that there are two categories:

(i) where the pass-books are available;

(ii) where the pass-books have been lost or misplaced.

In regard (i) it is understood that the Director General, Posts and Telegraphs, Pakistan, has been in correspondence with his opposite number in India and that a satisfactory procedure had been devised. It is agreed that the proper procedure should be for persons resident in Pakistan to hand over pass-books at Pakistan Post Offices and that D. G. Posts and Telegraphs, Pakistan, should consolidate such cases and forward list to the D. G., P. & T., in India who would arrange transfer of accounts without insisting on production of pass-books or on verification of signature.

As to (ii), where pass-books have been lost or misplaced, persons resident in either Dominion should apply to the D. G., P. & T. concerned giving particulars of post offices where they had savings bank accounts. Consolidated lists of such cases would be exchanged between the D. Gs. of the two Dominions, who would make the necessary investigations and have the accounts transferred. Once the accounts have been transferred, the responsibility of a particular Dominion towards the depositor will cease. The two D. Gs. should clear legal and procedural difficulties between themselves.

2. It is agreed that the same procedure will apply to Post Office Five year Cash Certificates, Defence Savings Certificates and National Savings Certificates.

It is agreed that consolidated lists on both these items, separately should be exchanged by the two D. Gs. at regular intervals weekly or fortnightly. This is a matter for the two D. Gs. to arrange between themselves.

Diwan Chaman Lall: May I ask my Honourable friend whether he is aware of the fact that most of these provident funds are in the hands of the Managers. What steps are being taken to make the funds available to those teachers?

The Honourable Shri K. C. Neogy: My Honourable friend, I understand, is in touch with the Ministry of Education; he led a deputation not very many days ago to the Education Minister. This is a matter which has got a good deal of complication and three different Ministries are concerned, first the Education Ministry, second the Communications Ministry, and third, the Ministry of Finance. I understand that the various complexities of the problem are being examined closely by these three Ministries.

Diwan Chaman Lall: Is it not a fact that this examination has been going on for the last two or three months?

The Honourable Shri K. C. Neogy: Well, it may be so, but I am not aware, because my Ministry is not directly concerned with the examination of the prob-

lem. We try to co-ordinate the activities of the Ministries concerned, as far as possible. I am, however, aware of the complexities of the case. As a matter of fact, it would be impossible for me to give in the course of a reply to a supplementary question an idea of the complexities of this problem. But I can assure the House that the problem is full of complexities.

PAKISTAN'S ALLIANCE WITH ARAB COUNTRIES

465. *Shri Lal Mohan Pati: (a) Will the Honourable the Prime Minister be pleased to state whether it is a fact that the Government of Pakistan intends forming an alliance with the Arab countries?

(b) Have Government any information regarding the nature, character and scope of the contemplated alliance?

The Honourable Pandit Jawaharlal Nehru: (a) and (b). Government have no information on the subject.

Shri H. V. Kamath: Are Government aware, Sir, that the Arab world is fast becoming the cock-pit of struggle between two or three power-mad States of the world and, therefore, propaganda in the Arab world for the preservation of peace is essential?

Mr. Speaker: Order order, that question does not arise.

Prof. N. G. Ranga: Sir, are Government making any efforts to establish diplomatic relations with the Arab countries?

The Honourable Pandit Jawaharlal Nehru: Yes, Government have recently appointed an Ambassador at Cairo which is more or less the Headquarters of the Arab movement. That Ambassador will also represent us in Transjordan. For the present, these are the only arrangements that have been made. In a sense we are instructing our Ambassador at Cairo to keep in touch with the other Arab countries also.

Shri H. V. Kamath: Are Government, Sir, pursuing the good work done at the Inter-Asian Relations Conference with a view to the preservation of peace in the Arab world?

The Honourable Pandit Jawaharlal Nehru: I do not know what the Honourable Member expects me to answer. Government is not pursuing the resolutions passed by the Asian Relations Conference. The Conference was convened and it passed certain resolutions; it is for the conference to implement its resolutions. Naturally Government is very much interested in the establishment and continuance of peace all over the world—particularly in Asia. If Government can do anything in this direction, it will certainly do it, but the suggestion that the Government should send propaganda missions for peace to different parts of the world is not very helpful.

Mr. R. K. Sidhya: Sir, has the attention of the Honourable Prime Minister been drawn to a report published yesterday in newspapers that the Anglo-American bloc is seeking to form a League of Muslim States, including Pakistan?

The Honourable Pandit Jawaharlal Nehru: No, Sir, I know nothing about it.

INFLUX OF NON-MUSLIM REFUGEES FROM JAMMU AND KASHMIR

466. *Dr. Bakshi Tek Chand: Will the Honourable Minister of Relief and Rehabilitation be pleased to state:

(a) whether it is a fact that a large number of Hindu and Sikh refugees from Jammu and Kashmir State have been coming to India since November, 1947;

(b) if so, what arrangements have been made to provide relief to them;

(c) whether it is a fact that the number of such refugees is increasing; and

(d) if the answer to part (c) be in the affirmative, whether Government propose to set up a separate camp or camps for them?

The Honourable Shri K. C. Neogy: (a) There is no organised evacuation from the Jammu and Kashmir State. The number of refugees coming from the State

is therefore, not known exactly. But a number of refugees have come into India from that State.

(b) Some refugees have been accommodated in the Kurukshetra camp. Others are known to be in various East Punjab camps.

(c) Yes.

(d) It is proposed to set up a separate camp for them at Chunar in the United Provinces.

Diwan Chaman Lall: May I ask my Honourable friend whether he has any information regarding those refugees who were left behind in Mirpur after the attack on that unfortunate town?

The Honourable Shri K. C. Neogy: I have no information.

Diwan Chaman Lall: May I ask my Honourable friend whether he would be prepared to make an enquiry into this matter and see that evacuation of those people who were left behind is expedited?

The Honourable Shri K. C. Neogy: Does the Honourable Member refer to subjects of Kashmir State?

Diwan Chaman Lall: Yes.

The Honourable Shri K. C. Neogy: As far as I am aware, it is not the policy of the Government of India to encourage the evacuation of the subjects of Kashmir State.

Diwan Chaman Lall: Is the Honourable Minister aware that an attack took place on Mirpur. Many people of the place were unable to get away from Mirpur with our forces and they were captured by the Pakistan forces. This question relates to those people for whom a responsibility naturally rests upon us.

The Honourable Shri K. C. Neogy: If the evacuees are now in Pakistan, they come under the arrangement regarding evacuation of refugees from Pakistan.

The Honourable Pandit Jawaharlal Nehru: May I add to what my Honourable colleague has said. From Mirpur a very large number of women were also abducted and taken away. The Government of India have been greatly concerned about this matter and have been trying their utmost to recover them. Their efforts have now succeeded to a certain extent and about four or five days ago a batch of about 400 women with about the same number of children were recovered from a camp in West Punjab near the Kashmir border. They are now in Lahore, being looked after at the Gangaram Hospital. They came back in such an unfortunate condition that they were physically hardly capable of travelling much further. So, they will take rest there for a few days and then it is proposed to transfer them to better surroundings. Then ultimately, after they have recovered somewhat we shall send them back to their homes. Yesterday I was in Jullundur and they have got an excellent establishment there to look after these women who come back in every way and I was going to suggest to my colleague to have these women from the Mirpur area who are in Lahore sent to this Jullundur Camp. We expect also to recover quite a considerable number of these women from the Jammu area, Mirpur and other areas who have come to West Punjab in the course of the next few days.

Dr. Bakshi Tek Chand: Will the Honourable Prime Minister have the list, giving the names and particulars of these women published, so that the anxiety of their relatives who are in Delhi and other places may be relieved?

The Honourable Pandit Jawaharlal Nehru: May I point out to the Honourable member that, while we are perfectly prepared to do that, I am not quite clear that it is desirable to do it. We get into touch immediately with the nearest relatives. I am not quite sure that the women concerned like tremendous publicity to be given to this fact.

Shri Deshbandhu Gupta: May I know if the refugees from Kashmir and Jammu are eligible to be registered in Delhi and have any arrangements been made in that score?

The Honourable Shri K. C. Neogy: Any refugees who are at Delhi would be registered.

ALLOTMENT OF MUSLIM EVACUEES' FACTORIES AND INDUSTRIAL CONCERNS IN DELHI

467. *Dr. Bakshi Tek Chand: Will the Honourable Minister of Relief and Rehabilitation be pleased to state:

(a) the number of factories and industrial concerns left by Muslim evacuees in Delhi;

(b) how many of these factories and industrial concerns have been allotted to (i) refugees from West Pakistan, and (ii) the local residents of Delhi; and

(c) what is the period for which leases have been given?

The Honourable Shri K. C. Neogy: (a) 420.

(b) (i) and (ii). The allotment started yesterday. The figures will be laid on the table of the House as soon as available.

(c) Leases will be for three years.

PROGRESS IN EXECUTION OF NANGAL AND BHAKRA DAM PROJECT

468. *Dr. Bakshi Tek Chand: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) what steps have been taken for the execution of (i) the Nangal Project, and (ii) the Bhakra Dam Project;

(b) the progress made in each project since the 15th August, 1947;

(c) the amounts estimated to be spent on each project during the period from 15th August, 1947 to the 31st March, 1948, and in the financial year 1948-49; and

(d) whether any Experts from America or other foreign countries have been or are being engaged for advice and assistance in the execution of these projects?

The Honourable Shri N. V. Gadgil: (a) The Government of India has promised to give necessary loan to the Province. The projects are otherwise the concern of the Provincial Government.

(b) and (c). The information is not available with the Government of India.

(d) None so far.

Diwan Chaman Lall: Do I take it, Sir, that the execution of these projects will be left to the East Punjab Government and will not be administered centrally?

The Honourable Shri N. V. Gadgil: As things stand today, the execution of the project is the responsibility of the East Punjab Government.

Diwan Chaman Lall: May I take it that the final decision—not today, but the final decision—of the Government of India is that this project will be executed by the East Punjab Government although the money will be supplied by the Central Government?

The Honourable Shri N. V. Gadgil: That is so, and it is in consonance with the usual practice.

Prof. N. G. Ranga: Is that the practice for all India?

The Honourable Shri N. V. Gadgil: Yes.

SURVEY OF WATER RESOURCES IN EAST PUNJAB FOR CANAL IRRIGATION

469. *Dr. Bakshi Tek Chand: Will the Honourable Minister of Works, Mines and Power be pleased to state:

(a) whether any steps have been, or are being taken, for making a survey of the potential water resources in East Punjab and in the States in East Punjab (other than the Nangal and the Bhakra Dams) so as to provide canal irrigation for the dry areas;

(b) if the answer to part (a) above be in the affirmative, whether Government propose to lay on the table of the House a statement showing the results of the survey; and

(c) if the answer to part (a) above be in the negative, whether Government propose to make such a survey, in view of the fact that East Punjab is a deficit province in respect of food, and over 25 lakhs of agriculturists have migrated from West Punjab?

The Honourable Shri N. V. Gadgil: (a) No.

(b) Does not arise.

(c) The matter is primarily the concern of the East Punjab Government. The Central Government will, however, afford every possible assistance if there is a request from the Provincial Government.

Shri B. Das: Has the East Punjab Government got the necessary machinery to supervise the construction and execution of such work?

The Honourable Shri N. V. Gadgil: So far as the project which was referred to in question No. 468 is concerned, I think they are fairly equipped.

Prof. N. G. Ranga: But are we to understand that the Central Government is always prepared to lend the services of their experts if and when the concerned Provincial Government asks for them?

The Honourable Shri N. V. Gadgil: They are always ready to do so.

EXCHANGE OF MUSLIM AND NON-MUSLIM CONVICTS BETWEEN EAST AND WEST PUNJAB

470. *Dr. Bakshi Tek Chand: Will the Honourable the Prime Minister be pleased to state:

(a) whether it is a fact that an agreement has been arrived at between the Governments of India and Pakistan for transfer of non-Muslim convicts and under-trial persons from West Punjab to East Punjab and Muslim convicts and under-trial persons from East Punjab to West Punjab;

(b) if so, whether the agreement has been or is being carried out by (i) the Government of East Punjab, and (ii) the Government of West Punjab; and

(c) if the answer to part (b) (i) or (b) (ii) be in the negative, what are the reasons for the failure to carry out the agreement by the Governments concerned, and what action, if any, has been taken by the Government of India in the matter?

The Honourable Pandit Jawaharlal Nehru: (a), (b) (ii) and (c). I would invite the Honourable Member's attention to the reply given on February 21st to Question No. 380 by Giani Gurmukh Singh Musafar.

(b)(i). The Government of the East Punjab have been and are most anxious to carry out the agreement.

EUROPEAN AND EX-ENEMY TECHNICAL PERSONNEL TO SERVE INDIA

471. *Shri V. C. Kesava Rao: Will the Honourable Minister of Commerce be pleased to state:

(a) whether it is a fact that highly qualified European engineers, manufacturing chemists and other technical personnel are willing to come to India;

(b) if so, what efforts Government have made to secure the services of these personnel; and

(c) whether any applications have been received from ex-Enemy nationals of the above categories for service in India and if so, what decision Government have taken in their cases?

The Honourable Mr. C. H. Bhabha: The question should have been addressed to the Honourable Minister for Industry and Supply. It has accordingly been transferred to the list of questions for the 5th March 1948, when the Honourable Minister for Industry and Supply will answer it.

ALLOTMENT TO INDIA OF REPARATIONS FROM EUROPEAN ZONE

472. *Shri V. C. Kesava Rao: Will the Honourable Minister of Commerce be pleased to state:

(a) the share allotted to India in the reparations from the European zone;

(b) whether the necessary naval personnel have been trained to man the ships that India is likely to be allotted; and

(c) whether Government propose to give the capital goods so obtained to private industries or to use them for establishing State concerns?

The Honourable Mr. C. H. Bhabha: (a) The only country in Europe from which reparation is being received by India is Germany. Under the Paris Agreement on German Reparations undivided India was allotted 2 per cent. of general reparations called category A and 2.9 per cent. of industrial and capital equipment removed from Germany, merchant shipping and inland water transport called category B. Consequent on the partition of India the percentage shares have by mutual agreement been apportioned between the Dominions of India and Pakistan in the proportion of 82½ per cent. and 17½ per cent. respectively of the total allotted to India as a whole. The shares of the Dominion of India in the two categories are now 1.65 per cent. of category A and 2.39 per cent. of category B.

(b) India has not been able to secure any ship from Germany by way of reparation. The question of training any naval personnel to man German ships does not therefore arise.

(c) It is proposed to utilise capital goods allocated to India to the best interest of the Dominion. Government have not yet laid down any definite policy regarding disposal of the goods but their present intention is to allot these to such private industries as are most likely to utilise them to the best advantage of the Dominion as a whole, after retaining such of them as may be required for any industrial scheme sponsored by Government.

Shri H. V. Kamath: Did Government at any time demand reparations from Italy?

The Honourable Mr. C. H. Bhabha: No, Sir.

Shri H. V. Kamath: From any other ex-enemy country?

The Honourable Mr. C. H. Bhabha: As I said, the only reparations from any European country would be the reparations that are to be received from Germany.

Prof. N. G. Ranga: Is it not a fact that some of the officers who were deputed by the Government of India had suggested that it might be possible for Government of India to obtain synthetic dyes plants from Germany?

The Honourable Mr. C. H. Bhabha: I would like to have notice of this specific question.

Seth Govinddas: Why was it that reparations were asked only from Germany and not from other ex-enemy countries.

The Honourable Mr. C. H. Bhabha: Because in the course of the treaty discussions reparations were not demanded from any other enemy country.

Shri H. V. Kamath: Why was it that Germany was singled out for this invidious distinction?

The Honourable Mr. C. H. Bhabha: The Paris Conference.

REORGANISATION OF STATISTICAL SECTIONS OF VARIOUS MINISTRIES

473. ***Shri V. C. Kesava Rao:** Will the Honourable Minister of Commerce be pleased to state:

(a) whether Government have any scheme to re-organise the Statistical Sections of the various Ministries;

(b) the qualifications necessary for appointment as officers in the Statistical Sections; and

(c) whether Government propose to consider the question of co-ordinating the activities of the various Statistical Sections to avoid the overlapping and duplication of work?

The Honourable Mr. C. H. Bhabha: (a) Yes. In accordance with the recommendations of the Inter-Departmental Committee on Official Statistics which reported in 1946, the major Ministries of Government have recently strengthened their statistical Branches, or set up new ones.

(b) No specific qualifications have been prescribed for candidates whom it is proposed to appoint to the Statistical sections, but subject to the special requirements of individual Ministries, the following may be regarded broadly as the minimum qualifications for Statistical Officers.

(1) A high degree in Mathematics or Economics (with Statistics as special subject) and some training in a recognized Statistical Institute; or

(2) A degree in Statistics.

Practical experience would be an additional qualification.

(c) A proposal for the setting up of a Central Statistical Office which will be responsible for the co-ordination of departmental statistical activities and the prevention of duplication and overlapping of work is under the consideration of Government.

Mr. R. K. Sidhva: Is the new system introduced completely or partially?

The Honourable Mr. C. H. Bhabha: A beginning has made with the new system.

Mr. R. K. Sidhva: Has there been any economy in the staff in that respect?

The Honourable Mr. C. H. Bhabha: I cannot answer that at this moment.

REPLACEMENT OF EAST PUNJAB EVACUEES (ADMINISTRATION OF PROPERTY) ORDINANCE BY AN ACT OF LEGISLATURE

474. ***Kazi Syed Karimuddin:** (a) Will the Honourable Minister of Relief and Rehabilitation be pleased to state when the East Punjab Evacuees (Administration of Property) Ordinance, 1948 will be replaced by Act of the legislature?

(b) Are Government aware that this Ordinance is causing great hardship to the Muslims of Delhi and particularly to the *Pardanashin* ladies?

(c) Do Government propose to suspend the operation of the said Ordinance in Delhi and bring in some other suitable bill for the purpose? •

The Honourable Shri K. C. Neogy: (a) This is a matter for the East Punjab Government to decide.

(b) Government of India are not aware that the Ordinance is causing any hardship.

(c) No. The Ordinance was promulgated so as to bring the law on the subject into line with the law governing evacuee property in Pakistan.

Shri Deshbandhu Gupta: Is it a fact that the necessity for promulgating this Ordinance in Delhi arose from the fact that there was a vast number of transactions carried on by evacuees in their property?

The Honourable Shri K. C. Neogy: Well, not necessarily so. As a matter of fact, at an Inter-Dominion Conference of officers which took place at Delhi it was generally agreed that the problem of settlement of property claims on both sides of the border would be facilitated by the adoption of a uniform policy relating to the evacuee property in both the Dominions.

PRESENTATION OF CLAIMS OF NON-MUSLIMS PROPERTY TO PAKISTAN GOVERNMENT

475. *R. B. Lala Raj Kanwar: Will the Honourable Minister of Relief and Rehabilitation be pleased to state:

(a) whether the Government of India have presented any claim to the Government of Pakistan for value of property lost or left behind in Pakistan and in respect of which claims have been registered with the Government of India and if so, with what result; and

(b) if no such claim has yet been presented, what action is being taken in the matter and when Government propose to present such a claim?

The Honourable Shri K. C. Neogy: (a) No.

(b) The question of property left behind or lost in Pakistan is still under negotiation between the two Governments. Certain conclusions were reached at Secretariat Level Conference of the Inter-Dominion representatives on the 18th, 19th and 20th December, 1947. Further discussions are expected to take place shortly.

Diwan Chaman Lall: May I ask the Honourable Minister whether it is a fact that the discussions were scheduled to take place on the 8th of January or thereafter and whether any steps have been taken to expedite those discussions?

The Honourable Shri K. C. Neogy: The meetings that were scheduled to take place in January had to be postponed from time to time due to difficulties that have arisen both on the side of Pakistan and on ours.

Diwan Chaman Lall: May I ask whether the stage of negotiations as far as we are concerned is still at the Secretariat level, and whether the stage as far as Pakistan is concerned is based on a dominion status level?

The Honourable Shri K. C. Neogy: I do not think so. As a matter of fact the procedure that was agreed upon was that, in the first instance, the Secretariat Level Conference would thrash out all the details and when an agreement has been reached between the Secretariat officers on both sides of the borders on all the points, the matter would be taken up for negotiations between the two Governments concerned at the Ministerial level.

Shri H. V. Kamath: By what date will these inter-State negotiations be consummated?

The Honourable Shri K. C. Neogy: It will be very difficult to make a prophecy.

Seth Govinddas: Has a full list of the property which has been left been made by the Government and is there any machinery provided to keep that list up-to-date?

The Honourable Shri K. C. Neogy: Well, we are making an effort to make a list but I cannot say that a full list is yet available or will be available in the very near future.

Seth Govinddas: Is there any machinery set up so that the list may be kept up-to-date?

