



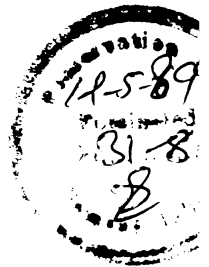
PARLIAMENTARY DEBATES

(PART I— Questions and Answers)

OFFICIAL REPORT

Volume IV, 1950
(1st August to 14th August, 1950)

Second Session
of
PARLIAMENT OF INDIA
1950



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

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PARLIAMENT OF INDIA

Saturday, 12th August, 1950

*The House met at a Quarter to
Eleven of the Clock*

[MR. SPEAKER in the Chair]

MEMBER SWORN

Shri A. E. T. Barrow (Madras)

ORAL ANSWERS TO QUESTIONS

B.C.G. CAMPAIGN

*305. **Shri Kamath:** Will the Minister of Health be pleased to state:

(a) whether it is a fact that the B.C.G. campaign has been stopped; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri C. D. Deshmukh): (a) No. On the contrary, the B.C.G. vaccination campaign is being intensified and expanded on a mass scale with a view to reducing the incidence of Tuberculosis in India.

(b) Does not arise.

Shri Kamath: Is it a fact that in the United Kingdom certain deleterious effects have been observed as a result of this B.C.G. vaccination and that this campaign in England has been suspended pending further research on the drug?

Shri C. D. Deshmukh: I have no information on the subject.

Shri Kamath: Have any deleterious effects been brought to the notice of the Government in India as a result of this vaccination?

Shri C. D. Deshmukh: No, Sir. It is intended to expand the operations.

Shri Kamath: My point was whether any harmful effects of the drug have been brought to the notice of the Government?

Shri C. D. Deshmukh: No, Sir.

Shri Rathnaswamy: May I know how many people have been so far vaccinated with B.C.G.?

Shri C. D. Deshmukh: Some information was given in answer to a question asked in the previous session. By the end of December 1949, 448,721 people were tested and 157,433 were vaccinated. By the end of June 1950 the number of people tested was 1,450,000 and the number of people vaccinated was 425,000.

Shri Tyagi: Are we getting any financial aid from the W.H.O. with regard to this campaign?

Shri C. D. Deshmukh: Yes, Sir.

Shri Tyagi: To what extent?

Shri C. D. Deshmukh: I have no information about the financial assistance.

Shri Kishorimohan Tripathi: What is the total amount so far spent on this campaign?

Shri C. D. Deshmukh: I have no figures of the total amount spent.

Shri Kesava Rao: What are the results of this campaign?

Shri C. D. Deshmukh: The results of the campaign are assumed to be beneficial.

Shri Karunakara Menon: Is there any difference of opinion among the doctors of our country regarding this campaign?

Shri C. D. Deshmukh: That is covered by the answer I gave just now. I have no information that it is otherwise than beneficial.

Dr. Deshmukh: What is the approximate cost of each vaccination?

Shri C. D. Deshmukh: I want notice of the question.

IRWIN HOSPITAL, NEW DELHI

*306. **Shri Kamath:** Will the Minister of Health be pleased to state:

(a) whether the attention of Government has been drawn to an article captioned "A New Delhi Diary" in *The People* (an English weekly of Delhi), dated the 2nd July 1950; and

(b) if so, whether the allegation made therein to the effect that the medical supplies in the Irwin Hospital, New Delhi, are sold in the market, and that patients are given fake mixtures, tinctures, etc., is correct?

The Minister of Finance (Shri C. D. Deshmukh): (a) Government have seen the article referred to.

(b) Government understand that there is no truth in the allegation made in the article.

Shri Kamath: Have any complaints or reports reached Government that the Honorary Ophthalmologist of the Irwin Hospital used to

issue prescriptions without mentioning the contents or the ingredients of the prescriptions?

Shri C. D. Deshmukh: I do not know about this specific complaint but in regard to the allegation made here no complaint has been received.

Shri Kamath: Has any complaint reached the Government that the medicines dispensed under prescriptions of this honorary doctor of the Irwin Hospital bear the label not of the dispensing chemist but only some indication of the doctor who prescribed the medicine?

Shri C. D. Deshmukh: I am sorry I am unable to follow the rather involved allegation.

Mr. Speaker: The innuendo seems to be that the labels on the bottle were intended for giving publicity to the doctor who was prescribing.

Shri Kamath: Not the name of the dispensing chemist: it must be done under the rules.

Mr. Speaker: I am referring to the innuendo of the hon. Member.

Shri C. D. Deshmukh: The Director of Health Services, Delhi has reported that he has made surprise inspections on occasions when the dispensing of medicines was going on and he detected no fraud.

Shri Deshbandhu Gupta: May I know whether after the publication of this allegation in the paper any enquiry was held and whether the writer of the letter in this paper or its Editor was asked to give further information on the point?

Shri C. D. Deshmukh: To my knowledge, no, Sir.

Dr. M. V. Gangadhara Siva: May I know whether any Advisory Committee of officials and non-officials has been appointed to watch the working of this hospital?

Shri C. D. Deshmukh: Arising out of such complaints or otherwise?

Mr. Speaker: Will the hon. Member clarify the question? Does he want a committee to investigate questions arising out of the complaint or otherwise?

Dr. M. V. Gangadhara Siva: I mean generally.

Shri C. D. Deshmukh: I want notice of the question.

Dr. M. M. Das: What is the total number of beds in the Irwin Hospital and what is the total amount of purchase of medicines and stores for the hospital?

Shri C. D. Deshmukh: I do not know that it arises out of this particular question.

Dr. M. M. Das: May I know whether there is a special employee in charge of the medicines?

Shri C. D. Deshmukh: The employees in charge of the medicines are the dispensing officials.

Dr. M. M. Das: Am I to understand that it is the compounders who dispense the medicines and in charge of the stores and no doctor?

Shri C. D. Deshmukh: There must be some one in charge of the stores and some one in charge of the medicines currently used.

Shri Gautam: When this allegation was brought to the notice of the Government did Government issue any contradiction to the press after enquiry?

Shri C. D. Deshmukh: No, Sir.

Prof. S. L. Saksena: Will the Government enquire from the Editor of the paper the source of his information and will Government make enquiries into the truth of it?

Mr. Speaker: What he is suggesting is that Government may refer to the Editor of the "People" and then make enquiries?

Shri C. D. Deshmukh: I think that may be advisable, because he has given the name here.

MILITARY AIRCRAFTS (ACCIDENTS)

***307. Shri Sidhva:** Will the Minister of Defence be pleased to state:

(a) the number of accidents to military aircrafts from 1st January, 1950 to 30 June, 1950;

(b) the loss of life and property resulting therefrom during the period; and

(c) whether any enquiries have been instituted in this respect and if so, with what result?

The Minister of Defence (Sardar Baldev Singh): (a) and (b) I regret it would not be in the public interest to disclose these particulars.

(c) As explained in my answer to part (e) of Starred Question No. 141 asked on the 4th February 1949, every flying accident is thoroughly investigated. The number and causes of these accidents are reviewed periodically and appropriate action is taken to prevent their recurrence.