The Honourable Shri K. C. Neogy: Yes, Sir. The machinery that is functioning is expected to keep that information up-to-date?

Diwan Chaman Lall: May I ask my Honourable friend whether he is aware of the fact that the stand-still agreement comes to an end at the end of March and whether the effect of that will be very adverse to the settlement of these claims unless and until the settlement is previously arrived at on a Dominion basis in regard to all negotiations that have been going on.

The Honourable Shri K. C. Neogy: I hope the Inter-Dominion Conference will be able to come to agreements before that date.

Shri Deshbandhu Gupta: Has any estimate been prepared of the property left behind in Pakistan on the basis of the property registered here?

The Honourable Shri K. C. Neogy: I think I gave an answer to a similar question some time ago. So far as Delhi is concerned, we have got an estimate, but registration is proceeding in other parts of the country.

EXPLOITATION OF IRON AND COAL DEPOSITS IN ANDHRA DISTRICTS

476. ***Shri V. C. Kesava Rao:** (a) Will the Honourable Minister of Works, Mines and Power be pleased to state whether Government are aware that large quantities of iron and coal capable of exploitation on commercial basis, are reported to be in the Andhra Districts?

(b) If so, have Government considered the question of exploiting these natural resources?

(c) Has an investigation been made into the potentialities of these districts in this respect?

The Honourable Shri N. V. Gadgil: (a) Government of India have been aware of the existence of coal and iron ore in the Andhra Districts since 1871, when W. T. Blanford described these deposits in the Records of the Geological Survey of India, Volume 4. The most recent reports on these deposits are—

(1) Report on Iron Ore Deposit near Ramallakota, Kurnool District, By Dr. M. S. Krishnan and Mr. M. S. Balasundaram (Published by Government of Madras in G. O. No. 3408, dated 7-8-44).

(2) Report on some Iron Ore Deposits in the Cuddapah District by Mr. M. S. Balasundaram (Published by Government of Madras in G. O. No. 4380, dated 12-10-44).

(3) Note on prospecting work for coal near Lingala, East Godavari District by Messrs. S. N. Sên and Subramanyam (Unpublished).

The reserves of Iron Ore in the Kurnool District are reported to be 3.7 million tons and the estimated reserves of coal in the known areas of Godavari Valley are as follows:

(1) *Lingala*—8 million tons.

(2) *Lingala*—8 million tons.

(3) *Bedadanuru*—not estimated.

Relevant extracts from Dr. Krishnan's report on Mineral Resources of Madras (1944) are being placed on the table

(b) The question of exploitation of these resources is for the Government of Madras to consider.

(c) Yes—*vide* answer to part (a) of this question.

EXTRACT FROM DR. KRISHNAN'S REPORT ON MINERAL RESOURCES OF MADRAS (1944)
REFERRED TO IN STARRED QUESTION NO. 476

Coal

There are three areas of coal-bearing Barakar rocks in the Godavari valley :

- Lingala (18°1' : 80°50').
Totapalle (17°37' : 81°4').
Bedadanuru (17°14' : 81°14').

Lingala.—Coal exposures were found at the confluence of the Talperu with the Godavari River near this place, of the four seams found in the river bed, two 2-foot seams were on the British side, one 5-foot seam in the middle and one 2-foot seam on the Hyderabad side. The coal bearing area on the British side (East Godavari) is said, to be about 5 sq. miles in area. A pit was sunk here in 1891 and about 70 tons of coal raised from a 5-foot seam which contained a shale parting, 6 inches thick, two feet from the floor of the seam. According to the East Godavari Collectorate, this field is estimated to be capable of yielding 8 million tons after allowing 1/3 loss in mining.

Totapalle.—A boring 86 feet deep, put down here in 1870, under the supervision of W.T. Blandford of the Geological Survey of India, revealed the presence of two seams, each 3 feet thick, separated by 6 feet of carbonaceous shale. The upper seam was at a depth of 53 feet from the surface and gave the following analysis :

Moisture 10.8 per cent. ; Volatile matter 26.9 per cent. ; fixed carbon 42.7 per cent. ; ash 19.6 per cent.

The coal-bearing rocks here are said to be 16 sq. miles in extent of which 10 sq. miles may contain workable coal. A seam 5½ feet in thickness was found near the village Rajahzompalle and 2,000 tons of coal were raised from trial pits. This seam is expected to yield about 24 million tons of coal, allowing 1/3 loss during working.

This field was worked in a small way between 1891 and 1895 and a total of 3,657 tons raised. The enterprise was abandoned in the latter year.

Bedadanuru.—Dr. W. King of the Geological Survey of India estimated that the Barakars here covered an area of 5½ sq. miles. Borings put down in the seventies near the Bedadanuru village revealed the existence of a 4½ feet seam at a depth of 183 feet, as well as some thinner layers.

Messrs. Beest & Co. put down 4 drill holes in this same area in 1901 and 1902. One of the boreholes showed a section comparable to one of the earlier period and also encountered the 4½ feet seam.

At a still later date, in 1921, a drilling campaign was conducted by the Singareni Collieries Co. near the village Swarnavarigudem some distance SSW of Bedadanuru. One of these (borehole No. 4) revealed thin seams of shale and coal, each about 3½ feet thick between 818 and 828 feet while another showed a 5-6 feet seam at a depth of 225 feet. Thinner layers were met with in other boreholes.

A concern called the Southern India Mining Syndicate had boreholes put down at Venkatapalem near Gopalapuram (17°6' : 81°32') and encountered thin seams of coal of fairly good quality (Volatile matter 27.5 per cent. ; fixed carbon 45.5 per cent.). This area was later visited—by Mr. C. S. Middlemiss of the Geological Survey of India who advised deep boring. A borehole put down later under the supervision of one Mr. Beadon near Buchipalem (Atchupalem) near Gopalapuram showed carbonaceous matter at several horizons and thin coal at 250 feet, 380 feet and 482 feet (? a 2-foot seam at 482 feet). The bottom of the Barakars was not reached at 763 feet at which depth the boring was discontinued.

In 1942-43 two boreholes were put down in the neighbourhood of Bedadanuru, under the supervision of the Geological Survey of India. The first borehole, situated at a distance of 8½ furlongs S.W. of village, showed a 4-inch seam at 156 feet, a 1-foot seam at 193 feet, a 6-inch seam at 196½ feet and a 4-inch seam at 206½ feet. It had to be discontinued at 235 feet depth. The second borehole was located at a distance of 1,200 feet SSW of the first. It revealed a 3-inch layer at 259 feet and a 10-foot seam of coal and shale intercalated at 261 feet and an 1 inch layer at 280½ feet. This borehole was abandoned because of drilling difficulties at 351 feet.

The coal-bearing Barakar rocks are covered by Kamthi (Chintalputti) sandstones which appear to be only a few hundred feet thick in this region except perhaps near their southern margin where they pass under the Upper Gondwana rocks. The area occupied by these Kamthi sandstones lies amidst Bedadanuru (Sheet 45 G/4), Ashwaraopet (Sheet 65 G/4), Chintalputti (65 G/16), Tundkalputti (65 H/1), Ernagudem (65 G/12), Gopalapuram (65 G/12) and Zangareddigudem (65 G/8) ; and occupies over 300 sq. miles. The borings put down so far cover only a small area near Bedadanuru, Swarnavarigudem and Gopalapuram, all near the northern edge of the field. Sir Cyril Fox has suggested (Memoirs of the Geological Survey of India, Vol. LIX, p. 336) that borings be put down to a depth of say, 1,500 feet near Mulagalampalle (17°11' : 81°14'), Kammayyapalem west of the above, Zangareddigudem (17°7' : 81°18') and at Chintalputti (17°3' : 80°59').

It would be useful to put down about half a dozen deep boreholes equitably distributed over the central and northern parts of the field (occupied by the Kamthi sandstones), so that any useful seam present in a restricted part of it may be brought to light.

Iron ore

Hematite.—Several deposits occur along a fault zone near Veldurti and Ramallakota in the Kurnool district. The better parts of the deposits contain good hematite estimated to amount to 3.7 million tons within a depth of 100 feet from the surface of the outcrops. A few samples from these deposits showed a high percentage of iron (50 to 65 per cent.), variable silica, very low phosphorus and a sulphur content of 1.3 to 1.8 per cent. Two analyses done by a firm of analysts for the lessee of one of the deposits showed only 0.008 and 0.072 per cent. of sulphur.

Several deposits of siliceous hematite are known in the Sandur State, Bellary district, some of which are likely to contain high grade ore. They have yet to be examined in detail. Some of these grade into manganiferous ores.

Shri H. V. Kamath: Do Government, Sir, propose to dig for iron and coal anywhere else in India?

The Honourable Shri N. V. Gadgil: Certainly not in this Assembly.

Shri H. V. Kamath: Are Government aware that large deposits of iron have been or are expected to be found in Mayurbhanj State in Orissa?

The Honourable Shri N. V. Gadgil: I require notice of that question.

Prof. N. G. Ranga: In view of the Government of India's policy generally to keep natural resources as a national asset have Government made any suggestions to the Government of Madras, that they should not issue licenses for exploitation to private individuals?

The Honourable Shri N. V. Gadgil: The Government of Madras is well aware of the general attitude of the Government of India in respect of all the minerals.

Prof. N. G. Ranga: Are Government aware of the fact that in regard to iron and other deposits in iron and other deposits in Rayalaseema the Government of Madras have already given licences to some private individuals?

The Honourable Shri N. V. Gadgil: I think the succeeding Government of Andhra will set matters right.

ELECTION TO STANDING COMMITTEE FOR MINISTRY OF TRANSPORT

The Honourable Dr. John Matthai (Minister for Railways and Transport):
Sir, I beg to move:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Standing Committee for the Ministry of Transport (Other than Roads), until the end of the next financial year, *vice* Shri Mukanda Behary Mallick, who has resigned from the Assembly."

Mr. Speaker: The question is:

"That this Assembly do proceed to elect, in such manner as the Honourable the Speaker may direct, one member to serve on the Standing Committee for the Ministry of Transport (Other than Roads), until the end of the next financial year, *vice* Shri Mukanda Behary Mallick, who has resigned from the Assembly."

The motion was adopted.

Mr. Speaker: I have to inform Honourable Members that for the purpose of election by means of the single transferable vote of a member to the Standing Committee for the Ministry of Transport (other than Roads) the programme of dates will be as follows:

Nomination to be filed in the Notice Office upto 12 Noon on Friday, the 27th February.

Election, if necessary, will be held on Tuesday the 2nd March, in the Assistant Secretary's room (No. 21) in the Council House between the hours of 10.30 A.M. and 1 P.M.

DEMAND FOR SUPPLEMENTARY GRANT

(15th August, 1947 to 31st March, 1948)

The Honourable Dr. John Matthai (Minister for Railways and Transport):
Sir, I beg to move:

"That a supplementary sum, not exceeding Rs. 2,55,67,000, be granted to the Governor General to defray the charges which will come in course of payment during the period 15th August, 1947 to 31st March, 1948, in respect of 'Withdrawal from Railway Reserve'."

May I just state the point of this motion? It is a purely formal motion which seeks the approval of the House for meeting the increased deficit on the railways shown in the revised estimates for the current year out of the Railway Reserve Fund.

Mr. Speaker: The question is:

"That a supplementary sum, not exceeding Rs. 2,55,67,000, be granted to the Governor General to defray the charges which will come in course of payment during the period 15th August, 1947 to 31st March, 1948, in respect of 'Withdrawal from Railway Reserve'."

The motion was adopted.

PROVINCIAL INSOLVENCY (AMENDMENT) BILL

The Honourable Dr. B. R. Ambedkar (Minister for Law): Mr. Speaker, Sir, I move:

"That the Bill further to amend the Provincial Insolvency Act, 1920, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shrimati G. Durgabai, Dr. P. S. Deshmukh, Shri M. Ananthasayanam Ayyangar, Pandit Thakur Das Bhargava, Mr. Naziruddin Ahmed, Shri Ram Sahai and the Mover, with instructions to report on or before the 16th March, 1948, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, in order to put the House in possession of the facts which have made it necessary for Government to introduce this measure I should like to make some preliminary observations with regard to certain decisions which have necessitated the making of this provision. I think it would be enough if I began from 1924 when a case went up to the Privy Council which is known as *Sat Narain versus Behari Lal*. The facts of the case briefly were that a Hindu father had been adjudged insolvent. Now under section 17 of the Presidency Towns Insolvency Act the property of the insolvent becomes vested in the Official Assignee from the date of the adjudication. The property of the Hindu father consists of two things: (i) his share in the joint family property, and (ii) his power to dispose of his sons' property in the joint family for his personal debts provided that the debts were not incurred for an immoral purpose. The question that arose in that case before the Privy Council was whether the power of the father to dispose of property of the son is property within the meaning of section 2(e) of the Presidency Towns Insolvency Act. On that issue the Privy Council gave its decision to the effect that the power of the Hindu father to dispose of the property of his son in the joint family was not 'property' within the meaning of section 2(e) on the ground that section 2(e) contemplated that power which was absolute over property and power which was not absolute was not property. According to the Privy Council the power of the father to dispose of the sons' property was not absolute because it was subject to the condition that the debts for which the property could be disposed of must not be immoral. On that ground they did not agree that the Official Assignee could become automatically vested under sec. 17 with the property belonging to the son. In that particular case that decision of the Privy Council did not matter very much to the creditors, for the simple reason that the Presidency Towns Insolvency Act contains a separate section—section 52—which permits the Official Assignee and the creditors to pursue such property or such capacity to obtain the property of another person. Therefore although in that particular case the property did not automatically vest in the Official Assignee, yet the Official Assignee was free to pursue the property of the son which was liable, under the rule of pious obligation to pay the debts of the father by separate proceedings; and I believe he did that.

Now what happened was this. After that decision of the Privy Council the courts in India had occasions to interpret another Act which is called the Provincial Insolvency Act. As lawyer members of this House will remember, we have two separate statutes dealing with insolvency,—one which deals with insolvency taking place within the towns, and the other with those in the mofussil. The Provincial Insolvency Act does not unfortunately contain a provision such as section 52 which finds a place in the Presidency Towns Insolvency Act. Consequently when a similar question arose before the courts, namely, whether the property which a Hindu father could claim under his right or power to sell his son's interest for the payment of his own debts could be interpreted as property and become vested in the Official Assignee, only that was property within the meaning of section 2(e). Unfortunately what has happened is that different courts have interpreted this section 2(e) of the Provincial Insolvency Act in different ways. It would be interesting to note that the Bombay High Court has held that though the property does not vest power is not property and therefore, it does vest; the Patna High Court also follows the Bombay High Court and so does the Allahabad and Nagpur High Courts. On the other hand when you come to Madras, one Bench of the Madras High Court has held that the property vests, while another Bench has held that it does not vest. And the same is the case in Calcutta where one Bench has held that the property does vest and another Bench has held that it does not vest.

Now I think this matter should be put right. The Madras High Court in one of its decisions clearly gave an indication to the Government of India that it was high time that legislation was brought in to set aside this discrepancy in the decisions of the different High Courts. Unfortunately during the war such a piece of legislation could not be brought in because there was not enough time. Therefore it is to set right this discrepancy and division of opinion in the different High Courts that this measure has been brought in. All that this measure does is to reproduce bodily section 52 from the Presidency Towns Insolvency Act and makes it a part of the Provincial Towns Insolvency Act as section 50-A. There is nothing more that the Bill seeks to do.

As the House is aware, there is also a measure for a similar purpose standing in the name of Shrimati Durgabai. Her measure differs from the Government measure in two particular respects. She wants to give retrospective effect to the measure; the Government Bill does not propose to do so. The other provision contained in the Bill of Shrimati Durgabai is that the law not only should declare that the power which the Hindu father has over the son's interest in joint family property should be made clear as being available for distribution among the creditors, but that the power of disposal of the Manager also should be clearly stated. On that point all that I should like to say is this that I have not an empty mind but I have an open mind; and I am prepared to leave this matter to be decided by the Select Committee. Indeed one of the purposes or motives which have led me to move for reference to Select Committee was to enable the Select Committee to discuss these matters.

I do not think there is anything more I need say in elucidation of the provisions of this Bill. Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Provincial Insolvency Act, 1920, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shrimati G. Durgabai, Dr. P. S. Deshmukh, Shri M. Ananthasayanam Ayyangar, Pandit Thakur Das Bhargava, Mr. Naziruddin Ahmed, Shri Ram Sahai and the Mover, with instructions to report on or before the 16th March, 1948, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Shrimati G. Durgabai (Madras: General): It is in the great pleasure that I rise to congratulate the Honourable the Law Minister for having introduced this legislation, which is long overdue. Sir, it is, regrettable that the Legislature did not move all these years to set the matter right in the interests of justice. To start with, Sir, this legislation, as has already been explained to us by the

[Shrimati G. Durgabai]

Honourable Minister, is taken for resolving a conflict of opinion that had arisen among the various High Courts, as to whether in the case of adjudication of a Hindu father, his power of disposal of his son's share in the joint family property would devolve upon the official receiver, as it does in the case of the Presidency Towns Insolvency Act.

Sir, this conflict was first created by a Full Bench decision of the Madras High Court, reported in I.L.R. 1943 Madras. This decision of the Madras Full Bench had made a sudden departure from a long chain of decisions which were unanimous and which held the view that the Hindu father's right on his adjudication had devolved on the official receiver with regard to his power to sell his son's share in the discharge of the debts which are not illegal or immoral.

Sir, the Bill as sponsored by the Law Minister, as we are already aware, is in my opinion, defective in two material particulars. First of all it is not retrospective in operation. If the object of the proposed legislation is to resolve the conflict and thus clear up the confusion created by the Full Bench decision of the Madras High Court, that confusion could be cleared up only if the Bill is made retrospective in its operation and not otherwise, because it is the decision of the Full Bench that had really uprooted all the vested and settled titles in his creditors or purchasers.

Sir, I submit in this connection that it has been for well nigh a period of two decades held uniformly that though the son's share in the family property does not as such vest in the official receiver, at least the father's power of disposal of the son's share would vest in the official receiver on his becoming insolvent. This is the view which is supported by and based on a long chain of decisions which are practically unanimous on this point. The confusion created by that Full Bench decision has resulted this way: that it has uprooted all the titles vested and settled in his purchasers. They entered into the bargain with the belief that the official receiver had that right and that they derived the entire interest in the family estate and the price which was paid on the basis of the full entire interest of the family estate. Sir, it is this class of creditors who may also in many cases be purchasers. Their titles have to be protected. It is these creditors who have not only lost their property but also their money who have to be protected by this legislation.

Sir, as I have already stated, that if the creditor happened to be a purchaser, he lost both his money and his property. Therefore it is just that these vested titles have to be protected by this legislation. If really the object of the proposed legislation is to clear up that confusion created by the Full Bench for the first time, that object can only be achieved if the Bill is given retrospective operation and not otherwise.

Sir, if the Bill is not really made retrospective in operation, it will merely become academic. It will remain only a statutory directive for the future. That is all it does. Even if in 1947 Madras Full Bench would set the matter right, and creditors would not be misled, and they would regulate their conduct according to their decision, still unless it is made retrospective, all the innumerable purchasers and creditors to whom hardship has been caused for the first time by this Full Bench, and since that Full Bench decision, it would not set the matter right. Therefore I would appeal to the Honourable the Law Minister and also to the Select Committee to consider this point and give retrospective effect to this Bill.

Also there is another point: that is that the hardships referred to by me are applicable to a case where the Manager not being the father, had exercised his right of disposal of the junior member's share in the family property for the discharge of debts not immoral or illegal. They must equally apply to a manager who may not be a father on his becoming insolvent.

These are the two matters to which I would appeal once more to the Law Minister and the Select Committee to give their consideration and see that the Bill is given retrospective operation.

As the Law Minister has already stated, I have brought a further amending Bill which is there standing in my name. In this connection it may not be out of place just to recall the observations made by Mr. Justice Somayya in the second appeal No. 1307 of 1945 on the 31st July:

"The sales which took place between 1900 and 1943 were affected by that decision (1943, Madras, 83, F.B.) and in most cases purchasers would have no remedy, whatsoever particularly as there is no warranty of title in cases of sales held by the official receiver. It was high time that the legislature moved or was moved in the matter and necessary legislation made in order to protect the title that has been acquired between 1900 and 1943 and thereafter. It was regrettable that in spite of the defect being pointed out by a F. B. of the High Court, as early as 1942, the legislature should not have acted during all these four years to set the matter right."

Therefore, with these few observations, I would appeal to the House to accept my suggestion that the Bill should be given retrospective operation, and also the other matter about the manager may be considered by the Select Committee.