Shri Sidhva: In reply to parts (a) and (b) of my question, am I to understand the hon. Minister to say that it is not in the public interest to disclose the information?

Sardar Baldev Singh: If the hon. Member is insistent on having the information, I am prepared to give it to him privately.

Shri Tyagi: On a point of order, Sir. The hon. Minister for Defence always comes with a set answer that it is not in the public interest to disclose the information. There is no question of any valuable information reaching the enemy. We are only asking information about natural accidents.

Mr. Speaker: It is better to proceed on the assumption that, when a responsible Minister of Government says that it is not in the public interest to disclose the information, there must be some reason behind it. It should be the duty of Members to privately ascertain what those reasons

are, and if they are dissatisfied with his explanation, then bring the matter to the House. I do not propose to enter into an argument as to whether the Minister's reply is proper or not, or whether he has exercised his discretion of not disclosing the information correctly or wrongly, I myself don't know.

Shri Sidhva: May I know whether any accident took place to an aircraft used for training purposes soon after it took off.

Sardar Baldev Singh: If the hon. Member wants to know the details I am prepared to give it for his personal use.

Shri Tyagi: Is any compensation paid to the families of the boys who as a result of these accidents are disabled or get killed?

Sardar Baldev Singh: The question of compensation in these accidents, as the hon. Member knows, does not arise. They get the benefits which are contained in the rules prescribed for the services.

Dr. M. M. Das: Is it a fact that on account of the frequency of these accidents, the Defence Ministry has requested the Ministry of Communications to set up an Inspection Directorate in the Hindustan Aircraft Factory under a specialist?

Sardar Baldev Singh: Not to my knowledge.

SILVER REFINERY, CALCUTTA

*308. **Shri Sidhva:** Will the Minister of Finance be pleased to state:

(a) whether the Government of India have concluded an agreement with a London firm of consulting engineers for the building of a silver refinery in Calcutta; and

(b) if so, what is the total estimated cost and the object of this refinery?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes.

(b) I would refer the hon. Member to the reply given in April, 1950, to parts (a) to (d) of Starred Question No. 1328 by Shri Maheswar Naik.

Shri Sidhva: What is the cost of the refinery which is going to be established?

Shri C. D. Deshmukh: The total estimated cost of the project during the first and subsequent years is Rs. 60 lakhs non-recurring and Rs. 19 lakhs recurring, inclusive of Rs. 6 lakhs depreciation charges.

Shri Sidhva: May I know whether it is the intention to have the silver coins minted by Government during the war refined in this refinery; if so, what is the value and weight of the coins?

Shri C. D. Deshmukh: The quantity of quaternary alloy minted amounts to about 600 million ounces, containing about 300 million ounces of silver.

Shri Sidhva: May I know what are the quaternary alloys in the coins?

Shri C. D. Deshmukh: Quaternary alloy consists of silver 50 per cent.; copper 40 per cent.; zinc 5 per cent.; and nickel 5 per cent. It is so called because it consists of four metals.

Shri Sidhva: May I know whether there is no machinery in our existing mints in Bombay and Calcutta to refine quaternary alloy? What is the necessity of importing this machinery?

Shri C. D. Deshmukh: The refining of the quaternary alloy cannot be done in the plants that are available at present.

Shri Sidhva: What is the ultimate advantage to the State in establishing this refinery?

Shri C. D. Deshmukh: Reclaiming of silver, Sir.

Dr. Deshmukh: What is the cost of the machinery out of the total non-recurring expenditure that is going to be incurred?

Shri C. D. Deshmukh: I want notice of that question.

Prof. Ranga: How much are we going to pay to the consultants?

Shri C. D. Deshmukh: I am sorry I have no information with me. The estimated cost of the scheme is—non-recurring, which includes buildings, plant and equipment is Rs. 60 lakhs and recurring is 19 lakhs. I cannot give the separate cost for plant or for the service of the consultants.

Shri Sidhva: Has construction work started? If not when will it start?

Shri C. D. Deshmukh: The agreement was executed in May 1950, but I do not know when actually the construction work started.

Shri Sidhva: Does the agreement provide for a specific period within which it has to be completed; is there any safeguard that the estimate will not be increased?

Shri C. D. Deshmukh: I have no information, Sir.

NATIONAL SAVINGS CERTIFICATES

*309. **Shri Sidhva:** Will the Minister of Finance be pleased to state:

(a) whether any steps have been taken to introduce the system of appointing authorised agents to sell National Saving Certificates; and

(b) if so, when they were appointed and what is the increase in the sale of these certificates due to these appointments during the period?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, Sir. Steps have been taken to reintroduce, as an experimental measure, the system of authorised agents in three States, viz., Bombay, West Bengal and Madras.

(b) In the States of Bombay and Madras the system was reintroduced as from the 15th May and 1st June, 1950 respectively. In West Bengal it is expected to be reintroduced this

month. The process of appointing authorised agents is in progress. It is too early to assess the effect of the reintroduction of this system on the sale of Certificates.

Shri Sidhva: What are the terms and conditions under which authorised agents have been appointed?

Shri C. D. Deshmukh: The re-introduction of authorised agents is subject to the following conditions:

(i) The rate of commission should be reduced to 1½ per cent. on all sales, except on Rs. 5 certificates which would earn commission at 2 per cent., provided the certificates in both cases are of 12 years series. No commission would be payable upon the sale of 5 and 7 years' certificates.

(ii) The appointment of authorised agents should be made by the State Governments in collaboration with the Provincial National Savings Officers.

(iii) Every authorised agent will be required to sign an indemnity bond with two sureties indemnifying Government against loss or other claims that might arise as a result of Government money being entrusted to the agent.

(iv) Every authorised agent should be required to guarantee a minimum amount of investment per half year to be prescribed by the State Government, in consultation with the National Savings Officer for the locality represented by him. He should, in addition, be also made responsible for the formation of savings groups and for conducting adequate propaganda for the advancement of National Savings Movement.

Shri Sidhva: How many authorised agents have so far agreed to work under these terms and conditions?

Shri C. D. Deshmukh: I want notice.

Shri Sidhva: May I know whether any exhibition was held in India for the purpose of popularising this scheme and if so, with what result?

Shri C. D. Deshmukh: I want notice again.

सेठ गौविन्ददास : इन एजेंटों की क्या माहवारी रिपोर्ट भेजनी पड़ती है, और अन्धर भेजनी पड़ती है तो यह रिपोर्ट स्टेट गवर्नमेंट्स को जाती है या गवर्नमेंट आफ इंडिया के पास भी जाती है, और अगर इस तरह की कोई कैंडिडेट उनके ऊपर है तो मई में जो लोग मुकर्रर किये गये हैं उनकी कोई रिपोर्ट गवर्नमेंट आफ इंडिया के पास आई है या नहीं ?

[**Seth Govind Das:** Have these agents got to submit monthly reports and, if so, are these reports submitted to the State Governments or also to the Government of India? If any such provision exists have the Government of India received any report from the persons appointed in May last?]

श्री सी० डी० देशमुख : प्रश्न की पूर्ण सूचना की आवश्यकता है ।

[**Shri C. D. Deshmukh:** I require notice of the question.]

Prof. S. L. Saksena: What is the total value of the certificates sold so far?

Shri C. D. Deshmukh: I have not got the information.

Shri B. Velayudhan: May I know whether any effort has been made to sell these certificates through insurance companies and scheduled banks?

Shri C. D. Deshmukh: No efforts have been made so far, but the whole system of promoting the national savings movement is under examination.

Shri T. N. Singh: May I know what is the percentage of cost to sales of certificates on the appointment of authorised agents?

Shri C. D. Deshmukh: I mentioned the rates. The total cost will depend upon the number of certificates they secure.

Shri B. C. Upadhyaya: Are Government servants permitted to become agents?

Shri C. D. Deshmukh: They are not prohibited from becoming agents.

Shri B. R. Bhagat: May I know whether any measures have been taken for popularising this movement in rural areas and if so, with what results?

Shri C. D. Deshmukh: So far, I do not think any great success has been attained in popularising this movement in the rural areas, and that is one of the important aspects which is under active consideration at the moment.

Shri Sonavane: What are the reasons for discontinuing this system of appointing authorised agents?

Shri C. D. Deshmukh: There were complaints received that undue pressure, among other things, was put by the authorised agents on the people whom they induced to buy national savings certificates. The other reason was that they confined their attention to urban areas where they were believed to have reaped rather an easy harvest.

Shri Sonavane: May I know if Government are satisfied that these reasons have disappeared now?

Mr. Speaker: I do not think that this need be answered.

Ch. Ranbir Singh: May I know whether judicial, criminal and revenue court officials are eligible to become agents?

Shri C. D. Deshmukh: As I said, no officials are specifically prohibited from becoming agents. There is an idea in the air that we might make use of officers in charge of post offices in rural areas for selling savings certificates.

FOREIGN CAPITAL

*310. **Shri Kesava Rao:** (a) Will the Minister of Finance be pleased to state the amount of foreign Capital (i) from Commonwealth countries (ii) from U.S.A. that has been invested in this country during the current year?

(b) Are there any requests for investment pending with Government?

(c) Has any foreign capital been invested on joint enterprises of Indian nationals and nationals of other countries?

The Minister of Finance (Shri C. D. Deshmukh): (a) Rs. 23 lakhs have been received in remittance from the United Kingdom for the purpose of investment between the 1st January, 1950 and the 30th June 1950. There has been no remittance from any other country for investment.

(b) A number of such requests are under consideration.

(c) Yes, Sir. In fact, about half the amount of Rs. 23 lakhs was invested in joint enterprises.

Shri Kesava Rao: Is it not a fact that there is poor response for our requests for foreign investments?

Shri C. D. Deshmukh: He can draw his inference from the figures, but that should not lead him to draw conclusions as to the future possibilities.

Shri Kesava Rao: May I know what is the average percentage of return on foreign capital invested in India?

Shri C. D. Deshmukh: I do not think it will be possible to answer this question without very prolonged research.

Prof. S. N. Mishra: To what extent have these negotiations for investment of foreign capital been carried on at Government level and to what extent at private level?

Shri C. D. Deshmukh: That again involves giving a list of cases which are under consideration by Government. I have no information here with regard to specific cases.

सेठ गीविन्द दास : यह जो २३ लाख रुपया यू० के० से यहाँ पर आया है यह किन कामों में लगाया गया है ?

[**Seth Govind Das:** How has this sum of rupees 23 lakhs received here from the U. K. been utilized?]

Shri C. D. Deshmukh: I am sorry I cannot answer this question in Hindi. Assembling and manufacturing of motor vehicles; manufacture of tin boxes; composite containers; collapsible tubes; blending and packing of tea for the Indian market and lamp manufacture.

Shri Kamath: Arising out of answer to part (b) of the question, to which countries or which foreign capitalists do the pending applications refer?

Shri C. D. Deshmukh: U. K. —four companies; U. S. A.—two companies; U. K. and U. S. A. combined—two companies; Canada—one company; Switzerland—one company; Holland—one company; Holland and U. K. combined—one company; Pakistan—one company; U. K., Australia, Pakistan and Africa combined—one company.

Shri Kamath: Is there any proposal on the part of Government to offer any further inducements to attract more foreign capital?

Shri C. D. Deshmukh: The inducement might consist of the consideration of factors which at the moment stand in the way of attracting foreign capital, such as the conclusion of a treaty of friendship, commerce and navigation; taking steps in respect of double taxation and generally regulating the incidence of income-tax and giving more in the concessions which are still current.

Shri Brajeshwar Prasad: Is the hon. Minister in a position to state the exact amount of American investment made in this country since 15th August, 1947?

Shri C. D. Deshmukh: No.

Dr. Deshmukh: May I know if the calculation of the foreign investments in India is complete and if so, what is the total amount of foreign capital invested in India?

Shri C. D. Deshmukh: The report on the census of foreign assets and liabilities which is being compiled by the Reserve Bank will take a few more weeks for completion.

Shri Rathnaswamy: What specific steps have been taken by our Government to attract foreign capital?

Shri C. D. Deshmukh: I have already answered this question: apart from declaration of Government's policy in regard to foreign capital, we shall facilitate remittance of dividends and offer other inducements.

Mr. Speaker: Next question.

HINDI IN BHOPAL

***311. Thakur Lal Singh:** Will the Minister of States be pleased to state whether it is a fact that the education of Hindi knowing students in Bhopal is being hampered due to the fact that the teachers there do not know Hindi?

The Minister of Home Affairs and the States (Sardar Patel): It is true that some of the present teachers in Bhopal still teach certain subjects in Urdu; but periodical Hindi tests have now been prescribed for them. All new entrants are required to possess a knowledge of Hindi.

Thakur Lal Singh: What is the percentage of Hindi-knowing teachers?

Sardar Patel: The percentage is very small as a very large number of

the teachers were Urdu-knowing ones because the administration was such.

T.B. IN BHOPAL

***312. Thakur Lal Singh:** Will the Minister of Health be pleased to state if it is a fact that T.B. cases are on the increase in Bhopal and what steps are being taken to check the disease?

The Minister of Finance (Shri C. D. Deshmukh): There are no exact statistics to show if T. B. is on the increase in Bhopal. Main reasons for incidence of T. B. in Bhopal are the same as those for the occurrence of the disease in other parts of India, namely, over-crowding, malnutrition, paucity of anti-tuberculosis measures, and lack of adequate beds in hospitals or sanatoria for the segregation and treatment of T. B. patients.

Steps taken to check the disease: Recently a T. B. Clinic in the Hamidia Hospital has been opened, and an Anti-Tuberculosis Association has been formed. It is understood that proposals for a 100-bedded Tuberculosis Hospital with specialist staff and reorganisation of public health services are under the active consideration of the State Government and that a Tuberculosis Officer is shortly to be appointed. The introduction of B. C. G. vaccination is also under consideration.

Thakur Lal Singh: May I know the number of deaths in the State on account of T. B. in the years 1948 and 1949?