Prof. N. G. Ranga (Madras: General): I have very great respect for my learned friend, Durgabai, but unfortunately I am not able to agree with her on the two points that she has made today. Before I come to these

12 Noon two points, I wish to offer one remark. I am not myself a lawyer and I am not concerned with the various numbers of sections. (But I am more concerned about the fundamental principle involved in this Bill and that is, whether a father should be vested at all with this right to alienate the rights of his own son merely because he happens to be the head of the family. In the case of joint stock companies, there is a limited liability. In the case of the joint family, we are taking upon ourselves the right to vest in the father an unlimited liability of the son. I am opposed to that.

Mr. Speaker: The Honourable Member may give his views on the point but that would be a matter of Hindu Law.

Prof. N. G. Ranga: I am coming to that, Sir. It is because the framers of the Hindu Law were not quite so sure, whether they would be doing the right thing in vesting such a drastic power in the father, that they had taken care to incorporate that particular provision. For those debts that may be contracted for immoral or illegal purposes the son at least should be protected. There are two acts the position in each of which is different. In one the father has the right to alienate the son's rights in the property: it is not considered his property at all: and in the other Act it is considered to be his property. Therefore they themselves were not so very clear and it is high time that this House should also keep in mind this particular uncertainty about it and should try to give its attention to this particular point, whether it is advisable that the father should be vested with such high powers of disposing of the property of his son for whatever purposes, including the satisfaction of his own immoral or illegal ends.....

An Honourable Member: Is the Honourable Member speaking on the Provincial Insolvency Act or the Hindu Law?

Mr. Speaker: That was why I was pointing out that, instead of being a discussion on the Insolvency Law it would be a discussion of the Hindu Law. Whether a father should or should not have the power is a point of Hindu Law entirely.

Prof. N. G. Ranga: There are two insolvency Acts here—one applying to the Presidency towns and the other to the whole of the province. In the Act that applies to the whole of the province the position of the son is much better than the position that we find in the Presidency Act. Therefore I want the House to keep in mind the position of the son as it is found in the Presidency Act.

Coming to the point, *viz.*, this question of retrospective effect, I wish to point out one particular fact. Even according to the Honourable Minister in charge of this Bill it is clear that the High Court judges were not all unanimous about it. Some High Courts like Bengal and Madras had given contradictory judgments. If retrospective effect is sought to be given to this particular

[Prof. N. G. Ranga]

amendment who is going to be benefited and how? Some will be benefited, because that judgment had gone against them. Another section again will be harmed because that judgment has gone in favour of them. How many judgments were contradicting each other. Therefore each section of the people will be affected in different ways and you really cannot be doing any sound justice even among the creditors themselves by giving retrospective effect to this Bill.

Secondly, there is the question of the manager. My Honourable friend wants this power to be extended to the Manager also. Evidently she has in mind some of the big zamindars who get their properties managed by managers.

The Honourable Dr. B. R. Ambedkar: They are called 'Karta'.

Prof. N. G. Ranga: It is bad enough to vest the power in the father but it is worse to vest it in the agent also.

The Honourable Dr. B. R. Ambedkar: No, no. It is wrong.

Prof. N. G. Ranga: That is the answer given by lawyers. I am looking at it from the point of view of the debtors. They have as much right to be protected as the creditors. Creditors are rich enough to engage these lawyers and get things done in their own way. I wish to suggest that the benefit of this Act should not be extended at all to these managers and it should not be given retrospective effect. This amendment may be passed but we should take care to see that the Law Minister comes forward at an early date with a suitable amendment in order to protect the interests of the sons also as against the vagaries of their own fathers.

Dr. P. S. Deshmukh (C.P. and Berar: General): Sir, the Honourable speaker who preceded me was certainly off the mark a bit and his being so could easily be understood inasmuch as he told us that he was not a lawyer. It is therefore easily understandable if his mind was prejudiced against the 'managers' having any power. He naturally thought managers meant ordinary managers. Actually this 'manager' is the manager of a joint Hindu family under the Hindu Law. Nonetheless I am in agreement with some of his comments and would therefore appeal to the Honourable Minister to agree to circulate the Bill. It is quite true that conflicts have arisen and the present situation is far from satisfactory but even so it is questionable if it would be right to give the courts retrospective power. It may not be an unmitigated evil or good, as you may be pleased to call it. Although we have a certain amount of sympathy for innocent purchasers who entered into transactions without knowing the pros and cons of the matter and the situation would certainly be somewhat curious and would lead to certain amount of hardships, because some innocent persons may be deprived of the property which they had held for some considerable time. But it should be remembered that after all these provisions have been in force for a very long time. There may be difficulties and conflicts, but we could I think wait a little more. If we are to adopt the point of view which has been placed before the House by the Honourable the Lady Member, *viz.*, giving retrospective effect to the provisions, I think it would be as well to spend a little more time and to know the reactions of both the judges as well as advocates and other people so far as both the Bills are concerned.

I have an inborn prejudice against creditors, because I regard them as a body of persons who take advantage of other people's needs. They are very rarely anything but unscrupulous. So from that point of view I do not want any expansion of their powers in any shape or form by any enactment. So if there are any difficulties in their way of getting hold of a property under the Provincial Insolvency Act, I would much rather keep those difficulties in the way rather than remove them.

Shri C. Subramaniam (Madras; General): On a point of order, Sir, as a member of the Select Committee which is to sit on this Bill, can the Honourable Member express any definite opinions of his on the floor of this House?

Mr. Speaker: It cannot be a point of order at all. I have stated many times before that I would not call upon people who are appointed members of the Select Committee to address the House to give their views, because they have got the chance of doing so in the Select Committee. The position in regard to this Bill seems to be a peculiar one. It is not only a technical matter; but after the Honourable the Law Minister expressed some opinions with reference to the private Bill of Shrimati Durgabai, that introduced into the discussion some matter strictly outside the scope of the Bill. I do not blame the Law Minister for that. There were common points in the two Bills and as those points were referred to, it became necessary for me to allow Shrimati Durgabai to explain her position with reference to them. It is, therefore, that I am allowing a few members to speak but this should not be taken as a precedent for future occasions.

Dr. P. S. Deshmukh: I am thankful to you, Sir for this correct ruling. I know the ruling about Select Committee members not speaking and that was why I am confining myself strictly to the point of principle and was not going into details at all. In view of the complications that are likely to arise as a result of the two Bills which are not identical, it would be far better if we have before us the country's reactions to the Bills and also the opinions of the judges who have been differing from each other and are therefore responsible for creating the chaos with which are faced. Under these circumstances I would appeal that both Shrimati Durgabai and the Honourable Minister would be pleased to wait for a little more time and agree to circulate the Bills for eliciting opinion thereon.

Shri C. Subramaniam: Mr. Speaker, Sir, I welcome this measure because there is a lot of confusion about the provision of law regarding the power of the father to dispose of the son's share under the Provincial Insolvency Act. I will confine my remarks to the one aspect which my Honourable friend Shrimati Durgabai referred to, that is, that this provision should be made to have retrospective effect. You will find that even in 1924 the Privy Council expressed its opinion that Section 2 (e) of the Presidency-towns Insolvency Act does not include the power of the father to sell the son's share for his own personal debts. The provisions in Section 2(d) of the Provincial Insolvency Act are identical to those of Section 2(e) of the Presidency-towns Insolvency Act. Again in 1936 the Privy Council expressed the opinion that in the Presidency-towns Insolvency Act there is a specific provision, Section 52, and it is only in pursuance of that Section that the Official Assignee gets the power to dispose of the son's share. So, as far as the Privy Council is concerned, it expressed its opinion definitely on these points as early as in 1924 and it was further reiterated in 1936. Even regarding the interpretation of the provisions of the Provincial Insolvency Act, the Bombay High Court, as was pointed out by the Honourable Minister, has held that the power does not vest. Patna, Allahabad and Nagpur have also held that it does not. Except for Madras and Calcutta all the other Provincial High Courts have held that the power does not vest. Suppose we are going to make it have retrospective effect. Retrospective from what date? That would be a pertinent question. Suppose you hold that the Official Receiver always held this power from the origin of the Provincial Insolvency Act; then what will become of the Bombay, Patna, Allahabad and Nagpur decisions where it was uniformly held that the power does not vest? Are you going to say "As far as Madras and Calcutta are concerned, we shall give retrospective effect"? It will lead to all sorts of absurdities and anomalies. In cases where it relates to property rights, whether the law was rightly understood by certain High Courts or not it is wrong in principle to give retrospective effect. It will affect the property rights. My humble submission would be that in all these matters where property rights are involved,

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as far as possible we should restrict the operation of any Act from the date on which it comes into effect. I would therefore recommend to the Select Committee to consider this aspect fully before coming to the conclusion whether it should be given retrospective effect or it should come into operation only from the date of passing of the Act.

As regards the question of manager it is a different question. It depends upon the mental attitude of the Select Committee whether creditors should get certain more rights or Junior members of debtors' family should be protected. That is a point which I hope will be taken into consideration by the Select Committee before they come to any conclusion in this matter. With these words I support the motion.

Shri Biswanath Das (Orissa: General): Sir, if the House comes to the conclusion that an Insolvency Act is necessary I think the Bill brought by the Honourable the Law Minister is a necessity. But my submission to the House is that an Insolvency Act of the nature of the existing Act is an unnecessary and undesirable one and breeds a certain amount of immorality into the society. In the first place my objection is that this is in the Concurrent List and as such the Central Government should not have poked its nose in the matter but should have left it solely to the Provincial Governments and the Provincial Legislatures. The name of the Act is 'Provincial Insolvency Act' and there is no reason why the Central Government should enter into the field. I think the only course of action that is necessary is to do away with this Act. If today I ask for doing away with this Act my reasons are these. There is nothing in this Act to help the poor. I will invite the attention of Honourable Members of this House to Section 10 under which protection is being given. Section 10(1)(a) bars the door against the poor. Unless the amount is over Rs. 500, no person could seek the protection of the Insolvency Court. That means that the poor people whose debts do not reach that level cannot have protection of the court of law. If that is the position it is unfortunate. Sub-clause (b) lays down that a debtor shall not be entitled to seek the protection of the court unless he is under arrest or imprisonment. That means after spending money in courts, after getting a decree, after paying the parties for the loss, then alone the protection of law could come to the poor. Look at the other side of the picture. The Act encourages.....

Mr. Speaker: Order, order. I am afraid the Honourable Member is going beyond the scope of the Bill. The question before the House is not whether it is desirable or not to have any law about insolvency. The actual question is as to whether this particular Section should be so amended as to include the father's right, unequivocally, of transferring the property in respect of his own debts so that it may devolve upon the Official Assignee or Receiver. Whether it should be included in the word 'property'. That is the only question before the House.

Shri Biswanath Das: In fact I am opposing the Bill in the sense that if at all the Act needs revision it is its repeal and no addition to its provisions or no amending Bill of this nature is called for. That is my position. If the Chair holds that I am not in order I am prepared to resume my seat. But I feel that this aspect of the question should also be placed before the House.

Mr. Speaker: If I were to permit a detailed discussion of that, then the scope of the discussion is so much widened that the whole of the Provincial Insolvency law comes under review. That, I do not propose to allow. The Honourable Member has already referred to the point. That should be enough. He may make any remarks he would like to, with reference to this particular Bill.

Shri Biswanath Das: I have nothing to say about this particular Bill. In fact I have clearly stated that if the House comes to the conclusion that the Insolvency Act as it is should stand, then this Bill is a natural corollary to it. There is no denying that fact. Therefore I have nothing more to say in the matter.

The Honourable Dr. B. R. Ambedkar: Mr. Speaker, Sir, I will begin with my answer to the point made by my friend who spoke last. If I understood him correctly his points were two. One was that this was purely a provincial matter and ought therefore to be left to the Provincial Legislatures.

Shri Biswanath Das: May I interrupt my Honourable friend, Sir? I stated clearly that it is in the Concurrent List and that as such the Central Government should have left it to the Provincial Governments and the Provincial Legislatures. I know it is in the Concurrent List.

The Honourable Dr. B. R. Ambedkar: I was just going to say that. The reason why it was put in the Concurrent List is undoubtedly—and I do not think there can be any other reason—that in a matter of this sort there ought to be uniformity if the Centre decided there should be uniformity. Therefore it is the right of the Central Legislature to legislate on the subject.

With regard to the question whether there should be an Insolvency Act or not I do not think that that can be a point at issue on a matter of this sort. If my Honourable friend wants that there should be no insolvency legislation at all the proper thing for him would be to bring in a resolution before the House and say that all laws relating to insolvency may be abolished.

Shri Biswanath Das: May I state that I never said that the Insolvency Law is not necessary. All that I said is this law is unnecessary, undesirable and breeds immorality into society.

The Honourable Dr. B. R. Ambedkar: Yes, therefore not necessary. However with regard to the point made by Dr. Punjabrao Deshmukh he is not here—I was somewhat surprised when he said that the Bill ought to be circulated. He has accepted a place on the Select Committee and I am sure about it that the two positions are quite inconsistent. I do not wish to say anything more about what he has said.

With regard to the point Shrinati Durgabai, namely that the Bill should have retrospective effect, I was bound to make a reference to it because I had induced her to withdraw her own Bill on a promise that when I bring my Bill I will say something about her Bill also. But as to the substance of it, as I say I feel a certain amount of doubt and difficulty, and I cannot very readily say in this House that I shall accept the proposition that the Bill should have retrospective effect. In fact one of the friends on the bench there who spoke said something which has a great deal of force and we must be very careful in giving retrospective effect to a measure of this sort.

Now coming to the point made by my friend Professor Ranga—he of course has the habit of entering into subjects which undoubtedly he himself will acknowledge are not his own—I am prepared to modify his argument and to give it some sort of a shape so that it might appear respectable. Now if I understand correctly, what he said was that there was a difference between the Presidency Towns Insolvency Act and the Provincial Insolvency Act inasmuch as one contained a clause or a section like 6 and 52 while the other did not.

One could infer from what he said that the legislature in passing the law had different intentions from the very beginning that while they intended that since interest must pass to the Official Assignee under section 52 when the father became insolvent, the legislature has no such intention when they passed the Provincial Insolvency Act. I think my friend Professor Ranga, not being

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 a lawyer, has not understood the position correctly. If he refers to the definition of the term 'property' to which I made reference, he will see that in both the laws, provincial as well as Presidency Towns, the definition of 'property' is just the same. There is no difference at all. In both cases the phraseology is property or power. The difference is that under 52, the official assignee can pursue property, but somehow there being an omission in the Provincial Insolvency Act, he has no right to pursue that property. Therefore there is no doubt about it that this must have been a very inadvertent omission. If the legislature did not intend that the father's right to dispose of the property of his son under the Provincial Insolvency Act should not accrue to the official assignee, the definition of the term 'property' in the Provincial Insolvency Act would be very different to what it is now, and therefore I submit with all respect to my friend that his point really has no substance. Sir, I move.

Mr. Speaker: The question is:

That the Bill further to amend the Provincial Insolvency Act, 1920, be referred to a Select Committee consisting of Shri Alladi Krishnaswami Ayyar, Dr. Bakshi Tek Chand, Shrimati G. Durgabai, Dr. P. S. Deshmukh, Shri M. Ananthasayanam Ayyangar, Pandit Thakur Das Bhargava, Mr. Naziruddin Ahmed, Shri Ram Sahai and the Mover, with instructions to report on or before the 16th March, 1948, 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.

RESOLUTION RE. EXTENSION OF PERIOD MENTIONED IN SECTIONS 2 AND 3 OF INDIA (CENTRAL GOVERNMENT AND LEGISLATURE) ACT, 1946, AS ADAPTED.

The Honourable Dr. B. R. Ambedkar (Minister for Law): Sir, I move:

"In pursuance of the proviso to section 4 of the India (Central Government and Legislature) Act, 1946, as adapted by the India (Provisional Constitution) Order, 1947, this Assembly hereby approves the extension of the period mentioned in sections 2 and 3 of the said Act for a further period of twelve months commencing on the first day of April, 1948."

Now, Sir, it is not necessary for me to enter upon a very lengthy discussion in support of this resolution. It will suffice if I tell the House that the Central Legislature has passed various legislations imposing controls on commodities, requisitioning land, and so on, matters which are purely in the Provincial List. This power the Centre was able to exercise because of the proclamation of emergency which was issued by the Governor General when the war broke out: and as the House knows, since the proclamation is issued by the Governor-General the Central Legislature gets the necessary power to make any order or to pass any law notwithstanding the fact that the subject falls in the Provincial Legislative List. It is also provided in the Government of India Act that this power of legislating upon provincial subjects would disappear six months after the Proclamation of emergency has been withdrawn. Now this power was exhausted in the year 1946. The Government of the day felt that although technically the emergency had disappeared, yet factually there did exist a certain urgency for the controls imposed by the Central Legislature to be continued. There was no method by which the Centre after the emergency had ended, could get the power to keep the controls alive, and therefore the Central Legislature approached the British Parliament which was then the only authority which could confer such power on the central Legislature to make due provision in this matter, and Parliament, as the House will remember in 1946 passed an Act called the India (Central Government and Legislature) Act, 1946. Section 2 of that Parliamentary statute permitted the Dominion Legislature make laws with regard to the matters which it had done during that emergency. But what the Parliamentary Statute did was that it gave the power to the Central Legislature for one year only in the first instance.

Under the provisions of that Act, the Central Legislature passed Acts called the Essential Supplies (Temporary Powers) Act 1946, and the Requisitioned Land (Continuance of Powers) Act 1947. That law was passed in 1946. Under the Parliamentary Statute it continued in existence for one year, that is up to 1947.

Now, Section 4 of the Parliamentary Statute as I said provided that the Centre could exercise these powers for one year. It also provided that the power could be extended by another year if the Governor-General so certified. Consequently those two Acts to which I made reference were continued in existence by another year by the fiat of the Governor-General and we are now exercising those powers under that extension effected by the Governor-General. Now, under the extension effected by the Governor-General, these would continue up to 31st March, 1948. The various Departments of the Government of India have been consulted in this matter in order to ascertain whether they could do without these controls after the 31st March 1948. I believe that almost all the Departments who are charged with the administrative control feel that they need at least one year more to continue these controls.

As I said, Section 4 of the Parliamentary Statute gave the power for one year in the first instance, in the second instance one year on the fiat of the Governor-General, and thereafter by a Resolution of this House. The position, therefore, is this, that unless this House passes a Resolution extending that power, these powers will come to an end on the 31st March 1948. As the House will remember, I am only a Law Minister, I have no administrative responsibilities for the affairs of the Government of India, and I am therefore not in a position to answer any questions if they are asked as to whether in fact this extension is necessary, but I can tell the House that all the Departments are agreed that this extension is necessary, and I hope that the House will accept the view of the Departments of the Government of India and pass this Resolution. I have taken the precaution of calling my friend Dr. Syama Prasad Mookerjee to be by my side in order to reply any questions requiring detailed particulars with regard to the necessity of a provision of this sort. Sir I move.

Mr. Speaker: Resolution moved:

"In pursuance of the proviso to section 4 of the India (Central Government and Legislature) Act, 1946, as adapted by the India (Provisional Constitution) Order, 1947, this Assembly hereby approves the extension of the period mentioned in sections 2 and 3 of the said Act for a further period of twelve months commencing on the first day of April, 1948."

Shri K. Santhanam (Madras: General): Sir, I do not doubt the desirability of continuing to some extent the provisions of the Essential Supplies Act, but whether this is the proper method of continuation is a matter to be considered. I think the proper procedure would have been to bring forward that Act as an Act of this Legislature with such modifications as may be necessary. As you are aware, many of the articles have been de-controlled and it is a proper principle that the Government should take only such legislative powers as are absolutely necessary for a particular purpose. We want to know whether the Government want all the powers given by that Act for all the articles. As the Law Minister has pointed out it was an inroad into the powers of the Provincial Governments and Provincial Legislatures but these inroads were justified by an absolute emergency. But it was the duty of the Government of India to respect the Provincial autonomy of the Government of India Act and restrict, if not altogether abolish, the inroads made by this particular Act. I think it is simply due to laziness on the part of the Government of India that they should have asked for a mere extension of the whole Act. It was the duty of every Department affected to scrutinise which provisions were needed and to what extent, and to have sent their views to the Law Minister so that he could bring a proper Bill before the House.

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As it is now, we also have blindly to say that the Government Departments want, and therefore we give them, the powers; we have no right in discussing the Resolution to restrict those rights to any extent—we simply either have to give them the whole of what they want or not give them at all. I must express my utter dissatisfaction at the method of handling such things. I think the Legislature should have been treated with a great deal of consideration; it should not be treated as a mere registering body—whatever the Government wants we are supposed to be here to put a rubber stamp on! That should not be the attitude towards the Legislature. If they want any power they should come and justify that the entire power, and for the entire period, is needed. I do not think a justification has been given to us. Of course, as the Law Minister has explained to us it is not his business to do it—I do not blame him. It is the business of the other Departments. I hope the Minister for Industry will tell the House whether he is in actual need of the entire powers given by that Bill, otherwise why he did not come forward only for the restricted powers.

The Honourable Dr. Syama Prasad Mookerjee (Minister for Industry and Supply): Sir, I think I should intervene at this stage and clear up what is an apparent misapprehension on the part of the last speaker. What has been done in this case is merely to ask for the continuance of the existing powers to pass orders in regard to control of certain commodities. If you look at the Act, Sir, under Section 2, "essential commodity" includes eight items: Foodstuffs, Cotton and woollen textiles, Paper, Petroleum and petroleum products, Spare parts of mechanically-propelled vehicles, Coal, Iron and Steel, and Mica. So far as the orders which have been issued from time to time by Government under this Act are concerned, they will be considered separately by Government in relation to the necessity of continuing such orders. All that we are asking for now is that the present Act should continue; that the powers which the Government of India enjoys to enforce control if necessary should remain vested in the Government of India for one year more. Nothing beyond that.

So far as the policy of de-control is concerned, as the House is aware, Government practically stands committed to it. A gradual policy of de-control is the policy of the Government of India. That being so, I have not deliberately enlarged the list of Commodities which is included in paragraph 3. If later on it is found necessary to include other commodities we shall then, as Mr. Santhanam suggests, come up specifically before the Legislature and ask for additional powers. All that we now do is to act with a certain degree of caution with regard to these particular commodities. We have de-controlled some of them; may be, in the course of the next few months, there may be fresh developments and some fresh orders may have to be passed. We are just retaining the powers in our hands; we are not asking for anything more. In view of this explanation, I hope, Sir, the House will accept the Resolution and continue to trust the Government of India to exercise its present policy of de-control in relation to the conditions obtaining in the country.

Prof. N. G. Ranga (Madras: General): Sir, I have listened with great care to the explanation given by my Honourable friend Syama Prasad, but I am not satisfied for this reason. We are not here to distrust our Government; we are quite prepared to trust them. We are also quite prepared to clothe them with all the powers that they want, but we should also be helped to understand why they want to do a particular thing. When a Resolution like this is sought to be moved, any impartial person, Sir, who simply reads this thing will be completely dazed. He will not know what this Resolution really purports to be, what it is intended to do.

Now my Honourable friend Dr. Ambedkar was good enough to give some explanation, but is that enough? Is it not the duty of the Government of India and the Departments concerned to place on the table of this House and make it available to all the Members also, a Report of working of these controls? Two years ago I made this suggestion, that a scientific study should be made of the working of these controls in order to see whether their continuance would be necessary at all, whether their working was satisfactory and in what way their working should be improved and so on. No effort has so far been made in that direction. We are told by my Honourable friend Dr. Ambedkar that almost all the Departments have agreed that these emergency powers should be vested in Government. Very well, it may be so. Were we not told, Sir, some time ago that all the Departments were completely convinced of the utter necessity for the continuance of these controls, and that they were convinced that it would be dangerous for the country that Government should adopt any de-control policy at all? If it had not been for Mahatma Gandhi's intervention—and powerful intervention at that,—are we quite sure that even the present Government would have been quite willing to accept and adopt their present policy of de-control? Therefore, Sir, the fact that almost all the Departments have recommended that these emergency powers should be extended does not carry any conviction, but a sincere attempt should be made by the Departments concerned to convince this House. After all, we have got to prepare the public mind, we have got to back them, we have got to enlighten them and win them over, and how are we going to win the public opinion unless we are helped with the necessary statistics and figures as to the working of these controls,—whether they have been working for the benefit of the people or for their disadvantage or anything like it. We have not so far been given any such information.

Secondly, Sir, we are told that there are only eight more items on their list of controlled articles. Some of them are being de-controlled; some more may come to be de-controlled by about the end of March or something like it, or in a few months. We do not know how much longer Government would take in order to de-control the whole lot of these commodities. Not that I am at all opposed to the idea of the Government control over such commodities or any sort of control for that matter, but unfortunately in our country the working of these controls has been so very unsatisfactory, peculiarly situated as we are, with the sort of services that we have been blessed with. It is for that reason that I have been fighting against these controls for the last two years and therefore I request the Honourable Minister for Industries, late though it is, to order even today an enquiry into the working of these controls, the present as well as the past, so that it will be of great use indeed as a sort of guide for the future, and it will also be possible for him then to see how soon he can put an end to almost all these controls and not to have to come to this House again for any extension of these emergency powers.

Shri Biswanath Das (Orissa: General): Sir, I expected that the Government would do us the favour of constituting a Committee of the House and place before them the necessity of the further continuance of these controls. My Honourable friend Dr. Syama Prasad Mukherji has called upon us to repose confidence. We give all confidence. We give him a blank cheque. There is no want of confidence in the Ministry, but we on our part would appeal to him to give us his confidence. It is not a question of our confidence being given to them, because we have given them all our confidence and there is nothing more in us to give. We necessarily feel that it is they, the Government, who have to give their confidence to us.

Sir, go to the countryside. The whole country wants de-control. It is Mahatma Gandhi who knew by instinct the popular mind and put his powerful influence on the side of de-control and the acuteness has been eased because of

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de-control in certain commodities. It took my breath away, Sir, when I was told by some Madras friends that after controls have been loosened in Madras moffusil, rice is being sold at 3½ seers in Bezwada and for 14 annas per seer in Madras city. Therefore, it is fair under the circumstances that the House should know how the controls are working. I think we have the right, and people expect us to tell them how the controls are being worked and why it is that they get nothing in certain commodities.

Sir, you have been carrying on propaganda for 'Grow More Food', and yet, nothing is given to the rural population to meet their agricultural needs by supplying them with their iron necessities such as rims, ploughs and the like. What is worse is that everything is available in any quantity in the black market and nothing in the white market. Under these circumstances, I would appeal to my Honourable friend to agree, or to come forward subsequently, with a proposal to constitute a Committee of the House and place before it all the information that Government have in their possession in justification of the continuance of the control and then have it. I say, have it for one year or even more, if necessary, but do tell us what is the justification for it and convince us of the necessity, so that we will go to the countryside and explain to the people the utter indispensability of the same. Sir, these are days of democracy. Our little masters are impatient to do away with these controls. Under these circumstances, any further continuance of the control means a continuous propaganda in the countryside to explain to the people how and why the controls are justified.

Sir, I understand the difficulties of my Honourable friends. They are the people to run on the machinery as *karnadhar*. The machinery they have inherited is an unfortunate one. It is not only heavy but also unworkable. It is not for us to call for a revision of the entire thing now. Reformation of the whole machinery is not possible all at once. Therefore the controls however good they might be, however well-intentioned they might be, have not been working for the purpose for which they are intended. Under these circumstances, I would appeal to my Honourable friend to appoint a Committee of the members of the House and place before the Committee all the necessary information or the reasons for justifying the continuance of the controls and then have the controls. With these words, Sir, I appeal to my Honourable friend to accept the suggestion.

Shri Alladi Krishnaswami Ayyar (Madras: General): Mr. Speaker, Sir there are two points for consideration: one whether the Dominion Parliament is to be invested with the power to exercise control and secondly, whether in particular circumstances control is necessary or not. It is necessary to keep the two points distinct. What the Honourable Minister is seeking to ask this House is there must be a resolution to implement the Act of Parliament so as to enable the Parliament to exercise that power if it so chooses. It does not mean that the House is committed to the policy of control. But supposing in any given case control is deemed necessary, you will not get the power within the frame-work of the present Constitution unless this resolution is passed. The only object as I understand of the Honourable Minister's motion is to have a resolution of the House so that the Dominion Parliament may be invested with the power to exercise the control if it so chooses. We need not deny ourselves the power. I have no doubt that when people who are versed in public affairs when they bring to the notice of the Government that control is no longer necessary that control will not be exercised. Therefore, we are pursuing a wrong path when we say that we ought not to be invested with the power under the earlier Constitution. In regard to the subject of pure trade and commerce between the Governments it was entirely a provincial issue. Parliament than

thought that unless in the exigencies of the war the Indian Government is invested with the power it would not be in a position to pull through the difficulties of the situation. Accordingly the particular Parliament Act, to which reference was made by the Honourable the Law Minister, was passed. That very Act provides that if you want to have a power for a further period it must be by means of a resolution. If you do not pass a resolution it will be passing a self-denying ordinance. The legislature even if it chooses will not have the power unless there is a change in the Constitution. Therefore, the object of this resolution, as I understand it, is not to commit the Government and the Dominion Parliament with the power, if the circumstances and the necessity of the situation demanded that control should be exercised. I think these two points ought to become distinct—the necessity of control and the wisdom of the Dominion Parliament being invested with the power under the existing constitution to exercise this control, if the circumstances warrant it. That is the only point at issue before the House and I have therefore great pleasure in supporting the Resolution now placed before the House by the Honourable the Law Minister.

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.

Shri Ramnarayan Singh (Bihar: General): Sir the Britishers have left the land but God alone knows how long we will continue to suffer from the legacy they have left behind. My Honourable friend Dr. Syama Prasad Mookerjee has emphasised that all the departments of the Government of India have agreed that controls should continue for another year.

The Honourable Dr. Syama Prasad Mookerjee: I did not say that; they are agreed that this power should be kept.

Shri Ramnarayan Singh: A wrong thing cannot be right simply because all the departments of the Government of India have agreed to it. Sir, the House is being consulted, the whole country may be consulted, a plebiscite may be taken, and it will be found that the departments of the Government of India are in this matter quite wrong. They have held that the power to control articles should be continued for another year. Sir, we have seen that controls created havoc throughout the country and there is not one single man who has not suffered from these controls.

Pandit Balkrishna Sharma (U.P.: General): Sir, on a point of order, I should like to know if any discussion on the basic policy of control *versus* decontrol will be germane to this Resolution. If I read the Resolution aright, it does not wish to perpetuate the controls but only seeks power to impose controls if necessary. In that view of the case will a discussion of the whole policy of control *versus* decontrol be in order?

Mr. Speaker: I just wanted to follow what exactly the Honourable Member was going to develop in his argument. It is perfectly true that the policy of control or decontrol is not at issue in this debate, but reference to that policy will be inevitable because this Resolution seeks to continue the powers with reference to control. It, therefore, appears open for argument, that, even if there is a desire to decontrol, perhaps the continuance of powers may hamper the policy of decontrol because of the force of executive action. That seems to be the line open and to that extent I think reference to control and decontrol would be in order.

Shri Ramnarayan Singh: Sir, I thank you for this ruling. Had not the departed Mahatma Gandhi come to our rescue this Government might have continued to control everything that they have decontrolled in the recent past. We have seen that by decontrolling some articles the situation in the country has been eased. Let us, for instance, take the case of petrol.

Mr. Speaker: I am afraid the Honourable Member is now going beyond the limits which I have prescribed.

Shri Ramnarayan Singh: Sir, I will keep within those limits, but I will say this that control has created corruption; it has destroyed the character of our people and has attempted to corrupt the incorruptible. The Congress Committees and all of us Congressmen have suffered in our reputation and prestige owing to our cooperation with the control department of Government. I go further and say that even this Government and the Provincial Governments have all suffered in reputation and prestige owing to this control. I therefore ask Government to withdraw this Resolution; the House should also ask for its withdrawal, if not reject it.

Haji Abdus Sattar Haji Ishaq Seth (Madras: Muslim): Sir, I am not a lawyer and therefore in the words of the Honourable Minister for Law, this is not in my line at all. But what is perfectly in my line is to request Government that they should not draw up Resolutions like this in the form of something like crossword puzzles to test the intelligence of Honourable Members of this House. I do not think many Honourable Members had before them the particular Act to which this refers, and it is impossible to know what the subject-matter of the Resolution is. I think, Sir, you can yourself hold that a Resolution which does not mention the subject-matter itself is out of order. However, I am not on that point now, but I make a humble request to Government that they should state what it is all about and what it is that they want to do, instead of mentioning the chapter and verse of so many enactments.

My Honourable friend Mr. Santhanam said that Government should have first drawn up a list of subjects on which they wanted the power to continue the controls and then framed this Resolution. Sir, reading section 4 in a laymen's way I do not think that this House has authority to extend the powers only in a limited form. What the House can do is either to extend it or not to extend it at all.

With regard to giving these powers I can say that there is no objection whatever to grant these powers to Government. It is not as if Government want to continue all these controls,—they have made that clear. I think there is no harm in giving these powers and therefore I support the motion.

Pandit Balkrishna Sharma: Sir, I was really surprised to find such weather-beaten and seasoned parliamentarians as my Honourable friend Mr. Santhanam, Prof. Ranga and Mr. Das take this Resolution to mean that it was actually with a view to continue this policy of control that they are asking us to vote for it. I think nothing of the kind was in the mind of the Honourable Minister for Law or the Honourable Minister for Industry. As a matter of fact, nobody can deny that today we are living in abnormal times. The emergent situation according to law might have disappeared with the end of the war, but we must not forget that even today we are at war, and therefore it is just likely that at any time the Central Government may be required to use certain powers which are necessary in order to fulfil the exigencies of an emergent situation and as such I think it is quite proper that they are asking us to vote for this resolution and to take this for one year more. I think at the end of the year we shall again be at liberty to consider whether the situation as then prevails requires those powers for any further period or not. The mere passing of this resolution does

not mean that we are voting for the policy of control. I was one of those when that policy was being discussed in this House who was in favour of the continuance of controls. But the experience that we have gained of certain of the commodities which have been decontrolled encourages us in the hope that perhaps it may not be quite so disastrous to decontrol still further, and therefore I think the Government also will not use those powers which we are giving them today in any haphazard manner or with a sense of irresponsibility: nothing of the kind. Therefore there is no reason whatever to confuse this issue with the actual policy of control or decontrol and as such I wholeheartedly support the Honourable the Law Minister's resolution.

Dr. B. Pattabhi Sitaramayya (Madras: General): I have the advantage of starting with a cipher knowledge. I took two days' leave and do not know what the resolution is and luckily the contents of it are obscure. They give references to chapter and verse which we cannot get immediately. Thanks however to the points of order raised by one of our Honourable friends and the lucid explanation given by the Speaker, I am put on the right lines.

My objection to the continuance of this power which will now be a reserve power is this. The declaration of controls has completely set up a new standard of morals amongst the officers. A new atmosphere was created. Controls meant that everybody was free to control his own morals as he liked and if you decontrol that will mean that there will be decontrol also over the new standard of morals or immorals. It should be made plain that once the controls are removed and the law is abrogated no officer can bank upon the indulgence of the higher authorities and the atmosphere favourable to a certain immorality will no longer be there. What is meant to be protected is deviation from the normal. That is the main point that strikes me. As for the powers; it is not as if you are hard up for powers. Thanks to the ingenuity of Sir Samuel Hoare, who introduced the principle of Ordinances into the Act of 1935—which have been perpetuated in the Adaptation Act, and which I daresay will be found to be very wise and convenient measures in the new Constitution as well—you can start an Ordinance overnight. The other day we wanted to deal with the sugar question—that it should be controlled and the prices should not be raised all of a sudden. We approached the Member. Overnight an Ordinance was passed freezing all the stocks in India. There is no power that will stand in the way of your exercising your discretion and judgment in the manner you consider them to be the best under the circumstances. "If you are giving me the powers", you may ask "why not allow the existing powers to continue". That looks plausible. But behind it there is the presumption that with the atmosphere of controls and the demoralization that has set in the wake of controls, and the lowered standards of morality which have come to be recognised as almost permissible by the Government of the day, all these will raise their head once again. Therefore, purify the atmosphere. Say the controls have been removed altogether and declare once and for all that the old standards of morality in public service must be re-established and reinstated in order that we may chasten and exalt the Government officers' standards of conduct. If you do that, then you can start afresh, and then we can try our good luck once again with the officers, under the new order.

This is all that I have to say: You have the powers. Any day or at any moment you can invoke them.

Shri M. Ananthasayanam Ayyangar (Madras: General): Though I have not been here to hear the speeches of my friends Mr. Santhanam and Prof. Ranga, I agree with them that a Bill like the one at issue ought not to be placed before the Assembly without taking the Assembly into confidence regarding the manner in which the controls have worked so far at least in regard to those items in respect of which this Act may be continued or the controls continued.

[Shri M. Ananthasayanam Ayyangar]

I do not agree with my friend, Dr. Pattabhi, that ordinances can be made available for these purposes, because most of these subjects are provincial subjects. Each province may impose an ordinance as it likes. There cannot be uniformity regarding these controls all over India. That is one of the main reasons for clothing the Centre with the power to continue the controls in case control is necessary.

Dr. B. Pattabhi Sitaramayya: May I say that a Provincial Government has the power to enact Ordinances!

Shri M. Ananthasayanam Ayyangar: They do. But Provincial Governments have power to enact Ordinances which will not be uniform all over the country. Take sugar. Unless there is a Central control there will be no uniformity: so likewise with cement, petroleum, paper etc. These are matters where each province ought not to be left to have its own control. If you take the States they will have 500 and odd controls! Therefore, in the interests of administration, it is necessary that the Central should regulate it.

But the other question is as to how far the Centre should be clothed with powers without telling us in what particulars controls should be extended. It is true we have our own Government and that the Government will take care to see that the control is extended on certain items for a period and then they will review the control in respect of those matters where control is not necessary. I would urge on the Minister for Industry and Supply, that, if these controls are not removed, but some have to be kept alive beyond three months, he will come before the Assembly and justify the need to continue these controls and the manner in which they are to be continued so far as expediency shows. If the Honourable Minister gives that assurance. I think we may clothe the Centre with power, seeing that the Centre is none other than a limb of this Assembly and would not be irresponsible to it. There is a change that has come over it and I am sure it will not abuse that position but they must review the situation. I would therefore urge upon the Minister to take the House into confidence, place the matter before it. and though this Act may clothe him with general powers, he must come before the Assembly and take its verdict on each control later.

The Honourable Dr. Syama Prasad Mookerjee: Members who have opposed the resolution have been mainly actuated by a desire to see that the policy of decontrol is fully implemented as soon as possible. As I said, Sir, previously in the course of this debate that Government has adopted a gradual policy of decontrol.

One objection which has been raised by several members is, particularly by Professor Ranga and Shri Biswanath Das, that Government did not take the Legislature into full confidence regarding the various commodities mentioned in this Bill. There I join issue. If you refer to these items you find that the first place is occupied by foodstuffs. With regard to food policy the then Food Minister, Dr. Rajendra Prasad, placed the entire policy of the Government before the Legislature and there was a full dress debate. There has been decontrol in respect of most of the items but so far as inter-provincial movement is concerned that is still under some sort of control or directions which may be issued by the Central Government. I ask the Honourable Members of the House to point out whether in violation of the declared food policy of the Government, Government has done anything behind the back of the House.

Prof. N. G. Ranga: We want to know how they have worked and why they have failed.

The Honourable Dr. Syama Prasad Mookerjee: So far as the policy is concerned, it has been approved by the Legislature. So far as the working of the policy is concerned naturally it will take some time before we can see the full results thereof. There was some serious situation the other day in Madras and

the Food Minister had to rush to South India to see that no emergency arises in that area. What I am saying is this. The way in which decontrol should be introduced with regard to foodgrains was placed before the Legislature and the Legislature was taken into full confidence.

As regards cotton and woollen textiles, there again I placed before the House the policy of Government and decontrol has already been introduced. In respect of one or two items decontrol could not be introduced and Prof. Ranga was one of the members who congratulated the Government on having continued control with regard to yarn. Now how can Prof. Ranga or any other member complain today that Government is doing something with regard to decontrol. . .

Prof. N. G. Ranga: On a matter of personal explanation, Sir, I do not take any objection to this resolution. I want the Government to place before the House a report of the way in which the controls have worked, if they have failed where they have failed and why. That report has not been placed before the House.

The Honourable Dr. Syama Prasad Mookerjee: At every stage Government was anxious to take the House into full confidence in deciding upon its policy of decontrol of the two major items relating to foodstuffs and cotton and woollen textiles.

Paper is the third item. There also the House knows newsprint has been decontrolled. With regard to other varieties of paper which are produced in India I have assured the House that the matter is receiving my attention and within the next few weeks I hope to be able to announce the policy of the Government.

"Petroleum and petroleum products" is the fourth item. That is also being considered by Government now in view of certain recent developments which I am not in a position to disclose but I can assure the House that this matter is also receiving the attention of the entire cabinet.

Next comes "spare parts of mechanically propelled vehicles". In regard to this matter only yesterday I announced to the House what the policy of the Government was, how in respect of certain matters Government has accepted the policy of decontrol and how with regard to certain others we have to proceed with a degree of caution.

Next comes coal. So far as coal is concerned there also the policy was announced to the House that for the time being we are not in a position to decontrol coal but we are examining the recommendations of the Coal Enquiry Committee and whatever decision Government arrives at will be placed before the Standing Committee as also before the legislature.