Shri C. D. Deshmukh: 2135 deaths from tuberculosis were registered in 1948, and in 1949 there were 2496 deaths.

P.T.O. CONCESSION

***313. Shri Kesava Rao:** Will the Minister of Home Affairs be pleased to state when it is proposed to re-introduce the P.T.O. concession to Government Servants which was withdrawn as a matter of economy for one year in October, 1949?

The Minister of Home Affairs and the States (Sardar Patel): The hon. Member's attention is invited to the reply given by me on the 14th April, 1950, to Shri Kamath's starred question No. 1707-A on the subject. The position still remains the same.

Shri Kesava Rao: What is the amount of money saved by the discontinuance of this P. T. O. concession during the last year?

Sardar Patel: It is not possible for me to give the figures now.

Shri Kesava Rao: May I know whether there is any request made from Government servants for reviving this concession?

Sardar Patel: Not so far as I recollect.

GUN SALUTES

*314. **Lala Raj Kanwar:** Will the Minister of Home Affairs be pleased to state:

(a) whether any changes have been made in the salute list which was in force prior to 15th August, 1947 and if so, what those changes are; and

(b) the number of gun salutes fired on the occasion of the public arrival or departure of a head of a foreign State visiting India?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). I lay on the Table of the House a statement giving the information asked for by the hon. Member. [See Appendix IV, annexure No. 15.]

Lala Raj Kanwar: Is there any proposal to abolish these gun salutes as a measure of economy?

Sardar Patel: There is no economy involved in it and no change is contemplated.

Lala Raj Kanwar: Are gun salutes fired in honour of distinguished personages in other democratic countries?

Sardar Patel: We don't follow the pattern followed by other countries.

Shri Chattopadhyay: What is the cost of each gun salute fired?

AGROHA REPORT

*315. **Lala Raj Kanwar:** Will the Minister of Education be pleased to refer to the reply to part (c) of my starred question No. 59 asked on the 24th February 1950 and state whether the Agroha report has since been published in *Ancient India* and if not, when is it likely to be so published?

The Deputy Minister of Communications (Shri Khurshed Lal): The report on Agroha excavations has not yet been published in *Ancient India*. As the work involves the bringing together of much material from different sources, it will take some more time before it is published.

Lala Raj Kanwar: May I know whether a copy of this report will be placed on the Table of the House when it is published?

Shri Khurshed Lal: If and when it is published, certainly.

Lala Raj Kanwar: Is there any doubt about its publication?

Shri Khurshed Lal: I said it will take a considerable time. And I can't prophesy when it will be out.

Lala Raj Kanwar: Are Government aware that Agroha is considered to be the ancient home land of a large and important section of the population of this country?

Shri Khurshed Lal: I am glad to learn it from my hon. friend.

Lala Raj Kanwar: When will it be feasible to undertake a detailed survey of the Agroha ruins?

Shri Khurshed Lal: Sir, there are various difficulties in the way. The difficulties are that while the photographs of the excavations are available in Delhi, the drawings which were stored in the old office of the Superintendent, Archaeological Office-Frontier Circle Lahore, on the eve of

partition were not received by the Department of Archaeology, and under the partition agreement all exhibits which were in the respective museums either in India or in Pakistan on the 1st January, 1947, remained in the country where they were.

PUBLIC LIBRARY IN DELHI

*316. **Lala Raj Kanwar:** Will the Minister of Education be pleased to state whether Government have under consideration any proposal to establish a Public Library in Delhi or New Delhi, and if so, at what stage is the matter pending?

The Deputy Minister of Communications (Shri Khurshed Lal): The Government have before them a scheme for establishing a Central Reference Library in Delhi with a Copy right Section attached to it. Owing to financial stringency the Scheme could not be implemented so far.

Lala Raj Kanwar: Is there a proposal for having a library in the capital worthy of the capital?

Shri Khurshed Lal: When it is established, I am sure it will be worthy of the capital.

Lala Raj Kanwar: When is it going to materialise. may I know?

Shri Khurshed Lal: When the financial stringency is over.

Shri Kesava Rao: May I know how much the scheme would cost the Government?

Shri Khurshed Lal: I could not give the estimate of that.

सेठ गोविन्द दास: क्या यह

नहीं है कि पहले यह भी विचार किया जाता था कि कलकत्ते में जो नेशनल लायब्रेरी है उसी को दिल्ली में लाया जाय ?

Seth Govind Das: Is it not correct that the proposal was once mooted that the National Library at Calcutta should be shifted to Delhi?]

श्री खुरशीद लाल: नहीं, जो कलकत्ते में लायब्रेरी है वह तो वही रहेगी और वहां दूसरी लायब्रेरी होगी ।

[**Shri Khurshed Lal:** No, Sir, the Calcutta Library will remain where it is and a new one will be established here.]

MILITARY OFFICERS (AMENITIES)

*317. **Shri Gautam:** (a) Will the Minister of Defence be pleased to state whether it is a fact that the Government of India have decided to give some amenities to the officers of the Defence Forces after the 1st of April, 1950?

(b) If so, what?

The Minister of Defence (Sardar Baldev Singh): (a) Presumably the hon. Member is referring to certain measures of relief which were proposed to be granted to the Indian Commissioned Officers of the Armed Forces who are governed by the new pay code. If so, the Government have already sanctioned, with effect from the 1st July 1950, as a temporary measure, certain concessions to commissioned officers of, and below, the rank of Brigadier in the Army and corresponding ranks in the Navy and the Air Force who are governed by the new rates of pay introduced on 1st July, 1947.

(b) I lay a statement on the Table of the House. [See *Appendix IV, annexe No. 16.*]

RETRENCHED GOVERNMENT SERVANTS

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

(a) the number of Government of India employees retrenched during the months of March, April, May and June, 1950;

(b) the number of those who were re-absorbed after retrenchment; and

(c) the number of displaced persons so retrenched and re-absorbed?

The Minister of Home Affairs and the States (Sardar Patel): The required information is being collected and will be laid on the Table of the House in due course.

Sardar Hukam Singh: Is the basis only one of juniority or seniority in service or is any concession given to displaced persons on account of the fact of their having been displaced?

Sardar Patel: Priority is given to people coming from N.W.F.P. and other areas in Pakistan.

Sardar Hukam Singh: Is their previous service taken into consideration at the time of retrenchment when their length of service is being counted?

Sardar Patel: Those who are retrenched are given preference when vacancies arise.

Sardar Hukam Singh: Sir, my question was whether the previous service in the Government of India or in the Provinces is taken into consideration when retrenchment takes place.

Sardar Patel: Yes, it is taken into consideration.

PART B STATES

***319. Shri Hanumanthaiya:** (a) Will the Minister of States be pleased to state what are the Part B States which are to be exempted from the operation of Section 371 of the Constitution of India?

(b) Have any steps been taken in the matter?

The Minister of Home Affairs and the States (Sardar Patel): (a) None.

(b) Does not arise.

Shri Damodara Menon: Is it not a fact that the hon. the Deputy Prime Minister gave an assurance in this House that the Section will not normally be applied to the States of Travancore-Cochin and Mysore?