Next in the list are iron and steel and mica. So far as iron and steel are concerned there also it was only a few weeks ago that I informed the House that it would not be possible for Government to decontrol immediately but that matter is also being considered in consultation both with representatives of consumers and producers.

These are all the items that are covered under this Act. With regard to every one of these items Government has been extremely anxious not only to keep itself in touch with the Standing Committees concerned but also this House. Government has accepted the policy of gradual decontrol. As my Honourable friend Mr. Aladi Krishnaswami Ayyar pointed out there are two aspects to the question. One is the retention of certain powers in the hands of the Government and the other is the exercise of these powers. So far as the

[Dr. Syama Prasad Mookerjee]

exercise of those powers is concerned we shall proceed with caution. The very fact that I have not added to the list of commodities shows that we are not anxious to extend the atmosphere of immorality of which Dr. Pattabhi Sitaramayya has spoken, either in the department or in the Legislature or outside. We do not want that the policy of control should affect the general purity of the administrative atmosphere in any way whatsoever. But so far as the question of the retention of powers is concerned it is essential that the powers must be kept in the hands of the Government.

I was surprised to hear one of the Honourable Members saying that the resolution may be thrown out or Government may be asked to introduce an ordinance. Why should Government introduce an ordinance? Government has come forward before the House, placing the entire facts before it and asking for the support of the Legislature. Government cannot pass an ordinance on the 31st March; the House will then be in session. An ordinance can be passed only at a time when the House is not in session and this Act expires on the 31st March. Supposing the House does not accept the resolution today, what will be the effect? With regard to foodgrains partial decontrol continues and the result will be catastrophe and chaos. With regard to textiles the control continues with regard to certain matters. If you do not pass the resolution the Government will not have the power and whatever orders there are in existence will become null and void. So also with regard to iron and steel. I am surprised that any Honourable Member could have seriously suggested that this resolution need not to be accepted or that powers may be obtained by means of an ordinance at a time when the House will be in session.

One member asked, and quite pertinently, why should a resolution be moved. That I find is the procedure which Parliament has laid down. The power to extend the time really vested in the British Parliament until the Indian Independence Act was passed. Now the amendment made by Parliament says that by passing a resolution in the Dominion Parliament this Act can be extended by such period as the Dominion Parliament may decide. It was not that Dr. Ambedkar has special love for bringing up this matter through resolution but that was the procedure which was laid down by Parliament and naturally, functioning as a constitutional government we had to follow the procedure.

I assure the House that so far as the general policy of decontrol is concerned the Government has accepted that policy. Government is watching development and it will not introduce control in respect of any commodity where it can be avoided. As I have explained in respect of all these nine items we have already decontrolled many of them, though somewhat partially and I hope within the next few months it will be possible for us to accept the entire policy of decontrol in a manner which will be found satisfactory not only to the House but also to the public outside.

Mr. Speaker: The question is:

"In pursuance of the proviso to section 4 of the India (Central Government and Legislature) Act, 1946, as adapted by the India (Provisional Constitution) Order, 1947, this Assembly hereby approves the extension of the period mentioned in sections 2 and 3 of the said Act for a further period of twelve months commencing on the first day of April, 1948."

The motion was adopted.

DENTISTS BILL

The Honourable Rajkumari Amrit Kaur (Minister for Health): Sir, I beg to move:

"That the Bill to regulate the profession of dentistry, as reported by the Select Committee, be taken into consideration."

Sir, in recommending this measure to the House it is not necessary for me to say anything more than what I said during the last session when asking for its reference to a Select Committee. The principle of the Bill is non-controversial and needs no advocacy. Dentistry is a very important limb of the medical profession and I suggest that it is only right and meet that its practice by untrained persons should forthwith be restricted. If that is done, then legal provision for the regulation of the education and training of dental practitioners and registration of qualified persons is absolutely essential.

All the opinions that we had received in response to the circulation of the Bill were carefully considered by the Select Committee and Honourable Members will have noticed that such amendments as were considered necessary have been incorporated in the Bill. Since one member of the Select Committee has written a minute of dissent, I think it is only right that I should in a few words answer the criticism which he has raised against the registration of qualified dentists

3 P.M. in Part A and of unqualified dentists in Part B. This distribution, I submit, is absolutely essential because election to the Central Council which is concerned with the training standards should surely be confined to dentists with suitable qualifications. If there were to be a common register the Central Council would under the present circumstances be swamped by unqualified dentists. Surely that would be defeating the very purpose of the Bill. Moreover a separate register will help the Central Council in the matter of arrangements for reciprocity with foreign countries. Reciprocal recognition, I am sure the House will admit, must necessarily be confined to recognized qualifications. Further I would like the House to note that the differential is applicable firstly to election to the Central Council from dentists registered in the Provinces and even here the Select Committee has recommended that two out of six members to be nominated to the Central Council by the Central Government shall be those registered in Part B, and in the Provincial Councils both Part A and Part B dentists will be able to elect an equal number of representatives.

The next point is that after the expiry of two years from the commencement of this Act only a person who is registered in Part A of a Provincial register will be able to hold any appointment as dentist in any institution which is supported wholly or partly from public or local funds. But even here it may be noted that the rule will not apply to those dentists who are holding such appointments at the time of the commencement of the Act. Even after the Act comes into force Provincial Governments are at liberty to allow any person they consider fit to hold such posts.

As regards private practice there is no distinction at all in the Bill between the dentists in Part A and those in Part B. There is therefore no real hardship involved in the register being maintained in two parts. Indeed I may add that such a procedure is absolutely necessary in the interests of the profession. Standards must be raised and tried to be raised forthwith, and they also have to be maintained. I hope, Sir, that the Bill as amended by the Select Committee will be passed.

Mr. Speaker: Motion moved:

"That the Bill to regulate the profession of dentistry, as reported by the Select Committee, be taken into consideration."

Mr. Naziruddin Ahmad (West Bengal: Muslim). Sir, I wholeheartedly welcome the principles of the Bill. The Honourable the Health Minister has said that untrained dentists are a danger to society. I submit, Sir, there are trained but unsympathetic dentists who are also equally a menace to society. Two patients went to a hospital. One had a bad tooth and the other had an old sore in the leg. The doctor examined them cursorily and said that the tooth of the one must be extracted and the leg of the other amputated, and asked them to wait. After disposing of other outdoor patients the doctor called one of them, ready with a pair of forceps to take away the tooth. But by mistake he called the man who had the sore leg. He was asked to lie down on a dental operation chair. The man was very gratified and he lay down on the chair. He was then asked to open his mouth. He was extremely grateful. The doctor only remembered the tooth though not the man. So he caught hold of his tooth with the powerful forceps and was trying to extract it. It was a good tooth and therefore gave some trouble. The man had by now fully realised the doctor's mistake. He struggled in agony but with his mouth open and the forceps in it, he could not speak. The doctor said "Well, you will be all right very soon", and pulled out the tooth. He was then taken to the tap where he washed his mouth. The doctor then kindly asked him "Are you all right?" The man said "Yes, I am all right—but I was not the man with the toothache". The doctor then asked "where is the other man?" The other man had by now fully understood the situation. He did not however stop and said "I can't trust the doctor, he will cut my leg" and he ran away.

If you go to an unqualified dentist the most difficult thing about them is that they use the same needle to penetrate the gums of everyone without sterilising the needle. This causes propagation of disease from one to the other. I therefore submit that trained but sympathetic dentists should alone be allowed to practise.

While wholeheartedly supporting the principles of the Bill I have tabled a number of amendments, mostly of a drafting nature. With regard to those amendments which I do not propose to move, I have given a list of them to you, Sir. And some amendments which are really a correction of printing mistakes also I shall leave to you for correction. With regard to other classes of amendments there are one or two points to which I wish to draw the attention of the House at this stage. In fact I find that there is a tendency in the Bills to perpetuate a kind of drafting which has been rejected by the House before. I am troubled about the word 'Council'. It is to be found in clause 2, sub-clause (a). The word 'Council' has been used many times in the Bill. First of all there is the 'Provincial Council'. There are again the 'Medical Council' and the 'Dental Council of India' called the Council. I submit that the 'Dental Council of India' should be called the 'Central Council'. There is plenty of confusion about them. I have therefore suggested for the consideration of the Honourable Minister and the draftsman and the House to change the word 'Council' into 'Central Council'. That would prevent the awkward juxtaposition of the word 'Council' and 'Provincial Council'. Suppose we say the 'Government' and the 'Provincial Government'—'Government' meaning the Central Government—that would create confusion. In the circumstances I submit that the words 'Central Council' should be used to describe the 'Dental Council of India'.

There are one or two other drafting points to which I shall draw the attention of the House in proper time. But I should submit that the drafting points which are presented for the House should be rather carefully considered by the Department as well as by the Honourable Minister. The arrangement in respect of the other Bills would not be very satisfactory. The practice of an amendment being moved and the Honourable Minister merely saying 'I accept it' or 'I do not accept it' is not a very satisfactory way of dealing with the

amendment. This method of acceptance or rejection of amendments by the Honourable Minister has been commented upon by some Honourable Members—and with plenty of justification. In certain cases some important amendments affecting the texture of the Bill, introducing new principles, have been made on the floor of the House and on a mere mention of the amendment the Honourable Minister has said 'I am going to accept it' and it was carried. In fact this way of dealing with the amendments would be improper, especially in regard to amendments of substance. I should submit that amendments should be considered—except those which are obvious or are of a drafting nature. Amendments should be carefully considered and reasons for acceptance or rejection should be given by the Honourable Minister, and it would be desirable for the Members of the House to say a word or two. There need not be a prolonged debate but short statements on the principle of the amendments will be better.

Otherwise the business gets absolutely one-sided. People absolutely lose heart and interest, and especially in the afternoons the tendency to hurry up matters is more pronounced. I suggest that Honourable Members should pay more attention even to drafting matters. With these few words I wholeheartedly support the First Reading of the Bill.

بلدنت ٹھا کر داس بھارگو : مانلیہ سویکر صاحب ! میں آنریبل منسٹر صاحبہ کو بدھائی دیتا ہوں کہ سلیکٹ کمیٹی سے جو یہ بل درست ہو کر ہاؤس میں پیدھ کیا گیا ہے وہ پہلے بل کے مقابلہ میں بہت ہی اچھا ہے میں ایک اور وجہ سے بھی انکا شکریہ ادا کرنا چھتا ہوں اور وہ یہ کہ جو ترمیمات میں نے اس بل کے مختلف دفعات کے متعلق دی تھیں انہوں نے بہت سی ان ترمیمات پر غور کیا ہے اور منظور کی ہیں اور بعض صورتوں میں صحیحو سمجھانے کی کوشش کی ہے اس کے لئے میں انکا نہایت ہی شکر گزار ہوں اس کے باوجود بھی میں انکی توجہ خاص طور پر ایک چیز کی طرف دلانا چھتا ہوں وہ یہ ہے کہ بھور کمیٹی کے figures کو دیکھکر ہو ایک کے دل میں یہی خیال ہوتا ہے کہ ڈینٹسٹری کے لحاظ سے ہمارا ملک نہایت ہی پسماندہ ہے اور اس ملک میں ڈینٹسٹری کی knowledge نہایت کم ہے - اور شاید اس کی پسماندگی میں دوسرا کوئی بھی ملک ہمکو شکست نہیں دیکھتا ہو چونکہ ہمارے ملک میں پہلے کوئی کالج اور سکول مناسب انتظام dentistry کا نہ تھا - اسلئے زیادہ تر لوگ سوائے انکے دو غیر ملکوں میں پڑھے ہیں quacks ہیں اور ان میں سے بہت سے ایسے ہیں جو کہ ڈینٹسٹری کی کوئی qualifications نہیں رکھتے ہیں۔ تاہم ان کو recognition دینے کا ضرور خیال رکھا جانا چاہیے امریکہ ولایت اور دیگر ممالک میں بھی شروع میں ایسا کیا گیا ہے۔ میں اس سے سلتشمت ہوں کہ اس بات کی کوشش کی گئی ہے کہ اگر کوئی ایسا آدمی ہے جسکو کوئی qualifications نہیں ہے اور چلکا بہت عومہ سے اس کام میں تجربہ ہے اور جنہوں نے اس کام کو اپنی روٹی کمانے کا ذریعہ بنا دیا ہے انکو اپنے اس ذریعہ معاش سے محروم نہیں کیا گیا ہے - انکی روٹی کمانے کا موقعہ دیا گیا ہے

[یلڈت تھاکر داس بھارگو]

لیکن ماگر ایسے اشخاص کو قرار دیا جاوے گا کہ وہ high dental qualification رکھتے ہیں تو بعض اوقات ایسی ہی بات ہوگی

دہ اندھوں میں کانا راجہ ۲۲

جس ملک میں ڈیپلٹسٹری کی ایسی حالت ہو جیسی کہ ہمارے ملک کی ہے وہاں پر ہمیں ان کو recognition تو ضرور دیلی چاہئے لیکن صرف انکو جو پوری قابلیت رکھتے ہوں انریبل منسٹر نے جو اس میں دو حصہ رجسٹر رکھے ہیں یعنی ڈاے، اور ڈبی، ٹائپ کی رجسٹر اُس سے میں ان سے متفق ہوں میں ایسا ہونے کی دلیل میں نہیں جانا چاہتا ہوں لیکن میں صرف اتنا عرض کرونگا کہ اسمیں جو ڈیپلٹسٹری کی qualification کے متعلق یہ درج ہے کہ صرف ان ہی آدمیوں کو دہ ۱۰۰ میں رجسٹر ہونے کے لئے recognition دی جائیگی جنکے پاس کہ ڈیپلٹسٹری کی high qualifications ہیں اس کے متعلق میری یہ گزارش ہے کہ اس بارے میں بھی ایک پرنسپل قائم کرنا چاہیے تاکہ ان لوگوں کو بھی اس میں recognition دی جاسکے جو کہ فی الواقعہ بہت عرصہ سے اسکام میں تجربہ رکھتے ہیں لیکن ان کے پاس کسی high qualification کا تگری یا ڈپلوما نہیں ہے میری گزارش یہ ہے کہ جیسے لوگ آپ نے رجسٹر ڈبی، میں ہونگے ویسے ہی آدمی رجسٹر ڈاے، میں ہونگے لیکن جو ڈاے، میں ہوں وہ گورنمنٹ کے ہسپتالوں میں نوکر ہو سکتے ہیں۔ لیکن ڈبی، رجسٹر والے نہیں ہو سکتے ہسپتال میں نوکر ہو کر اگر وہ ماہر نہ ہونگے تو تمام لوگوں کے لئے وہ باعث خطرہ ہونگے اسلئے ان لوگوں کو رجسٹر کرتے وقت بہت ہی احتیاط کرنے کی ضرورت ہے۔ ڈاے لسٹ میں ان آدمیوں کو رجسٹر نہیں کرنا چاہئے جنکو کہ dentistry کا پورا پورا علم نہ ہو۔

میں نے شہدیل میں درج کی ہوئی qualifications کو دیکھا ہے۔ اور مجھے بہت افسوس سے کہنا پوتا ہے کہ میں اُس اصول سے متمن نہیں ہوں جو کہ وہاں پر درج ہے اور نہ ہی میں اُس قسم کے اصول کو ماننے کے لئے تیار ہوں جو کہ اس شہدیل میں درج ہے۔ یہاں پر یہ کہا گیا ہے کہ recognition صرف اسی آدمی کو دی جائیگی جس کے پاس diploma ہے اور high qualification ہیں اسکو ڈپلٹسٹ خیال کیا جائیگا۔ اس میں یہ درج ہونا لازمی ہے کہ وہ آدمی جو کہ بہت تجربہ رکھتے ہیں۔ اور جو مدت سے یہ کام کرتے آئے ہوں انکو بھی قابل تصور لیا جائیگا۔ اور dental qualification والا سمجھا جائیگا میں یہ عرض کرونگا کہ جو خود ڈیپلٹسٹس ہیں اور خود ماہر ہیں اور ڈیپلٹسٹس بورڈ کے اکابرین میں سے ہیں وہ بھی ان مدت سے متفق نہیں ہیں جو کہ شہدیل میں درج کی گئی ہے۔

اسلئے میں یہ گزارش کروں گا کہ اس میں ہائی ٹکری و ڈپلوما qualifications کے علاوہ ان کو بھی درج کیا جاوے جو کہ تجربہ رکھتے ہوں - کیونکہ آئندہ تو ایسے آدمی موجود ہونگے جن کے پاس ڈیٹا سٹری کی high qualifications ہونگی لیکن آج کل کے جو حالات ہمارے دیہیں میں ہیں انکی طرف بھی خیال رکھنا ضروری ہے مجھے ذاتی طور پر معلوم نہیں ہے لیکن کہا جاتا ہے کہ تقریباً آٹھ نو ہزار آدمی ایسے ہیں جنکے پاس high qualifications نہیں ہیں اور تین سو سے ۸۰۰ تک ایسے بتلائے جاتے ہیں جنکے پاس qualification ہیں لیکن انکے علاوہ ایسے آدمی بھی ہمارے ملک میں موجود ہیں جو کہ بیس بیس برس سے دانت بنانے آئے ہیں اور پریکٹس کرتے آئے ہیں اور اپنے علم میں اتنے قابل اور ماہر ہیں کہ انکے مقابلے میں high qualification رکھنے والے نہیں آسکتے کیونکہ انکو اس کام میں عملی دست رس حاصل ہے اور وہ practical کام کرتے آئے ہیں یہ ایک اصولی بات ہے کہ practical کام کرنے والے کو اپنے کام میں کافی مہارت ہوتی ہے بندہ اس آدمی کے جو کہ صرف تھوریتکل کام جانتا ہو ان وجوہات کی بنا پر ان لوگوں میں بے حد بیچینی پیدا ہو گئی ہے کیونکہ انکو خدشہ ہے کہ اتنی پریکٹس ہونے کے باوجود بھی انکو ۲۲ لست پر نہیں رکھا جائیگا -

اس شہدیل میں یہ ایک شرط عاید کی گئی ہے کہ اگر کسی نے اول جنوری ۱۹۳۰ سے پہلے کلکتہ کالج سے ڈپلوما حاصل کیا ہو تو اسکو recognition ملیگی اور اسکو high qualification والا خیال کیا جائیگا اسکا یہ مطلب ہے جس شخص نے کالج میں کتنا ہی عرصہ رہکر کچھ ہی پاس کیا ہو اسکو High qualification والا تصور کیا جائیگا ایک طرف تو یہ مشکل ہے اور دوسری طرف یہ مشکل ہے کہ اس بل میں درج کیا گیا ہے کہ جن آدمیوں کی practice دو برس سے کم ہو اسکو رجسٹری میں درج نہیں کیا جائیگا اس بارے میں میں یہ نہیں سمجھ سکا کہ جو لوگ کالج میں پڑھتے ہیں چنکا کرس دو برس کا ہے انکا کیا حشر ہوگا انکے لئے اس بل میں کوئی provision نہیں ہے یہی دو تین باتیں ہیں جنکی طرف میں ہاؤس کی اور منسٹر صاحبہ کی توجہ دلانا چاہتا ہوں اول یہ کہ high qualification رکھنے والے آدمی کے علاوہ اس لست میں کوئی دیگر شخص درج رجسٹر نہیں ہونگے دوسرے یہ کہ ان لوگوں کے لئے اس بل میں کوئی دفعہ نہیں ہیں جو کہ بیس بیس برس سے یہ کام کرتے آئے ہیں اور جنکی پریکٹس نہایت اعلیٰ ہے اور ہر طریقہ سے اپنے کام میں قابل ہیں لیکن ۲۲ بی ۲۲ لست میں درج ہو سکتے ہیں حالانکہ وہ ۲۲ لست میں ہونے چاہیئے تھے اور تیسرے ان آدمیوں کے لئے جو کہ دو برس سے کام کرتے ہیں اور دو دو سال کالجوں میں پڑھتے رہے ہیں انکے سانہہ آئندہ کے لئے کیا سلوک کیا جائیگا -

[پنڈت تھاکو داس بھارگو]