Sardar Patel: Yes, it is so and therefore no occasion has arisen to

exercise the powers reserved under article 371 in these States.

Shri Jajoo: May I know the names of the States where powers under article 371 are exercised?

Sardar Patel: An increasing number of States make it necessary for us to exercise them.

COMMONWEALTH ADVISORY COMMITTEE ON DEFENCE SCIENCE

***320. Shri Hanumanthaiya:** (a) Will the Minister of Defence be pleased to state whether it is a fact that a Delegation has been sent to the Commonwealth Advisory Committee on Defence Science which meets in London in July, 1950?

(b) Is a Commonwealth Defence Policy being worked out?

(c) What is the attitude of India towards such a policy?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) No. This Committee has nothing to do with Commonwealth Defence Policy.

(c) Does not arise.

Shri Hanumanthaiya: Has this Delegation to the Defence Committee gone to England without any policy in view?

Sardar Baldev Singh: For the hon. Member's information I might state that in 1946 at the informal Commonwealth Conference on Defence Science it was decided to have a Committee and it was in pursuance of that policy that India was invited to attend this meeting of the Defence Science Committee. There is no question of Defence policy involved in this. This is only an advisory Committee on scientific matters.

Shri Hanumanthaiya: Is the policy of the Government of India of 1946 still current. The hon. Minister has stated that the Committee was constituted in 1946. Does the policy of

the Government of India of 1946 still hold good?

Mr. Speaker: I think there is some confusion. He has already clarified the position that this Committee has nothing to do with the policy of Defence. It is concerned with Defence Science.

Shri Hanumanthaiya: That is exactly my point. Has Defence Science no relation to policy whatever?

Sardar Baldev Singh: Defence Science had nothing to do with Defence policy and this Committee was concerned with scientific matters only. As far as the Government of India's policy to-day is concerned—and the hon. Member was asking whether the policy of 1946 still holds good—I may state for the hon. Member's information that the policy of this Government is to have full collaboration with other countries in scientific matters.

Shri Gautam: Is it a fact that the Government of the United Kingdom does not take the Government of India into confidence so far as scientific research in Defence problems is concerned? If so what steps are Government taking to remove those difficulties?

Sardar Baldev Singh: I do not know what the hon. Member means. I think the members of our scientific organisation stand to gain by attending such conferences.

Shri Gautam: My point has not been answered.

Mr. Speaker: They go for the purpose of collaboration in respect of the advancement of scientific knowledge. That is the answer.

Shri Gautam: May I know whether we got all the benefit of the research or not and whether any research is kept secret from us?

Sardar Baldev Singh: It is just possible that they may be keeping a lot of things secret from us. But

the impression of our Delegation is that by going there they gain a lot.

Shri Tyagi: May I know the names of the personnel of the Delegation and whether it consisted of any officer from the technical branch of the Military?

Sardar Baldev Singh: The Delegation consisted of Dr. D. S. Kothari, Scientific Adviser, Ministry of Defence, Dr. R. S. Thakur, an officer of the Defence Science Organisation, Col. S. K. Ray, Director-designate, Technical Development and also our Military Adviser in the U. K., Brigadier Harnarain Singh.

Shri T. N. Singh: May I know if there is any scope for exchange of scientific information at these meetings of the Commonwealth countries?

Sardar Baldev Singh: Yes, that is why our Delegation goes. If there is no such scope there is no use sending a Delegation.

Shri Joachim Alva: Will the hon. Minister consider the proposal of sending observers to the Korean front in order to gather scientific knowledge of defence?

Mr. Speaker: Order, order. He is making a suggestion.

Prof. S. L. Saksena: Are our Delegates of the view that they got what they wanted in that conference?

Sardar Baldev Singh: I may state for the information of the hon. Member that Dr. Kothari who was the Leader of the Delegation has come back perfectly satisfied.

PERSONS DETAINED WITHOUT TRIAL

*321. **Shri Kamath:** Will the Minister of Home Affairs be pleased to state:

(a) the number of persons at present detained without trial under the Preventive Detention Act in the Centrally Administered Areas and in the rest of India respectively;

(b) the number of persons if any, detained under other Security laws, in the two categories aforesaid; and

(c) how many in each category are members of the Communist Party of India?

The Minister of Home Affairs and the States (Sardar Patel): (a) The figures of detenus as on the 15th July, 1950 were as follows:

Part A States	2488
Part B States	3814 of which 3666 are in Hyderabad.
Part C States	1 Delhi, Ajmer, Coorg, 37 other Part C States

(b) None.

(c) Government have no information.

Shri Kamath: Is it a fact that several Communist detenus were released recently, within the last six or twelve months, on their giving an undertaking to dissociate themselves from the policy and activities of the Communist Party of India?

Sardar Patel: Well, some have been released in Madras on giving an undertaking.

Shri Kamath: Have any representations been made to Government or is Government considering any proposal that the ban on the Communist Party wherever it exists in this country may be lifted so as to enable the Communist Party candidates to contest the ensuing general elections?

Sardar Patel: The Government is keeping a close watch on the activities of this organisation and it will take appropriate action at the appropriate time.

Shrimati Durgabai: What is the total number of detenus that were released as a result of the various High Court judgments recently?

Sardar Patel: Recently a large number has been released in Bombay, but I have not got the actual figures.

Shri Tyagi: May I know if these detenus were arrested on the report of engaging themselves precisely in some subversive activities or for the only cause that they had faith in the Communist ideology?

Sardar Patel: Please don't be under the impression that these are all Communists. Many of them are bandits, robbers, dacoits and murderers.

Shri Tyagi: I want to know why the dacoits were not tried.

Sardar Patel: Because they were detenus. Detenus are not tried. They were not tried for the simple reason that they are detained under the Act which provides for detention.

Shri Hossain Imam: May I know if the hon. Minister can give us some idea as to the number of people who are being detained without their cases being referred to the Advisory Board?

Sardar Patel: They are referred to the Advisory Board as soon as their period expires.

Shri Chattopadhyay: May I know as to how many of these detenus are detained for black marketing?

Sardar Patel: I cannot say if there are any detenus for black-marketing. There may be some.

Shri Kamath: Are they all now detained under the Preventive Detention Act or some other law?

Sardar Patel: I do not know whether all of them are detained under the Central Act or under the Provincial Act. They may be under the Provincial Act, probably.

INDIAN AIR FORCE GROUND TRAINING SCHOOL, BANGALORE

*322. **Shri S. C. Samanta:** Will the Minister of Defence be pleased to state:

(a) whether a new Indian Air Force Ground Training School has been established near Bangalore; and

(b) if so, how many students have been admitted in this school this year?

The Minister of Defence (Sardar Baldev Singh): (a) Yes.

(b) 700 trainees have been admitted in this school during the period from 1st January to 10th July, 1950.

Shri S. C. Samanta: May I know whether there are similar institutions in India and where they are located?

Sardar Baldev Singh: I do not know what the hon. Member means by 'similar institutions'. These are the two institutions where this particular type of training is given.