میں ان تینوں چیزوں کے لئے solution پیش کرتا ہوں جہاں تک کہ ان لوگوں کا تعلق ہے جو کہ دس برس سے زیادہ عرصہ سے پریکٹس کرتے آئے ہیں اور جن کی Practical knowledge بہت ہی اچھی ہے اور جسکے متعلق شہی یت رام نرائن سنگھ نے ایک ترمیم پیش کی ہے ان کے لئے یہ کیا جائے کہ تین ماہ کے بعد ایک امتحان لیا جائے اور جو اُس میں پاس ہوگا اُسکو دالے لسٹ میں رجسٹر کیا جائے حالانکہ میں یہ گزارش کروں گا کہ اگر مجھکو اسوقت ہی-اے کا امتحان دینے کے لئے کہا جائے تو Theoretical حصہ میں بھی اسوقت فیصل ہو جاوونگا اسلئے ایسے اشخاص کیلئے فارمل اور ایک آرل امتحان مقرر کیا جائے اور جو اُس میں پاس ہوں اُنکو دالے لسٹ میں رجسٹر کیا جائے لیکن ایسا ان لوگوں کے ساتھ کیا جا سکتا ہے جو کہ مدت سے یہ کام کرتے آئے ہیں اُنکے لئے ہو سکتا ہے کیونکہ اُنکی پریکٹس اور Practical knowledge بہت اچھی ہوتی ہے اس کے علاوہ وہ لوگ جنکی پریکٹس دو برس سے کم ہے یا جو دو برس کالجوں میں لگا چکے ہیں اُنکے لئے اس قسم کا امتحان رکھا جائے جو کہ جنرل Recognition کے لئے ہوتا ہے اور ان سب کو دبی، لسٹ میں رجسٹر کیا جائے ان کے لئے یہ ہو کہ اگر وہ اس امتحان کو پاس کریں تو دبی، لسٹ میں درج ہوں اور اگر فیصل ہوں تو اس لسٹ میں بھی نہ رکھے جائیں

اسکے علاوہ کالجوں میں جو عرصہ qualification حاصل کرنے کیلئے رکھا گیا ہے اُسکو چار سال کا کم از کم عرصہ مقرر کیا جاوے اب رہا سوال special qualification کا اسہارے میں میں یہ عرض کروں گا کہ جو کچھ اس بارے میں شیڈیول کے حصہ ایک دو تین میں درج ہے اُس کے لئے یہ مناسب ہوگا کہ ایک Expert کمیٹی مقرر کی جائے جو یہ دیکھے کہ یہ ادارے جنکا نام schedule میں درج ہے وہ high qualification دینے کی قابلیت رکھتے بھی نہیں اور کب سے کب تک اسکے ایسے حالات تھے کہ وہ اچھے اور قابل Dentist بنانے کے اہل تھے چونکہ آنریبل منسٹر نے اس بل کو درست کرنے کی کافی کوشش کی ہے اور مجھے چند ایک باتوں میں اتفاق کیا ہے اسلئے میں اپنی تمام ترمیمات کو تو پیش نہیں کرنا چاہتا لیکن چند ایک پیش کروں گا کیونکہ میں یہ سمجھتا ہوں کہ وہ اس قابل ہیں جو کہ ہاؤس کے نوٹس میں لائی جائیں -

اس کے علاوہ میں فارن qualification کے اداروں کے متعلق آنریبل منسٹر سے یہ گزارش کروں گا کہ وہ اُنکی recognition کے بارے میں experts کا ایک بورڈ بنائیں اور ان سے consult کر کے صرف اُن Dentists کو recognition دیں جو ایسے Institution سے پاس ہوئے ہیں اور فکری - قیاماً حاصل کئے ہیں جن میں درست اور معقول انتظام پڑھائی و عملی تربیت کا تھا -

کیونکہ اگر ایسے بورڈ سے یہ فیصلہ نہ کرایا گیا تو بعد ازاں ایسے اشخاص کو چونکا نام رجسٹرڈ ڈاکٹر میں درج ہوگا اس رجسٹر سے خارج کرنا مشکل ہو جاویگا اگر یہ قرار دیا جاویگا کہ ان اداروں سے جیسے ایسے اشخاص پڑھتے ہیں پورا و معقول انتظام پڑھائی - یا Dental qualification دینے کا نہ تھا - Dentists Bill پر جو رائے چھاپی گئی ہیں اور جو گورنمنٹ نے شائع کردہ پمپھلت میں موجود ہیں اسکے صفحہ ۱۳ ۸۰ کے ملاحظہ سے ظاہر ہوگا کہ شیڈول کے بہت سے Foreign qualification فرضی اور نکلے ہیں اسکے علاوہ سوال باقی رہ جاتا ہے کلکتہ ٹینٹل کالج و ہاسپیتل کا جو نمبر ۲ پر اور ایک کراچی کالج اور ایک بمبئی کالج کا کہ اس میں بھی Dental qualification طلبا کو دینے کا پورا انتظام تھا یا نہیں - میرے ہاتھ میں کراچی کالج کا پراسپیکٹس ہے اس پراسپیکٹس میں صاف طور پر صفحہ ۳۸ پر آخری چار سطور میں حسب ذیل درج ہے -

"The College of Dentistry has now been recognized by the Government of Sind. This consideration applies to the sessions commencing from 15th January 1942 and onward."

"The College was first inaugurated in 1926 with meagre accommodation, with only three and scantily equipped rooms, and having only five students on the roll. In 1932 the College was restarted and only three students joined. With the session commencing from July 1933 the College had on its roll 10 students coming from all parts of India. Better facilities were then provided, and a fairly commodious building was reserved. The increased number of students compelled us to shift into larger premises where clinics, lecture rooms, technical laboratories, etc., were added. The number of students rapidly increased till in January 1936, there were 45 students studying at the College....."

جناب والا! یہ کالج سنہ ۱۹۲۶ء میں شروع ہوا اور سنہ ۱۹۳۲ء تک اسکو گورنمنٹ سندھ نے Recognise نہیں کیا اور سنہ ۱۹۳۳ء میں بند ہو گیا۔ یہ امور جو میں نے عرض کئے ہیں وہ اس prospectus میں درج ہے جو اس کالج کے چلانے والوں نے خود درج کئے ہیں اس لئے ان امور کو ماننے میں کوئی تامل نہیں ہونا چاہئے بلکہ وثوق سے ان پر یقین کیا جا سکتا ہے -

Mr. R. K. Sidhva: May I say that the Sind Government came into existence in the year 1937 and that delay in recognition was due to that fact?

جناب والا! آپ اس کے صفحہ ۹۶ کو ملاحظہ فرمائیں جسپر یہ الفاظ بھی درج ہیں -

(Listed according to the sessions attended)

Under "Past and Present Students of the College" it gives the following figures. For 1926-27 only five names are given. Then the next session is 1932—from 1926 to 1931 there is no mention of any session or students whatsoever. And then in 1932 one student, 1933 two students, and in the year 1933-34 there are another ten students.

جناب والا! متجھکو نہیں معلوم کہ کس وجہ سے recognition میں delay ہوئی - میں تو ایک بات جانتا ہوں کہ یہ کالج سنہ ۱۹۳۲ء میں Recognise کیا گیا ہے اس سے پہلے نہیں جیسا کہ Prospectus میں درج ہے - اگر ہاؤس کی رائے میں یہ کالج اس قابل ہے کہ سنہ ۱۹۲۶ء سے یہ High qualified قرار دے دیا جائے

[پنڈت تھاکرداس بھارگو]

تو یہ ہاؤس کو اختیار ہے مگر میرے پاس جو اسکا پراسپیکٹس ہے میں اسکی Basis پر کہ رہا ہوں اور صفحہ ۹۶ پر جو فہرست ہے اس سے صاف نتیجہ نکلتا ہے کہ اس کالج کے اندر کوئی لڑکا سنہ ۱۹۲۷ء سے ۱۹۳۱ء تک تعلیم کے لئے نہ تھا اور نہ اس کالج میں کوئی معقول انتظام پڑھائی کا عرصہ دراز تک ہو سکتا تھا۔ اور صریحاً وہ لڑکے جو ایسے وقت میں رہے جب انتظام پڑھائی معقول نہ تھا اور پاس کئے گئے وہ Dental qualification کے مالک قرار نہیں دئے جاسکتے۔ اس کالج کے بیلانے والوں نے ایک موقعہ پر جو جو Speech دی وہ صفحہ ۱۰۶ Prospectus پر درج ہے۔ میرا یہ منشا نہیں ہے کہ میں ساری چیز کو پڑھ کر زیادہ وقت لوں اسکے چند تگڑوں کو پڑھ کر سلاتا ہوں۔ اور ساتھ میں ان صاحب کی جنہوں نے یہ کالج کھولا تعریف کرتا ہوں۔ اور علم Dentistry کا اس ملک میں رواج دینے کا pioneer مانتا ہوں۔ لیکن پھر بھی میں اس کالج کے ان طلباء کو High Dental qualification کا مالک قرار دینے کو تیار نہیں ہوں۔ کہ جنہوں نے اس علم پر عبور حاصل نہ کیا ہو۔ میں اسکا سخت مخالف ہوں کہ ان طلباء کو خواہ مخواہ High Dental qualified قرار دے دیا جاوے جو ایسے کالج میں پڑھے ہوں۔ جناب والا! صفحہ ۱۰۶ پر یہ درج ہے

“This College (the opening ceremony of the new premises of which will be presently performed by His Excellency the Governor) had a humble beginning. In 1926 we had only four students and two rooms were placed at their disposal. In 1932, but three students joined.....”

After the year 1926, the first mention that we have of this College is in 1932 when only three students joined.

“.....with the session commencing from July 1933, the College had ten students on the roll, and they came from all parts of the country.....”

As if coming from all parts of the country also is a good basis of recognition.

“.....this increased number of students prompted us to move into larger premises, and clinics, laboratory and lecture rooms were added. The number of students swelled till in January 1936, there were 45 students regularly attending the College.” etc. etc.

میں ادب سے عرض کرنا چاہتا ہوں کہ جب اس کالج کا سنہ ۳۶ء کا کورس بنایا گیا اور اُس میں ٹیڈیک ڈیپارٹمنٹ سے تعامد دی جانے لگی تو اس کالج کے لڑکے چار برس کے بعد تعامد حاصل کر کے ڈیگری ڈپارٹمنٹ پائے ہونگے۔ تو پھر سنہ ۴۰ء سے پہلے کے طلباء کو جبکہ کالج میں ڈیگری تعامد نہ تھی کیسے High qualification والا قرار دیا جاسکتا ہے۔ Schedule میں سنہ ۴۰ء کے طلباء سے پہلے جنہوں نے ڈیگری یا ڈپارٹمنٹ حاصل کئے جبکہ یہ کالج ڈیگری تعامد نہیں دے سکتا ہے ہرگز Dental qualification کے مالک قرار نہیں دئے جاسکتے۔ اور انہیں رجوہد ہے سنہ گورنمنٹ نے اس کالج کو سنہ ۱۹۳۲ء سے پہلے recognise نہیں کیا۔ ایسے کالج کے طلباء کو Schedule میں شامل کرنا محض غلطی ہوگی۔

دوسرے اب میں کچھ کاغذ تینٹل کالج کے لئے عرض کرنا چاہتا ہوں۔ جذبات والا ! میں یہ پڑھکر سکتا ہوں کہ کس طرح یہ شروع میں کالج تھا میں جذبات والا کو گورنمنٹ کے شائع شدہ opinion میں سے صفحہ ۲۱ سے اس Letter سے کچھ حصہ پڑھکر سکتا ہوں جو ہنگال تینٹل بورڈ کے ممبر صاحب نے چیئرمین ہنگال Dental Board کو لکھا۔

“It is a known fact that the training of the Calcutta Dental College has been raised to a standard only after the commencement of the B. D. Act, 1939. Before this the courses of studies followed in the College were absolutely different, i.e., one or two years course even and at that stage even non-matriculates were taken in the College, when it was decidedly ill-equipped, lacking in staff and teaching facilities. From the past students even we hear that the first batch of students got the diplomas after practically 9 months course. Then the course was raised to 2 years and after that to 3 years. The course was raised to 4 years only from July 1935; i.e., those who got the diplomas from 1939 received a four years' training. Therefore any L.D.Sc. diplomas granted privately by the College previously are decidedly of lower standard and cannot be classed or put in the same category with the diplomas of those who passed on completion of training prescribed under Sec. 25 (2) (a) and with matriculation as minimum standard”.

And so on and so forth.

جسکے معنی یہ ہیں کہ اگر آپ اس کالج کی پرائی ہسٹری کو صحیح perspective میں دیکھیں تو ان باتوں پر روشنی پڑے گی کہ اس کالج میں شروع میں کیا ہوتا تھا۔ صاف ظاہر ہے کہ چار سال کی تعلیم ہی سنہ ۳۵ء تک اس کالج میں رائج ہوئی اور بلا چار سال کی training کے کسی شخص کو High Dental qualification رکھنے والا قرار دیا جاسکتا ہے اگر ایسے طلباء جو پوری طرح qualified نہیں ہیں دوسرے ممالکوں میں جاویں گے اور وہاں پریکٹس کریں گے تو ہمارے ملک کا نام بدنام کریں گے۔ اور اگر ہمارے ملک میں انکو ہسپتالوں میں نوکری ملے تو لوگوں کے لئے باعث خطرہ جان بنیں گے اس لحاظ سے کالجوں کی پرائی ٹریننگ کے بارے میں سخت احتیاط سے کام لینا ضروری ہے۔ اس کالج کے بارے میں شائع شدہ opinions صفحہ ۲۷، ۲۵، ۲۲، ۲۰ پر جو دائرے میں ان سے ظاہر ہے کہ اس کالج کا سنہ ۱۹۳۰ء سے پہلے کے طالب کو High Dental qualification کا مالک قرار نہیں دیا جاسکتا۔ میں زیادہ ہاؤس کا وقت ان سب رٹھیوں کو پڑھکر نہیں لینا چاہتا ہوں۔ میں نتیجہ کے طور پر یہ عرض کروں گا کہ اس بل کے اندر ایسے provisions رکھے جاویں جن سے یہ بدعنوانیاں قائم نہ رہ سکیں۔ مناسب یہ ہے کہ اسکے لئے ایک Expert Board قائم کیا جائے۔ میں نے اس کے بارے میں Foreign Qualification کے ورکر صاحبان سے بھی بات چیت کی انہوں نے بھی یہی رائے ظاہر کی کہ پروسچجر یہ ہی رکھا جائے High qualified ہو اس کو A میں رکھا جائے اور جو

[پلڈت تھاکر داس بھارگو]

کم کوالیفائڈ ہے اسکو B میں رکھا جائے اسلئے میں آنریبل منسٹر صاحبہ سے ادب سے یہ گزارہ کروں گا کہ وہ ان امور پر جن کا میں نے ذکر کیا لحاظ کریں اور سب qualification ایک Expert Board سے Scrutinize کرالیں اور نیز دس سال سے زیادہ کے practitioner کے لئے A رجسٹر اور انکا ایک معمولی سا امتحان لیکر جو پاس ہوں انکو رجسٹر A میں درج کریں تاکہ بے چینی دور ہو اور انصاف ہو -

(English translation of the above speech)

Pandit Thakur Das Bhargava (East Punjab: General): Mr. Speaker, Sir, I congratulate the Honourable Minister on the Bill which is now before the House after it has been amended by the Select Committee. It is much better than the original one as introduced. I am grateful to her for another reason that many of the amendments of which I gave notice were considered and accepted by her. I am also thankful that in other cases she has given reasons and explanation. In spite of this I would like to draw her special attention to one fact, i.e., on examining the figures given in the Report of the Bhoré Committee everyone is bound to agree that as regards dentistry our country is most backward and we are far behind in that science. Previously there was no school or college or other proper arrangements for the teaching in dentistry in our country, therefore, most of the practitioners except those who have been educated abroad are quacks. A great number of them are not qualified dentists. Provisions must however be made to recognise them. In the beginning in America, England and other countries also, this practice was followed. I am satisfied that an effort has been made that if there are any practitioners who are not qualified but have very long experience and have made this profession their means of livelihood are not deprived of their means of livelihood and have been afforded an opportunity to make a living. But if such practitioners are regarded to have high dental qualifications, they would be like 'a figure among ciphers.' In a country in which the science of dentistry is in such a poor state as it is here we must recognise only those who are fully qualified.

I agree with the Honourable Minister on the question of maintaining two types of 'Registers'—'A' and 'B' and I would not argue the matter further. But as regards 'qualifications' laid down in the Bill for dentists that only those who have 'high qualifications' in dentistry will be eligible to be registered in register 'A' I would only say that in this matter also the same principle should be followed so that those also should be 'recognised' who have actually long experience but possess no degree or diploma.

I beg to state that the type of persons in Registers 'A' and 'B' will be same but those in 'A' could be employed in Government hospitals, whereas those in 'B' could not be employed. If they are employed in the hospital and are not experts they will be dangerous to the public. Therefore, at the time of registering them very great care should be taken. In List 'A' those persons only should be registered who have thorough knowledge of dentistry.

I have read the qualifications given in the schedule and I am very sorry to say that I am not satisfied with the principle laid down there, nor I am prepared to accept such a principle as given in the schedule. Here, it is said that only that person who has 'diploma' and 'high qualifications' will be recognised and considered as qualified dentists. It is essential that persons who have long experience and have been practising for long will also be considered as qualified in dentistry.

I submit that even those who are dentists and are experts and members of the Dentists Board do not agree to the conditions mentioned in the schedule.

I therefore say that in addition to persons possessing high degrees and diploma, persons with long experience also may be registered. As for the future, persons will be available who will have 'high qualifications' in dentistry. It is also necessary to consider the present circumstances in the country. I don't know personally but it is said that there are eight to nine thousand such persons who have no 'high qualifications' and there are from three hundred to eight hundred persons who have such qualifications. Besides these there are in our country persons who have been making dentures and practising dentistry for the last 20 or 30 years, and are so able and expert in their art that highly qualified men cannot compete with them since they have acquired practical knowledge in this art. It is a fact that a practical man does his job with greater facility than a person who has only theoretical knowledge. For these reasons great dissatisfaction prevails among these men who fear that in spite of their long practice they will not be placed on List 'A'.

According to a condition laid down in the Schedule if a person has obtained a diploma before first January 1940 from the Calcutta College, he will be 'recognised' and considered as 'highly qualified'. It means that a person who has passed any examination after staying at a college for any period will be considered as a person of 'high qualification'. One difficulty is this and the other difficulty is that it is provided in the Bill that persons with less than two years practice will not be registered. I fail to understand what will be the fate of those people who have been studying a two year course in a college for the last two years. There is no provision in the Bill for such people.

I would like to draw the attention of the House and of the Honourable Minister to these two or three points. Firstly none excepting men of 'high qualifications' shall be registered in this list. Secondly the Bill does not provide for those who have been in the line for the last 20 years and whose practice is excellent and who are capable in their art in every respect. These persons can be put on List 'B' only, whereas they ought to be on List 'A'. And the third point is regarding the future of those people who have been practising for the last two years and have been at college for two years.

I offer a solution for all the three points. So far as those who have been practising for more than 10 years and have very good practical knowledge and about whom Shri Ramnarayan Singh has put an amendment, are concerned, they may be examined after three months and those who pass the test may be registered in list 'A'. I submit that if I were asked to take the B.A. examination I would also fail in the theoretical part. Therefore, a formal and an oral test may be set up for such people and those who pass may be registered in List 'A'. But this is possible for those people only who have been doing this work for a long time because they have good practice and practical knowledge. Besides these, a test similar to that laid down for general recognition may be set up for those people whose practice is under two years or those who have spent two years at college. All these people should be registered in 'B' List. It may be laid down that the names of successful persons be entered in the 'B' List and the unsuccessful ones should be removed even from this list. Besides this the course of study for qualification in college should be at least four years. Now as regards the question of 'special qualification', I would submit that whatever is given in parts 1,2,3 of the Schedule a Committee of experts be appointed to examine whether these institutions whose names are given in the schedule are competent enough to impart high education or not and since how long they have been competent to turn out duly qualified dentists.

[Pandit Thakur Das Bhargava]

Since the Honourable Minister tried her best to amend this Bill and agreed with me on a few points therefore I do not want to move all of my amendments; but I shall move some of them because I think them proper enough to be brought to the notice of the House.

Regarding the recognition of foreign qualification. I would request the Honourable Minister to appoint a Board of experts and with their consultation only those dentists should be recognised who have passed and have obtained degrees or diplomas from those institutions which had proper and suitable arrangements for education and practical training. Because if this matter is not decided by such a Board then later on it will be difficult to remove from the register the names of such persons about whom it be held that they studied in institutions which did not possess proper arrangements for instructions in dental science. On examining pages 8 and 13 of opinions on the Dental Bill it will appear that many of the foreign qualifications contained in the schedule are bogus and useless.

Now remains the question whether the Calcutta Dental College and Hospital mentioned on page 2 and the Karachi College and the Bombay College have adequate arrangements for imparting dental training to students or not? I have in my hands the prospectus of the Karachi College. In the last 4 lines of page 38 of the prospectus it is stated that:

"The College of Dentistry has now been recognized by the Government of Sind. This consideration applies to the sessions commencing from 15th January 1942 and onward."

"The College was first inaugurated in 1926 with meagre accommodation, with only three and scantily equipped rooms, and having only five students on the roll. In 1932 the College was restarted and only three students joined. With the session commencing from July 1933 the College had on its roll 10 students coming from all parts of India. Better facilities were then provided, and a fairly commodious building was reserved. The increased number of students compelled us to shift into larger premises where clinics, lecture rooms, technical laboratories, etc., were added. The number of students rapidly increased till in January 1936, there were 45 students studying at the College....."