Shri S. C. Samanta: I am referring to the new one that has been opened.

Sardar Baldev Singh: The new one has been opened at Jalahali.

Shri S. C. Samanta: Do the Government think that the students that come out of these schools will be sufficient for the Air Force?

Sardar Baldev Singh: They are sufficient for our present needs. In due course of time when the Air Force expands we will certainly have to put up new institutions or expand the existing ones.

SUNNI MAJLIS-I-AUKAF, DELHI

*323. **Shri Hossain Imam:** (a) Will the Minister of Home Affairs be pleased to lay on the Table of the House a list of the present members of the *Sunni Majlis-i-Aukaf*, Delhi, showing the dates of their elections and nominations?

(b) Will the Parliament of India elect fresh five members in place of those elected by the Constituent Assembly of India?

(c) Is it a fact that no meeting of *Sunni Majlis-i-Aukaf*, Delhi has been held since the 1st of January, 1948 and if so, how are the statutory provisions for budget or appointments being carried out?

(d) What steps do Government propose to take to see that this body functions at an early date?

The Minister of Home Affairs and the States (Sardar Patel): (a) A statement containing the information asked for is laid on the Table of the House [See Appendix IV, annexure No. 17.]

(b) No; By virtue of the Adaptation of Laws Order, 1950, members elected by the Constituent Assembly of India (Legislative) are valid representatives of Parliament.

(c) Yes; the functions of the *Majlis* are being performed by the *Sadr* of the retiring *Majlis*.

(d) The Chief Commissioner is being asked to inform the *Majlis* that they are competent to function notwithstanding the existence of a vacancy.

INDIAN NATIONAL COMMISSION

*324. **Shri Iyyunni:** Will the Minister of Education be pleased to state whether the Indian National Commission has placed before the general conference of the UNESCO a worldwide programme of action to promote universal peace and goodwill among nations?

The Deputy Minister of Communications (Shri Khurshed Lal): No, Sir. The National Commission, however, propose to put up before a future session of the General Conference of UNESCO a Gandhian plan for world peace. It was at first hoped that the plan would be ready for presentation to the 5th General Conference held at Florence in May-June, 1950, but the volume of work involved did not permit this. It is hoped the work will be completed during 1951.

WORLD HEALTH ORGANISATION

*325. **Shri Jnan Ram:** (a) Will the Minister of Health be pleased to state whether it is a fact that the W.H.O. is providing special opportunities to Indian doctors for

advanced training in the control of Malaria and venereal diseases and if so, in what way?

(b) If so, how far have the Indian doctors been able to take advantage of such opportunities?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). Yes. The W.H.O. is providing certain opportunities to Indian doctors for advanced training abroad in the control of malaria and venereal diseases to the extent permissible from the funds available for the purpose. Under its fellowship programme for 1949, two doctors were sent abroad for training in malaria for a duration of 12 months each. Another candidate recently selected for the study of anti-malarial Drugs is expected to go abroad very shortly. The number of fellowships to be made available to India during 1950 is under the consideration of the W.H.O.

The W.H.O. malaria and venereal diseases control demonstration teams located in India are also training Indian doctors and auxiliary personnel of the parallel Indian teams in modern techniques of control of these diseases.

In order to extend the training facilities to adjoining States also the W.H.O. have chalked out a malaria control training programme at the W.H.O. malaria control demonstration project in Malnad in Mysore.

The W.H.O. venereal disease control team at Simla provides facilities to train teams, each consisting of a physician, a serologist and a public health nurse, from various States. Such teams from Himachal Pradesh, Bihar, Hyderabad, Madhya-Pharat, P.E.P.S.U., have already received training and have started venereal diseases control work on modern lines in their respective States. One team each from Madras and Travancore and Cochin is scheduled for training at Simla from 1st September, 1950.

Shri Jnani Ram: May I know what is the Government of India's contribution to the W.H.O.?

Shri C. D. Deshmukh: I require notice of the question.

Dr. M. M. Das: Is it a fact that some of the premier medical institutions of India, that is, medical colleges have refused to include within their curriculum a course of practical training under these foreign experts who have come to India for their degree course?

Shri C. D. Deshmukh: I am not aware of such a situation.

Shri Deshbandhu Gupta: How is the selection made of these doctors who are sent for training?

Shri C. D. Deshmukh: I do not know how these particular candidates were selected.

Shri Deshbandhu Gupta: As a general rule, what is the practice? Is it open to non-official Doctors or is it confined to doctors serving at a Government college?

Shri C. D. Deshmukh: The doctors selected were one of the temporary Assistant Directors, Malaria Institute of India. Another also was employed there and a third was a temporary Malaria Assistant in the Malaria Institute of India, from which it would be seen that people already serving in Government institutions are selected through the usual departmental procedure.

Dr. M. M. Das: Is it not a fact that no new and special techniques have been adopted by these foreign experts, which are unknown in India for the control of malaria and venereal diseases?

Shri C. D. Deshmukh: I should think we have something to learn from them, Sir.

Shri Jnani Ram: Was the Public Service Commission consulted in the selection of candidates?

Shri C. D. Deshmukh: I do not think that in individual cases of this kind they are consulted where the selection is made from departmental officials.

Shri Deshbandhu Gupta: Is the hon. Minister in a position to say whether this selection is confined only to official doctors in Government service or it is open to non-official doctors?

Shri C. D. Deshmukh: I am not in a position to say that.

Shri Kesava Rao: May I know how many doctors from Madras and Travancore have been trained and where they are working now?

Shri C. D. Deshmukh: I want notice of the question, Sir.

INFANT MORTALITY

*326. **Shri Lakshmanan:** Will the Minister of Health be pleased to state:

(a) how the figures of infant mortality in India compare with the figures in U.K. and U.S.A.;

(b) the rate of pre-natal mortality in the country; and

(c) the number of persons in India possessing F.R.C.S. qualification with midwifery and gynaecology as special subjects?

The Minister of Finance (Shri C. D. Deshmukh): (a) The comparative rates of infant mortality per 1,000 live births in India, England and Wales and the United States of America are indicated in the statement placed on the Table of the House. It will be seen that the Indian mortality rate is much higher than the mortality rates of the other countries mentioned.

(b) No estimates of pre-natal mortality, i.e., of fatal termination of conceptions in the mother's womb, are available for India.

(c) According to the information available, there were in 1947, 27 persons with F.R.C.S. qualifications who were connected with obstetrics and gynaecology.

STATEMENT

The comparative infant mortality rate per thousand live births.

Year.	India*	England and Wales.	U. S. A.
1946	136	43	34
1947	146	42	33
1948	131	34	32
1949	121	not available	not available

*States Parts A and C.

Shri Lakshmanan: Arising out of answer given to part (c) of the question, may I know how many of these F.R.C.S. people are females and how many are males?

Shri C. D. Deshmukh: I have no information, Sir.

Shri Lakshmanan: Considering the dearth of persons possessing these qualifications, do Government intend to send doctors for this training?