Sir, this college was first started in 1926 and was not recognised by the Government of Sind till 1942 and then it was closed in 1943. These points stated by me are incorporated in the prospectus drawn up by the organisers of this college themselves. therefore there should be no hesitation in accepting them and can be believed with certainty.

Mr. B. K. Sidhva: May I say that the Sind Government came into existence in the year 1937 and that the delay in recognition was due to that fact!

Pandit Thakur Das Bhargava: Sir, you may look into page 96 where you will find these words (Listed according to the Sessions attended):

Under "Past and Present Students of the college" it gives the following figures. For 1926-27 only five names are given. Then the next session is 1932—from 1926 to 1931 there is no mention of any session or students whatsoever. And then in 1932 one student, in 1933 two students, and in the year 1933-34 there are another ten students.

Sir, I do not know the cause of the delay in recognition. I know only this much that this college was recognised in 1942 and not before, as the prospectus shows. Still if in the opinion of the House this college is eligible to be declared as competent enough to impart high education, the House is authorised to do so. But I am saying this on the basis of the prospectus I have got. From the study of the list on page 96 it is clear that this college had neither any student during the period from 1927 to 1931 nor any suitable arrangement for education could be made for a long time. Obviously those students who

studied at such times when there was no proper arrangement for their education and were declared successful can not be said to possess 'dental qualifications'. The speech delivered on one occasion by its founder appears on page 106 of the prospectus. I do not want to take much of your time by reading the whole of it. I am reading only a few extracts out of it. At the same time I admire the founder of this College. I acknowledge him to be the pioneer of Dentistry in this country. Still I am not prepared to declare those students of this college who have not got complete mastery of the subject as people of 'high dental qualifications'. I am strongly opposed to the students of such a College to be declared as 'highly qualified in dentistry' for no reason whatever.

Sir, on page 106 of the prospectus the following is given:

"This College (the opening ceremony of the new premises of which will be presently performed by His Excellency the Governor), had a humble beginning. In 1926 we had only four students and two rooms were placed at their disposal. In 1932, but three students joined"

After the year 1926 the first mention that we have of this college is in 1932 when only three students joined.

" with the session commencing from July 1933, the College had ten students on the roll, and they came from all parts of the country"

As if coming from all parts of the country also is a good basis of recognition.

" this increased number of students prompted us to move into larger premises, and clinics, laboratory and lecture rooms were added. The number of students swelled till in January 1936, there were 45 students regularly attending the College." etc., etc.

I would respectfully submit that it was only in 1936 that the first course of study in this College was prepared and regular education was started. Its students would have obtained the degree or diploma after four years' study. How can the students before 1940 be declared as of 'high qualifications' when the College could not impart proper education. The students who obtained degree or diploma from this College before 1940 when proper education could not be imparted, cannot be declared as possessing dental qualification *vide* the schedule. For the same reasons the Government of Sind did not recognise this College before 1942. It will be wrong to include in the schedule the students of such a College.

Now, I would like to say something regarding the Calcutta Dental College. Sir, I am reading out to you how this College began. And also I am reading out to you some portion of the letter published by the Government on page 21 of the opinions. This letter was addressed by a Member of the Bengal Dental Board to the Chairman of the Board.

"It is a known fact that the training of the Calcutta Dental College has been raised to a standard only after the commencement of the B. D. Act, 1939. Before this the courses of studies followed in the College were absolutely different, i.e., one or two years course, and at that stage even non-matriculates were admitted in the College, when it was decidedly ill-equipped lacking in staff and teaching facilities. From the past students we know that the first batch of students got the diplomas after practically nine months course. Then the course was raised to two years and after that to 3 years. The course was raised to 4 years only from July 1935, i.e., those who got the the diplomas from 1939 received a four years' training. Therefore any L.D.Sc. diplomas granted privately by the College previously are decidedly of lower standard and cannot be classed or put in the same category with the diplomas of those who passed on completion of training prescribed under Section 25(2)(a), and with matriculation and minimum standard"

This means that if you look into the old history of this College in its right perspective, you will clearly know what was happening in this College at its beginning. It is obvious that 4 years' course of study was not introduced in this College until 1935 and without 4 years' training how can any person be declared as possessor of 'high dental qualification'? If such students who are not fully qualified were to go to other countries and practice there they will

[Pandit Thakur Das Bhargava]
defame our country. If they are employed in hospitals they will be a source of danger to the people. As such it is very essential to exercise great caution with respect to the training in old Colleges. On pages 20, 22, 25, and 27 of the opinions published about this College it is obvious that students of this College before 1940 cannot be declared as possessing 'high dental qualification'.

I do not want to take much of the time of the House by reading all the opinions. Consequently I would beg to state that such provisions should be introduced in this Bill which will put an end to such irregularities. It is proper that a Board of experts be appointed in this behalf. I had talked about this matter with several doctors with foreign qualifications. They opined that the procedure of placing 'high qualified' in list 'A' and 'less qualified' in list 'B' should be followed. Keeping in view the facts which I have mentioned I request the Honourable Minister that all qualifications should be scrutinised by a Board of experts. Those who have been practising for over ten years should be registered in Register 'A' after an ordinary test to remove dissatisfaction and to do justice.

Shri H. V. Kamath (C. P. and Berar: General): Mr. Speaker, Sir, in this 20th Century after Christ and the 21st after Vikram, a spectre haunts the health of every man and woman—the spectre of pyorrhoea, of halitosis the spectre of bleeding receding, and spongy gums of falling teeth. Dentists, Sir,—may their tribe decrease—are however steadily on the increase. This ungentle art of pulling out teeth is a very very ancient profession, but the professional dentist of today, I dare say, is a phenomenon of modernism. I may even say he is an aberration of civilisation. The importance of teeth has always been universally recognised—the well known and the oldest phrases in our language—a tooth for a tooth, then fighting tooth and nail. Nature red in tooth and claw then in the teeth of opposition, go to show the importance in which teeth have been widely held all over the world by the human species. The tooth, Sir, is an important piece of apparatus in the human organism. It is much more important than many other pieces of mechanism inside the human body. And, therefore, it is vital that before we proceed to invest anybody with this important and responsible power of pulling out human teeth, we must consider twice, ten times, nay a hundred times.

Time was, Sir, when the ordinary medicine man among the ancient savages, used to pull out an almost moribund tooth, a tooth about to fall. But apart from that mere pulling out teeth for its own sake was not a pastime that was usually indulged in by the ancient world. But the very fact that an Honourable Minister of our free National Government is proceeding to regulate the profession of dentistry shows that there are an inordinate number of uncontrolled dentists among us. If there were not too many dentists, there would have been no need to regulate that profession. It is because there are so many of them and that they are a source of danger and a menace to society that the Bill has been brought forward by the only Lady Minister of our National Government which shows that this ungentle art is being handled by gentle hands. I hope, Sir, that the outcome would be a very pleasant affair on the whole.

Now, Sir, it is pertinent to ask why this tribe of dentists is increasing. I think it is a moot point. We should go into this. Why, Sir, in this so-called civilisation dentists are increasing, their profession is paying and they proceed to try their skill, or non-skill, on patients of different types? Here in this Bill that is just before us,—I am referring to Section 2, part (d)—Dentistry includes (i), (ii), (iii) and (iv). I need not go into (i), (ii), and (iii) but (iv) is amusing, especially the tail end of it. The tail end of it says "the giving of any such treatment, advice or attendance, as is usually performed or given by dentists." That means to say, "dentistry" is something which is done by dentists. I do not know, Sir,

how this could be understood by the ordinary layman. If "dentistry" is something which is done by dentists, then what is the necessity for defining it at all? I am, Sir, in this connection reminded of the dictionary meanings of certain words in the English language. One word, Sir, is "man." "Man" is defined in certain dictionaries as "a human being not a woman", and a "woman" is defined as "a human being not a man." There is the other word, "beautiful." "Beautiful" is defined as "full of beauty" and "beauty" is defined as "something which makes a thing beautiful." I submit, Sir, the definition of "dentistry" in this Bill is something at a par with these definitions. If "dentistry" is something which is practised by dentists, then "dentist" can be defined as one who practises dentistry.

Then, Sir, there is this (b) and (c) of Clause 2, "dental hygienist" and "dental mechanic." "Dental hygienist" is defined as a person not being a dentist or a medical practitioner, who scales, cleans or polishes teeth or gives instruction in dental hygiene. May I know from the Honourable Minister of Health whether a dentist is precluded from being a dental hygienist or a dental mechanic? Apart from the dental hygienist, is a dentist as such precluded from cleaning, scaling or polishing teeth and giving instruction in dental hygiene or whether this "dentistry" as defined in (d) includes the practice and profession of a dental hygienist plus a dental mechanic? Of course, a dental hygienist cannot be a dental mechanic, but a dentist can be both. I think this is a point.....

Shri Mohan Lal Saksena (U. P.: General): It includes both.

Shri H. V. Kamath: It may be so, but it is not so here. The definition as such does not make it clear. I would suggest to the Honourable Minister to say that it is so. My Honourable friend Mr. Mohan Lal Saksena says it is so, but I fail to understand it like that. I wish I had as much intelligence as he has to understand that this is so.

Well, then, Sir, I was saying that this civilisation has brought in its trail a number of diseases and among them dental and oral diseases. "Oral" diseases are within the purview of this Bill, because I find section 2, (d) (i) refers to the performance of any operation on, and the treatment of any disease, and the performance of radiographic work in connection with human teeth or jaws or the oral cavity. So the mouth as a whole is included in the dentist's profession. So I suppose, if I am not wrong,—I speak subject to correction—I suppose that "oral" is the adjective of "mouth", and as the oral cavity is brought in here I think that mouth diseases are a part of the dentist's jurisdiction.

An Honourable Member: What about your speech?

Shri H. V. Kamath: The cause of a disease. But it may become one, even an epidemic!

Well, Sir, I was referring to dental and mouth diseases, this malady of civilisation. Our ancestors—at least our grandfathers—did not suffer very much from tooth troubles. That is admitted on all hands, I think. I have seen many grandfathers—many grandparents—who preserved their teeth in fact right up to the age of 70 and 80, but we Sir, their posterity, their progeny, we have fallen on evil days. I believe that this is mainly due to the fact that our diet, our food, is artificial and our entire life has strayed from Nature. An eminent health expert and medical man, Dr. Charimuthu of Madras, years ago referred to various diseases of civilisation and specially to these oral diseases, dental diseases etc. He said, "all along civilisation man has tampered with Nature's foods. Your wheat is hulled, your rice milled, your maize decorticated."

Mr. Speaker: Order, order. I am afraid what the Honourable Member is going to say about the causes and the origin of the decay of teeth and all that may be very instructive and interesting, but it is beyond the scope of this Bill to go into that question. The Bill does take it for granted that there are bad teeth and

tries to seek a remedy for regulating those who profess to treat them. The Honourable Member may now come to the Bill instead of going into the history of bad teeth.

Shri H. V. Kamath: Sir, I am grateful to you. I was coming to the point, when you gave the ruling. I was driving this point home, namely, that a very important aspect namely the prevention of dental diseases has been overlooked in this Bill. In modern times, every Science for instance medicine—has got its preventive side. If only Section 2 (d) (i) had mentioned that "dentistry" includes besides any operation, and the treatment of any disease, deficiency or lesion of human teeth etc. etc. prevention also, then, Sir, that would have been satisfactory, because, as I said, modern science recognises that prevention is better than cure—an old adage of course—and if the Bill recognises that dental diseases are preventable by suitable diet and hygienic measures, many of the dentists will be put out of action. Unfortunately, Sir, there is nowhere any reference to this preventive aspect, although I am sure, Sir, that dentistry includes, just as medicine includes at the present day, the preventive side also. The other day I had the opportunity to state that modern dentistry or dental science recognises that pulling out teeth for its own sake is a pernicious practice and more and more dentists have come to recognise now that teeth, unless they are absolutely hopeless or are about to fall, should not be tampered with and should be treated by other means, because, Sir, it is held that if one tooth is pulled out.....

Mr. Speaker: Order, order. I am afraid the Honourable Member is going much beyond the scope of the Bill. If he reads the Bill he will know the scope. If he goes on like this, I shall have to ask him to stop his speech. He will see that the Bill is for the 'regulation of the profession of dentistry and for the purpose of constituting a Dental Council.' That is the scope of the Bill. The whole science of dentistry is not sought to be regulated by this Bill. That is a subject left entirely to the dentists.

Shri H. V. Kamath: Thank you very much, Sir. But am I wrong in suggesting that dentists do not attend to the preventive aspect of dentistry?

Mr. Speaker: It will be entirely out of the scope, as I once said. He may refer to the Bill now.

Shri H. V. Kamath: Well, Sir, the one suggestion that I made in regard to section 2 (b) namely the preventive aspect of dental science should have been emphasized and the prevention of dental diseases and of the oral cavity should have been stressed.

Then, Sir, when we come to the penalties section (Chapter V), my friend, Mr. Naziruddin Ahmad told a story. I do not know whether it was fiction or fact, but there are certain facts which I know personally where dentists have been negligent; they have not been merely unsympathetic but have shown callous indifference or negligence. There was among the Meerut Conspiracy prisoners one whose teeth were in a bad condition and he was inside the jail. When the doctor was sent for, he made a chart and left it on the table wherein were marked the teeth which were to be pulled out. When the dentist came, he did not care to enquire which were the good teeth and which were the bad teeth. He pulled out the really healthy teeth, leaving the bad ones behind, not understanding what the marks on the chart were for. The doctor came again and said that the bad teeth were there as before. So the poor patient had to lose both the healthy and bad teeth. It is only one instance, to show how dentists can be very unsympathetic and sometimes even callous.

To quote a personal example, Sir,—the dentist as a rule is more particular about pulling out the teeth whether they are good or bad, because he knows that if one tooth is pulled out, the patient will come to him again for some other

disease because that comes in its train,—I had a slight dental trouble some years ago and I then consulted a dentist, a very good L.D.S. or D.D.S. high qualifications which will perhaps go on top of the Schedule. He sounded the teeth in my mouth with certain instruments and said: "I must pull out this tooth; otherwise you are bound to lose it, in five years' time, if not less.. I said "I am not seriously affected by this tooth; it gives me just ordinary pain and if you want to pull out that tooth, I will refuse to submit to your tender mercies." He replied: "I am afraid I cannot but pull it out." I did not want to have the tooth pulled out. Then I said to myself that I would doctor myself and took proper food, and massaged my gums etc, and ultimately that tooth is alive, perhaps more alive today than it was ten years ago. That shows, Sir, that the regulation of dentistry is very important and the dentists must be taught not merely not to pull out teeth callously but to attend to other diseases of the oral cavity, particularly their prevention.

Mr. Speaker: The Honourable Member may bring his remarks to a close by 4 O'clock.

Shri H. V. Kamath: There was a dentist in Europe some 100 years ago, who was at par with some dentists today in India. He also was pulling out the teeth and doing nothing else. Once a patient of his developed a gum boil or gum abscess. He was examined by the dentist, who said: "Well, the tooth has got to be pulled out because the gum abscess is in the right jaw; abscesses in the left jaw are curable but not abscesses in the right jaw." Some days later the abscess burst of its own accord and he was hale and hearty. But that dentist wrote a thesis to prove that the patient should have lost his tooth and should not have recovered from the abscess, because it was in the right jaw. This I say just to drive the point home how the dentists can be callous as regards other people's teeth, because they do not recognise the immense value of the teeth in the metabolism of the human body.

I therefore suggest that the penalty clause should be made stricter and more rigorous, and for the first conviction itself there must be imprisonment prescribed. As civilization progresses, the teeth may get worse and worse and dentists should be made not merely to cure the malady of the teeth and oral cavity diseases but also prevent the diseases of the teeth and the oral cavity.

In the end, I will request the Honourable Minister to explain to us what exactly 'dentistry' means. Also I hope this Bill will inaugurate a new dispensation so far as the health of the nation's teeth is concerned and we shall in the near future be able to say to the world that Indians today are as much proud of their teeth as our forefathers were till two generations ago and we shall, when all the world is disarmed, be able to fight each other only 'tooth and nail'.

Shri Ramnarayan Singh (Bihar: General): Sir, I welcome the measure and thank the Honourable Minister for the steps she had been taking with regard to this measure. Sir, I was a Member of the Select Committee and in spite of all my endeavours to agree to all that was done there, I had to write a minute of dissent.

[At this stage, Mr. Speaker vacated the Chair, which was then occupied by Pandit Thakur Das Bhargava (one of the Panel of Chairmen).]

Sir, in this country the Government of the day took no initiative in this matter; no college was started; nothing was done, but some 10,000 people in their own individual capacity picked up the art and knowledge here and there and began to help the people. Sir, although there was no university, no law, no regulation, many of these dentists have been recognised by the society and the society is being helped by them. After that some of our countrymen went out-

[Shri Ramnarayan Singh]

side and qualified themselves more or less and returned. Their number is something like three to four hundred. But it appears, Sir, that many of them could not compete with the people who had been practising in this profession from before.

Then in a way they began to conspire against the people who were already here. From reports and stories we came to know that they approached the then Government of India and flattered the officials and persuaded them to enact a measure to control this profession. However for good or evil the measure has come and I hope this will prove beneficial for our countrymen. But we should see that by this enactment we do not harm anybody. As I have said in my minute of dissent, this appears to be the result of some conspiracy by some people against others in the same trade. It is said that these people have got no recognised qualifications and so they must be classed in part B of the register. Sir, we are laymen but we know how in foreign countries also degrees and diplomas are obtained by giving dinners or paying some fees. I am not against those people who claim to be qualified dentists here; but you yourself, Sir, have said that everybody knows about the colleges in Sind and Calcutta, etc., from which they claim to have qualified. As regards the Sind college I understand that at the start it was nothing but a shop. With regard to qualification I think we should come to the conclusion that all are of one degree, one class and one qualification.

We have provided for a tribunal which will make inquiries and competent people with sufficient knowledge, experience and reputation may be registered, and those who are incompetent and new in the field should be chucked out. If they do not know anything of dentistry either by experience or by training they should not be allowed to practise in this line. It is no good now disqualifying those who have been practising in this line for the last 20 or 30 years. There is a dentist in this town of Delhi who, I am told, earns Rs. 10 or 15 thousand a month. We may call them quacks but all great men are quacks. I also value training but at the same time I am not going to say that because a certain gentleman has not got the qualification he is a quack. The person who began any kind of training was a quack because he was without training himself. Therefore all original persons may be regarded as quacks. According to psychology all knowledge is centred in the mind and everything can be developed by itself. My point, however, is that at present we shall not be justified in classifying people in part A and part B; there should be only one register. The Honourable Minister said that if this distinction is not made the result will be that in the election all unqualified people will come and capture the Council. Sir, we know to our cost what separate electorate means. When all people will be regarded as dentists why a separate electorate and separate franchise? Supposing the B class people come and capture the Council will the heavens fall? They will have to work according to the provisions of the Act or according to any regulations made thereunder. In this new enactment we should proceed in a cautious manner. We are not enemies of any one; people with foreign training are as much welcome as those who have been trained through their own efforts. By a competent tribunal their qualifications and reputation may be enquired into and they will all be registered. Hitherto, as you, Sir, said, Government have done nothing in the matter. I think there should be a well-equipped Government college in every province and under every university; the curricula and syllabuses may be prescribed and all people who pass the examination and get a degree will be allowed to practise as dentists. Then there will be no room for quacks. So far nothing has been done, and we have to be careful that by our enactment no one is placed at a disadvantage and that the measure proves beneficial to everybody.

Mr. R. K. Sidhva: Sir, some of the provisions of this Bill as they have emerged from the Select Committee are really welcome and desirable while others require some little consideration. At the first reading of the Bill we welcomed the principle contained in it because the provincial Governments who were in charge of health have failed in their duties in this direction. We have been told by medical opinion that many a disease in the body is due to teeth trouble. And it is also said that when doctors could not diagnose a disease, they advise extraction of the teeth. I have seen that in some cases these extractions have proved fruitful. But in other instances they have not brought any remedy to the disease that a man was suffering from. But that is a different point.

In the Bill I find a clause about a Dentist Hygienist. Such a person is defined as one not being a dentist or medical practitioner but who scales, cleans or polishes teeth or gives instructions in dental hygiene. This will be the function of the Dental Hygienist. The course will be for two years. You will kindly see that the function is purely cleaning of the teeth and giving instructions with regard to hygiene. And for this the students will be required to undergo a two years' training. I would like to know how every one would wish to keep his teeth clean? How many of us educated people go to Dentists to keep their teeth clean? Teeth cleanliness may have been strongly advanced in the countries of Europe and in America, but I would like to ask how many of the members in this House have their teeth clean. And merely for cleaning the teeth, a student has to take a course of two years. I am driving home this point.

Shri H. V. Kamath: Is my friend in order in casting a reflection upon the teeth of Honourable Members here?

Mr. R. K. Sidhva: I want to know what are those students going to do after they have taken their degrees or diploma after two years. Have the Select Committee or the Honourable Minister considered how they are to earn a living after they leave their training college? They may be opening out shops for cleaning of teeth but will they earn sufficient for their maintenance? That is one point.

The other point is the temptation of this kind to students to open their shops and extract teeth. After all he has gone there for the purpose of earning.

Shri K. Santhanam (Madras: General): Compulsorily extract!

Mr. R. K. Sidhva: If he cannot get a proper earning, he will say I will clean your teeth and if a tooth has to be extracted he will do it. I therefore feel that this is merely a superfluous clause that has been inserted in this Bill and I therefore do not see any necessity for students being asked to take a two years' course and then be left to themselves for the purpose of their own earning.

There are two other important points relating to registration of students in this Bill. My friends have objected to the two clauses that have been enumerated in this Bill. I also hold the same view. I have come across many dentists who have opened up a practice for a number of years without any degree and they are flourishing. Not only that, but that they are successfully doing their work. I have also seen dentists with university degrees and also those who have specialized in dental surgery fail to make a mark. I am glad that the Select Committee have made a provision that those who have been in practice for five years would automatically come under clause (b). But I fail to understand why this difference has been made between these clauses. If you see the Schedule that has been printed—Part I—it says "The degree and diplomas in dentistry issued by any of the following authorities." In part II it says: "The degrees and diplomas in dentistry issued by the following authorities." The heading is the same. The names are different. There are five categories

[Mr. R. K. Sidhva]

under which this Part I has been assigned for students and one is the University of Bombay in part I, and the Punjab University in Part II. Why is that? Students from the Bombay university will be allowed to register in Part I, and those from the Punjab university in Part II.

Mr. Chairman: The Punjab University is now in Pakistan and thus in a foreign territory. That is the reason.

Mr. R. K. Sidhva: If that is the inference of the Select Committee that because due to partition those students who have passed their examinations before 15th, August should be taken and registered in (B), then it is the greater reason they should be included in List—A. If the University of Punjab was equivalent to the University of Bombay, then because of partition the students should be asked to suffer? This is a great anomaly. I cannot understand it and I hope this will be remedied. If it is due to partition then it is wrong because the students are not to suffer on account of partition.

You were referring to the Board of Examiners, College of Dentistry, Karachi. With due respect to you I submit that I have personal knowledge of this college, being originally a resident of Karachi. While it is true that the college was started in 1926 with a few students, you will bear in mind that the college in Calcutta was started in 1920. I was told that it started with six students. The population of Calcutta in 1920 was 13 lakhs. Karachi's population was 2½ lakhs. So even the number of students in proportion of population is certainly much more. But take Bombay. Bombay started a college in 1931. It had a population of 12 lakhs. So because the Government and the medical people here lagged behind in introducing colleges for dentistry the students did not come forward and therefore a city like Bombay did not possess a college till 1931. On the other hand, an ambitious person, passed out from Germany, came to Karachi and thought that a dentistry college should be opened and he made a start with three or four students. Because he started with three students, it does not go to prove that the curriculum given there or the degrees or diplomas there were inferior. Nothing of the kind.

On the contrary you Sir made reference to the Governor's speech. I have the said speech here as well—the speech was made by the proprietor of this hospital which was known as the Lakshmimaya Patel Dental Hospital. Sind was annexed to Bombay till 1936. In 1937 the legislature came in. In the interim period a Governor was appointed. So in 1936 the Governor opened this college. These were the remarks made in the public speech by the proprietor. "A striking feature of this is that students come here from all parts of India. The number today is 57 and the group includes students from Kathiawar, Gujerat, Berar, Satara, East Khandesh, Indore, Punjab, Ferozepore, Central India Provinces, South India, the U.P., Baroda, Bombay, Peshawar, Travancore, Baluchistan, Portuguese Goa, Bihar, Orissa, Cutch, Bengal and of course Sind." This is an exhaustive list and I can assure you from my personal experience that really the Sind people did not take as much advantage of this college as outsiders did. The accommodation was so small that ultimately the proprietor had to purchase a new building and he opened a fine dentistry. I can say that this is one of the best, though I cannot say that it is the best, as I have no knowledge of the other colleges elsewhere. I want to make a present of the photograph of the hospital which has been reproduced in this pamphlet when the hospital was opened by the Governor. The professors numbered 17 in 1937. There are 54 figures in this photograph. It was not a college with a small staff. I would certainly put it in the first rank. I do not say that because it existed in Karachi and I came originally from Karachi therefore it should be given prominence. When you made this remark of course you had not the correct information.....

Shri H. V. Kamath: On a point of order, Sir, is my friend referring to the remarks of the Chair or to those of my Honourable friend Pandit Thakur Das Bhargava?

Mr. R. K. Sidhva: The chair is in a dual capacity and I am perfectly justified in making my remarks. I cannot say that Pandit Bhargava said so. I know the parliamentary practice. Therefore I submit that to state that this college is of no high rank is not correct. It may be that some other colleges have been excluded from this list and I have no objection if they are included. To say that such and such a college is not recognised, therefore the Karachi college does not deserve to be recognised is absolutely inferior.

Then there is the other factor. In this college there were 21 dental chairs. I would like to know from Honourable Members how many chairs exist in the Calcutta college or the Bombay college. These days each chair costs Rs. 2,000, in those days it might have cost Rs. 600 or 700. This Karachi dentistry has the fullest equipment, X-ray and all other paraphernalia which are required in a modern dentistry. Out of the total passed out only three persons are in Karachi and the rest of them are practising in other parts of India.

Pandit Lakshmi Kanta Maitra (West Bengal: General): What is the number of students turned out?

Mr. R. K. Sidhva: 185 according to my knowledge.

Pandit Lakshmi Kanta Maitra: And they are all carrying on their deprecations in India?

Mr. R. K. Sidhva: I told you that three of them are in Karachi.

It has been stated that the Board of Examiners was granted on the 1st January 1942. Some of the students passed out in 1943. It was stated that the college was closed down in 1943. I am not fully aware of that. After 1942 most of us were in jail. I however understand, it did close. The reason was that most of these dentists enlisted in war service and the students too took to active service. The college does not exist now, because the proprietor has left Sind. I submit that the arguments advanced against this college are not correct. I do not understand the classification of 1, 2 and 3. One university degrees are given in one class and another university of a sister province gives degrees in the second class. Why this college which is one of the best should have been given classification in No. 2 I do not understand. If it is due to partition it should be rectified. I insist upon it that the Honourable Minister should rectify the mistake. If there are any other reasons I shall be pleased to hear them.

Sir I welcome this Bill. We required a measure of this kind many years ago. Even though late it should be administered in all the provinces to the fullest extent. With these words I strongly support this Bill as conveyed from the Select Committee.

Shri Rohni Kumar Chaudhuri (Assam: General): Sir, this Bill deals with human teeth. If there was any doubt in this matter, that has been set at rest by this clause which says:

"the performance of any operation on, and the treatment of any disease, deficiency or lesion of, human teeth or jaws."

We must confine our remarks to the human teeth. Human teeth lose all their value when they come out of their socket. They are quite unlike the tusk of an elephant the value of which is enhanced after it comes out of the jaws of the elephant.

[Shri Rohini Kumar Chaudhuri]

The human teeth are a very good friend as they help you to masticate your food and digest it. It is a very great friend to the woman also, because it helps her to smile freely. But when it begins to give trouble it becomes a terrible enemy. When you have to remove some of your teeth and have to go to the dentist it becomes a terrible misfortune to the man or woman. So it is in the fitness of things that so many Members of this House should be speaking enthusiastically on this subject and that we should all congratulate the Honourable Minister in charge of this Bill for giving an official recognition to the dental troubles of human beings. The rapidity with which human tooth is being removed by expert dentists, as well as by non-expert dentists, is bound to fill everybody with a sense of dismay. I do not wonder that my Honourable friend Mr. Kamath or any other unmarried man should be very nervous about the rapidity with which human teeth are being gradually removed. My Honourable friend Mr. Ramnarayan Singh says that everybody should be allowed to extract teeth—whether he comes from a foreign country or comes from here, whether he is trained or is untrained, he should have a hand in removing teeth.

Shri Ramnarayan Singh: I never said that everybody should be allowed.

Shri Rohini Kumar Chaudhuri: What will be the position of men like my friend Mr. Kamath? Certainly he would like to tighten up the legislation a little bit more. I think our salvation lies in having a very strict registration of dentists. Unless we have a very strict registration we run the great danger of being rid of human teeth very soon. From that point of view I welcome this legislation.

My Honourable friend Mr. Sidhva was saying that these dentists were prowling about with a view to find out somebody whose teeth they could extract. He said they were going about like that for want of employment. There are nearly 300 million people,—the population of our Indian Dominion. Out of that number 150 millions, I presume, have teeth and about 75 millions have teeth which should be removed immediately. These 75 million people who have diseased or decayed teeth should be able to give enough occupation for the dentists who would be registered.

But then there are certain points in this Bill which I do not understand. Recognition has been given to three classes of people—one class educated in Bombay and Calcutta, the second class educated in U.K., Punjab, Germany, America and elsewhere and the third class belonging to Vienna or person possessing any other qualifications recognized by the Council. But the most dangerous class has not been brought under registration at all—the class of medical practitioners. They are not affected by this Bill. Any medical practitioner can remove anybody's teeth with impunity if he so chooses. This Bill does not apply to the registered medical practitioners. Section 49 lays down:

"Provided that the provisions of this section shall not apply to practice of dentistry by a registered medical practitioner."

My Honourable friend Mr. Naziruddin was speaking from fiction. I do not know whether the instance which was given by my Honourable friend Mr. Kamath was true or false, but that related to a dentist. I know of an Honourable Member of this House who was one of the leaders of our Province and he had dental trouble while in jail. It was in 1922. The Civil Surgeon came—they would not allow any outsider to come—and he removed his firmest tooth and not the painful one. He removed the wrong tooth with the result that all his teeth had ultimately to be removed. He was granted leave by the Government. This is a very dangerous class of people—these medical practitioners who have no idea of dentistry but who are supplied by Government with all the implements of dentistry. They get it free. They have not got to purchase it.

Every Civil Surgeon has got a set of implements of dentistry. I am not thinking so much of leaders or Members of the Legislature now but I am afraid of the consequences to the ordinary prisoners in jail. If these untrained medical practitioners who indulge in removing the teeth of the prisoners are allowed to do so it means a greater danger than any dentist trained or untrained who has at least learnt it only a few years ago and who has some actual practice in dentistry. So I would submit that this proviso should not have been there. This is really giving them an advantage of practising in competition with qualified dentists and at the same time creating havoc.

So far as the objection of my Honourable friend Mr. Ramnarayan Singh, raised in his minute of dissent, is concerned, I think his objection has been very well met by sub-clause (2) of clause 33, which says:

"A person domiciled in a Province of India shall be entitled on payment of the prescribed fee to temporary registration as a dentist for a period of five years, if he has been engaged in practice as a dentist as his principal means of livelihood in any Province of India for a period of not less than two or more than five years before the date of the commencement of this Act, and a person so registered shall be entitled to permanent registration if within a period of five years after that date he passes an examination which satisfies the requirements of the Council."

So that, under this clause, anybody who has dabbled in dentistry for a couple of years can come and have temporary registration, and he can get permanent recognition afterwards. I should think this Bill has been liberal to untrained people and to people who are not experienced in dentistry—rather than being restrictive. In many parts of India today we have not got qualified dentists and we have got to get treatment from somebody. We have forgotten the old method—I am speaking of people of my age who are no longer young—by which you just tie a string and remove the tooth. That is a much better way. There is no serious consequence. You have not got to apply any tincture of iodine or anything else. It is a simple method. In villages there may be simple cases where untrained dentists must be utilised and therefore I think this law has been very liberal owing to the exigencies of the circumstances in which we are now placed.

Another thing which I fail to understand is the special exemption for British Indian subjects. Why should we have special exemption for British subjects of Indian domicile? Why should there be any distinction between a British subject and a non-British subject? I think the whole object is to give preference to people coming from the United Kingdom and who have been practising here.

Mr. E. K. Sridhva: For reciprocity.

Shri K. Santhanam: They are Indian citizens.

Shri Rohini Kumar Chandhuri: I know of some German dentists and some Jews who are excellent dentists and they have been here. They would be excluded from the scope of the Bill while a British subject would be eligible for the benefit. The reference to 'British Indian subject' occurs in several clauses of the Bill and I hope the Honourable Minister will be able to enlighten us on this point. Sir, I support the Bill.

Shri O. V. Alagesan (Madras: General): Mr. Chairman, if the possession of strong and well set teeth is any qualification for speaking on this Bill then I have no doubt that the Honourable Member who spoke sometime ago and gave a dissertation on the science of dentistry to the House is the best qualified in this respect. I cannot boast of any such good fortune nor do I want to speak in any humorous view this evening. Sir, it is common knowledge that there is woeful lack of facilities for dental education in India today.

[Shri O. V. Alagesan]

Our first aim should be to make arrangements as soon as possible to spread dental education. The Bhole Committee has recognized this and the report speaks as follows:

"Unfortunately in India this matter has up to the present received so little attention from universities or from the state that there are only 4 institutions available for the training of dentists."

That is the position. It is not as if this has not been recognized by the Honourable Minister of Health. While addressing the All-India Dental Conference at Bombay she made the following remarks:

"The position today in respect of dental education and of dental service to the people is, as we are all painfully aware, far behind that attained by the medical profession and the way to be made up is therefore great."

She again said:

"It will be necessary to establish Dental Colleges at the headquarters of other provinces and the Government of India will do its best to assist in their creation through its existing scheme of Central grants to promote provincial reconstruction programmes."

So it is our good fortune that the Minister in charge is fully alive to this problem and we can hope that she will do everything to spread dental education. If you look into Part I of the Schedule, you will come to know that in the whole of South India there is not one dental educational institution which is fit to be recognized. I do not know whether there is any institution or not, but from the schedule we are not aware that there is any such institution. So we come to the conclusion that the whole of South India is without any facility for imparting dental education. It is not as if there are no dentists in South India, but this Bill will not recognize them. In my opinion there is no use imitating other advanced countries in legislation alone. Dental education should precede dental legislation. This Bill suffers from this limitation, and to that extent I would say that this legislation is premature. I am glad to find that the same opinion is shared by one of the members of the Bhole Committee who went into this question. I shall read the relevant portion.

"Dentistry as a science can make little real progress in this country until it is upheld by suitable legislation directed to compulsory registration, and the prohibition of practice by unregistered persons. One of us (Mr. N. M. Joshi) is, however, of the view that such legislation is premature, but if passed it should not be made applicable to those areas where the free services of a registered dentist are not made available within a reasonable distance from the residence of a patient."

That was his view. Now coming to the relevant portions in the Bill, this Bill seeks to divide dentists into two classes, A and B. We are well aware that only a handful at present will be able to go into the A section. More than 90 per cent. will be relegated only to part B. So we will be creating two castes—one high and the other low. In my opinion without creating facilities for imparting proper education, to go and attack the profession in this manner is not justifiable. It is said that dentists who have been practising dentistry for so many years cannot be included in part A because they will sweep the elections and get their own men into the Provincial and All India Dental Councils. That was what I heard the Honourable Minister say when she made her opening remarks. If that is the fear, then such a result can be avoided by asking them to vote only for candidates who are qualified to be in part A. That can be done. This Bill again smells too much of foreign universities and foreign degrees. If you go through the schedule you will find that there are only 4 Indian institutions recognized, whereas 13 institutions have been recognized, I think, in U.K., 2 in Ireland, 17 in U.S.A., 1 in Canada, 2 in Germany and 2 in France. "So it looks as though this Bill has come strongly under the influence of foreign degreed and foreign educated gentlemen. Without sufficient data about all those universities we cannot say that everyone who has graduated in a foreign university is a perfect dentist and that those whose practice may run

even to ten years or twenty years, are not qualified or perfect dentists. Let us examine the justification for this sort of discrimination. The British Dentists Act, which seems to have been the source of inspiration for this Bill, has not made any such distinction. Sir, the relevant section of the British Dentists Act says:

"3. (1) The Board shall admit to the dentists register kept under the principal Act—

(a) any person who makes an application in that behalf within the interim period and satisfies the Board that he—

(i) is of good personal character; and

(ii) was for any five of the seven years immediately preceding the commencement of this Act engaged as his principal means of livelihood in the practice of dentistry in the British islands, or was admitted to membership of the Incorporated Dental Society not less than one year before the commencement of this Act; and

(iii) had attained the age of twenty-three years before the commencement of this Act."

These are the only restrictions for getting entry into the dentists register of England. That is what this Act says. So the source of inspiration for this Bill does not contemplate any such discrimination as is sought to be created by this Bill. On the other hand, it contemplates only one common register for all dentists. Again let us take the Bnore Committee report. Even they, though they want early legislation on this matter, in my opinion have not recommended any division of dentists into A and B classes. The report says:

"As in the case of pharmacists provision should be made for the inclusion in the Provincial Registers of persons who, though not properly qualified, have been engaged in the practice of dentistry for a stated number of years. Thereafter the door of entry to the profession should be once and for all be closed to such persons and restricted to the holders of approved dental qualifications."

So even they have not contemplated any such division as A and B and they have also made a reference to pharmacists. The House only a few days ago passed the Pharmacy Bill, and there sub-section (d) of section 31 says:

"A person shall be entitled on payment of the prescribed fee to have his name entered in the first register if he resides, or carries on the business or profession of pharmacy, in the Province and if he—

(d) has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than five years prior to the date notified under sub-section (2) of section 30."

Anybody who has read these two Bills will find that this Dentists Bill is exactly of the same pattern as the Pharmacy Bill and when such a distinction has not been made in the Pharmacy Bill, I should like to know why that distinction has been made in this Bill alone? In my opinion, instead of creating such distinctions and creating heart-burning between one section of dentists and another, the Government should concentrate all their energy and attention on providing greater and greater facilities for dental education. They should open colleges in as many places as possible all over the country and try to educate our young men in dentistry. Instead of doing that, to come forward with a legislation like this is, to my mind, like putting the cart before the horse.

The Bnore Committee has gone into this question in a detailed fashion. They are of opinion that taking that one dentist will be necessary per 5,000 of the population, the present need of our country will stand somewhere near 80,000 dentists. How are you going to create all these dentists? This legislation only seeks to prevent dentists without recognised qualifications from carrying on their profession. Of course, its obvious purpose is to save the people from quacks and untrained persons, but by passing this legislation we are not

[Shri O. V. Alagesan]

going to get all of a sudden from out of the vacuum 60,000 dentists. There are two ways of saving the people from untrained persons. One is by passing restrictive legislation as this Bill does. The other is to put more and more trained persons in one field. In my opinion the latter is the better way and I want to lay emphasis on that. So, instead of pursuing this Bill—I do not mean that this Bill should not be passed. I only want the objectionable portions should be taken out and suitable amendments inserted so that the Bill may be made as acceptable to all as possible.—I urge upon the Honourable Minister to get as many existing medical colleges as possible to open special wings for dentistry and thus spread dental education in the country so that we will have the necessary army of dentists to treat the Nation.

Again, in the Proviso to Section 34 of the Bill it is said:

“Further a person registered in Part B of the Register shall be entitled to be registered in Part A thereof if within a period of five years he passes an examination recognised for the purpose by the Council.”

I want to know how this is sought to be achieved. There may be about 10,000 dentists in the country who may come under Part B whereas I doubt whether there will be 1,000 dentists under Part A. I want to know whether there will be examinations held or courses open for all these people who have got the misfortune to be placed in Part B, and how that examination will be conducted and how certificates will be issued. Or is it simply a consolation proviso saying that these people will get into Part A provided they pass the examination? Is there any facility for all these people to undergo courses of study if they so want and then pass the examination, or will they be suddenly called upon to sit for an examination and to take their chance of promotion to A Class?

Again, a third class of dentists has been created. They are people who have had a practice of less than five and more than two years. They go into a separate temporary register and they also are asked to pass an examination within 5 years. How are they going to be treated? Are they going to be treated differently from the Part B dentists? How many are expected to come under that temporary register? If it runs to some thousands, are there facilities for courses of study for them and can they sit for examinations and pass the tests?

So, all these anomalies and difficulties arise and we will not be solving the problem by creating a higher caste and a lower caste. On the other hand, I would urge upon the Minister to concentrate on providing more and better facilities for dental education. In my opinion, that is the only way to face the problem and solve it.

Shri K. Sathyanam: Sir, the question may now be put.

Mr. Chairman: The question is:

“That the question be now put.”
The motion was adopted.

The Assembly then adjourned till a Quarter to Eleven of the Clock on Thursday the 26th February 1948.