Shri C. D. Deshmukh: It is not the relative number of persons with F.R.C.S. and other high qualifications that will reduce materially pre-natal and infantile mortality. In U.S.A. and U.K. there are well qualified anti-natal clinics where the expectant mother receives expert advice on diet and the management of her period of pregnancy. In India the maternity and child welfare health services are inadequate and the nutritional level of the people is low.

Shri Lakshmanan: May I know whether the Government have any idea of starting a maternity and child welfare project in collaboration with the U.N. International Children's Emergency Fund?

Shri C. D. Deshmukh: There is such a project under the consideration of Government, Sir.

Short Notice Question and Answer**THEFT IN SECURITY PRESS, NASIK**

Shri H. V. Kamath: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that on or about the 3rd August, 1950, a theft took place in the India Security Press, Nasik Road;

(b) if so, what articles were stolen and what is their value;

(c) whether any investigation is in progress; and

(d) if so, what stage it has reached?

The Minister of Finance (Shri C. D. Deshmukh): (a) Yes, on the night of the 3rd/4th August, 1950;

(b) 234 sheets each containing 40 uncut and unnumbered Rs. 10 notes, a hand-numbering machine, two numbering boxes and two serial prefixes were stolen. Out of these, 233 sheets, the hand-numbering machine, one numbering box and one serial prefix have since been recovered. One sheet of 40 uncut and unnumbered Rs. 10 notes, one numbering box and one serial prefix are still missing, and the value of these, excluding the value of the uncut and unnumbered notes, is approximately Rs. 125.

(c) Yes, the case is under Police investigation.

(d) A worker of the Press and some members of his family have been arrested by the Police, and the investigation is proceeding.

Shri Kamath: What, Sir, is the strength of the watch and ward or the vigilance staff employed in this Security Press?

Shri C. D. Deshmukh: I have no precise information on the point.

Shri Kamath: When did a similar theft take place in the Security Press in recent years, if at all?

Shri C. D. Deshmukh: This is the first time in the life of the India Security Press for over 25 years that a theft of this nature has taken place.

Prof. S. L. Saksena: Will the hon. Minister see to it that adequate

security measures are taken to prevent such occurrences in the future?

Shri C. D. Deshmukh: The security arrangements in the Press are considered good; but in view of this occurrence, the Master of the Security Printing Press is considering if any tightening up of these arrangements is called for.

सेठ गोविंद दास : यह जो खोई हुई नम्बरिंग मशीन मिल गई है वह कहाँ पर मिली ?

[**Seth Govind Das:** Where was the missing numbering machine found?]

श्री सी० डी० देशमुख : नासिक में कहीं मिली ।

Shri C. D. Deshmukh: Somewhere in Nasik.

सेठ गोविंददास : जहाँ नासिक में यह मशीन मिली वहाँ किस तरह से क्या वहाँ पर चोरों को पता लगा या यह अचानक मिल गई ?

[**Seth Govind Das:** Under what circumstances was it found there in Nasik? Was some trace found there of the thieves or was it found all of a sudden?]

Mr. Speaker: It is a matter under police investigation. The police will look into it.

Shri Kamath: What is the total value of the property stolen and of the property recovered so far?

Shri C. D. Deshmukh: One sheet of printed notes which is still missing consists of forty uncut and unnumbered notes nominally valued at Rs. 400. I have not got any information in regard to the value separately of the numbering box still missing.

WRITTEN ANSWERS TO QUESTIONS**STERLING BALANCE**

*327. **Shri Jhunjhunwala:** (a) Will the Minister of Finance be pleased to state what is the amount of sterling balance standing to our credit on 30th June 1950?

(b) Has the attention of Government been drawn to reports appearing in newspapers even after the last Budget session, regarding the suggestions made in the United Kingdom to scale down our sterling balances and the transfer thereof to U.S.A. for payment?

(c) If the answer to part (b) above be in the affirmative, what has been the reaction of the Government of India?

The Minister of Finance (Shri C. D. Deshmukh): (a) Rs. 827 crores.

(b) Yes, Sir.

(c) No particular action has been taken on the basis of the reports in view of Government's determination to resist any suggestion of scaling down the balances and not to accept any scheme of repayment which does not accord with our interests.

DISPLACED RADIO ARTISTS

***328. Giani G. S. Musafir:** (a) Will the Minister of **Information and Broadcasting** be pleased to state how many displaced radio artists from Western Pakistan applied for engagement to A.I.R. during the last twelve months?

(b) How many of them were offered engagements?

(c) Is it a fact that a majority of displaced radio artists are not offered engagements on the ground of their unacceptable pronunciation?

The Minister of State for Information and Broadcasting (Shri Diwakar):

(a) 66.

(b) 27.

(c) No, Sir.

EMPLOYMENT OF DISPLACED GOVERNMENT SERVANTS FROM N.W.F.P.

***329. Sardar Hukam Singh:** (a) Will the Minister of **Home Affairs** be pleased to state whether any permanent Government servants from

N.W.F.P., after migration to India on account of partition, were absorbed in the Government of India Services?

(b) Have any of them retired on account of superannuation?

(c) Have they been given any pensions or rewards for their previous services in Pakistan?

The Minister of Home Affairs and the States (Sardar Patel): (a) Yes.

(b) I understand some of them have retired.

(c) No. The question is still under negotiation with the Pakistan Government.

MEDICAL STORES DEPOT, KARNAL

***330. Dr. V. Subramaniam:** (a) Will the Minister of **Health** be pleased to state whether the Medical Store Depot at Karnal has been expanded into a regular Medical Store?

(b) What is the total cost incurred?

(c) Has any Cold Storage plant been installed there and if not, when will it be installed?

The Minister of Finance (Shri C. D. Deshmukh): (a) The Medical Store Depot, Karnal which had served as an A.R.P. Medical Store Depot during the war commenced functioning as a regular Medical Store Depot from December, 1948.

(b) The total cost incurred since 15th August, 1947 to 31st March, 1950 is Rs. 4,83,243.

(c) No. Owing to financial stringency the work of installation of Cold Storage Plant has been postponed till 1952.

DR. C. G. PANDIT COMMITTEE

***331. Dr. V. Subramaniam:** (a) Will the Minister of **Health** be pleased to state whether the report of Dr. C. G. Pandit Committee—a Committee on Indigenous Systems of Medicine (Research) has been submitted to Government?

(b) If so, what are their recommendations and when will they be implemented?

The Minister of Finance (Shri O. D. Deshmukh): (a) and (b). The report has not yet been submitted to the Government of India.

DEPARTMENTAL PROMOTIONS

*332. **Dr. R. S. Singh:** Will the Minister of **Home Affairs** be pleased to lay on the Table a copy of the rules for departmental promotions in different Ministries from non-gazetted to gazetted posts?

The Minister of Home Affairs and the States (Sardar Patel): No general rules for departmental promotions from non-gazetted to gazetted posts exist. Promotions are made not in terms of non-gazetted to gazetted posts but from one post to another or from one Class of post to another Class. A copy of the Office Memoranda dated the 4th September 1942 and 17th June 1946 containing instructions on the subject is placed on the Table [See *Appendix IV, annexure No. 18.*]

INDIAN COUNCIL FOR CULTURAL RELATIONS

*333. **Shri Satish Chandra:** Will the Minister of **Education** be pleased to state what is precisely the relationship between the Indian Council for Cultural Relations and the Government of India?

The Deputy Minister of Communications (Shri Khurshed Lal): The Council is an autonomous body. The President and Vice-President of the Council are nominated by the Government of India. The hon. Minister for Education is the President of the Council. The Government of India provide funds for the various activities of the Council.

A copy of the Constitution of the Council is placed on the Table of the House. [See *Appendix IV, annexure No. 19.*]

W. H. O.

*334. **Shri Satish Chandra:** (a) Will the Minister of **Health** be pleased to state whether the World Health Organization have extended any practical aid to supplement national efforts for raising the Health standards of the people?

(b) If so, what is the nature and extent of such aid?

The Minister of Finance (Shri O. D. Deshmukh): (a) and (b). The World Health Organisation have given substantial assistance to India for various health projects in the form of expert personnel, demonstration teams, fellowships, medical literature and equipment etc. In 1949, the World Health Organisation sent to India four malaria control demonstration teams which are working in four different areas of great agricultural potential, namely, the Terai area in Uttar Pradesh, Jeypore Hill tracts in Orissa, Malnad in Mysore and Ernad in Madras. Two World Health Organisation malaria consultants toured various parts of the country in connection with the malaria problem in general and delivered a series of lectures at the Malaria Institute of India and at other institutions. A World Health Organisation venereal disease control demonstration team which is located at Simla in Himachal Pradesh is demonstrating the modern methods of venereal diseases' control and training Indian teams from different States. A venereal disease consultant allotted to India for two months surveyed venereal disease services in important States and addressed many seminars. In the field of maternal and child health also, a demonstration team has been assigned to India and it is working in the Najafgarh area in Delhi. The six demonstration teams will continue their operations for two years. A team from the World Health Organisation also visited India for a period of three months to assist in the organisation of 'polio' research and rehabilitation services. In connection with the B.C.G. vaccination programme a World Health Organisation B.C.G. research team was sent

to India for a short time to obtain information on tuberculin testing. A World Health Organisation Expert Dietitian deputed to India for five months has recently arrived to help in the development of Diet Clinic at the Calcutta Medical College Hospital.

A statement showing the extent of assistance from the World Health Organisation is placed on the Table of the House. [See Appendix IV, annexure No. 20].

OUTSTANDING LOANS

*335. Prof. K. T. Shah: (a) Will the Minister of Finance be pleased to state the amount of the total outstanding loans, raised by the Government of India abroad, whether from the International Monetary Fund, from the International Bank, or non-Governmental sources?

(b) Has the enquiry, undertaken by the Reserve Bank of India in the matter of the British and other foreign investments in India, been completed?

(c) If the answer to part (b) above be in the affirmative, what is the amount (in rupees at the present rate of exchange) of such foreign capital invested in India, according to their face value, as also according to the market value on the latest date for which such figures could be available of these investments?

The Minister of Finance (Shri C. D. Deshmukh): (a) A statement giving the information is placed on the Table of the House. [See Appendix IV, annexure No. 21].

(b) Yes, Sir.

(c) The information is being analysed and tabulated and it is expected that a preliminary review will be published by the Reserve Bank of India in about two months' time. It is not possible, therefore, at this stage, to give the information asked for by the hon. Member.

PUBLIC SERVICES (VACANCIES)

*336. Prof. K. T. Shah: (a) Will the Minister of Home Affairs be pleased to state how many vacancies occurred in Class I and Class II Public Services under the Government of India in the several Ministries, annually since the partition i.e. from 15th August 1947 to 31st March 1948, in 1948-49, and 1949-50?

(b) How many of these were filled in accordance with the results in the open competitive examination, and how many in other ways?

(c) How many candidates were interviewed by the Public Service Commission, and how many recommendations of the Public Service Commission were accepted by Government or the Ministry concerned?

The Minister of Home Affairs and the States (Sardar Patel): (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

MILITARY COLONISATION

*337. Ch. Ranbir Singh: Will the Minister of Defence be pleased to state:

(a) the progress so far made in Military colonization of Rampur and Nainital districts of Uttar Pradesh;

(b) the details of any other military colonization scheme if there is any;

(c) the number of applications for allotment received so far; and

(d) the land allotted so far?

The Minister of Defence (Sardar Baldev Singh): (a) and (b). I lay a statement on the Table of the House. [See Appendix IV, annexure No. 22].

(c) Since the work was taken over from the Labour Ministry in October 1949, approximately 5,000 applications have been received. About 10,000 applications were received in the Ministry of Labour prior to that date.

(d) Approximately 40,000 acres.

LOANS GRANTED BY WORLD BANK

***333. Prof. S. N. Mishra:** Will the Minister of **Finance** be pleased to state:

(a) the amount of loans granted to India by the World Bank since 29th November, 1949; and

(b) the purposes for which they were granted?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). We have obtained a third loan from the Bank for the Bokaro-Konar Project of the Damodar Valley Corporation. The Loan Agreement was signed on the 18th April, 1950, and is for an amount of \$18.5 million.

FIRE IN KIRKEE FACTORY

***339. Shri Deogirikar:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have instituted any enquiry into the cause of the fire in Kirkee Factory at Chikhawadi on the 3rd April, 1950 and if so, with what result; and

(b) the approximate amount of the damage to the property and material?

The Minister of Defence (Sardar Baldev Singh): (a) The hon. Member is presumably referring to the fire which took place in the Armoured Fighting Vehicles Depot., Kirkee. A Court of Enquiry was held to enquire into this incident. With regard to the cause of the fire, the Court came to the conclusion that although no conclusive evidence was available, there was reason to suspect sabotage. The Court was of the opinion that the fire could have been localised and prevented from spreading by the Depot administration. Disciplinary action is being taken against these persons.

(b) The loss has not yet been assessed.

INDIAN CURRENCY IN GOA

***340. Shri Deogirikar:** (a) Will the Minister of **Finance** be pleased to state the total amount of Indian Currency sent to Goa during the year 1949 by Goanese residing in India?

(b) What is the total amount of financial transactions made in the year 1949 by the Banco National Ultramarine in Bombay?

(c) Is it a fact that the Portuguese Government objects to the opening of a branch of any Indian Bank in Goa?

The Minister of Finance (Shri C. D. Deshmukh): (a) As there are no restrictions on sending Indian currency to Goa, no records are maintained of the amounts sent.

(b) No such information is available.

(c) On a reference made to the Portuguese Indian Government, they have stated, that, while not objecting in principle to the opening of a branch of an Indian Bank in Goa, they consider it undesirable to do so under present conditions. The matter is still under correspondence.

SMUGGLING OF GOLD

***341. Shri Deogirikar:** (a) Will the Minister of **Finance** be pleased to state whether it is a fact that in the absence of uniform custom rates between India and Goa, goods and articles worth lakhs of rupees are smuggled into India?

(b) Is gold being smuggled in Belgaum, Kolhapur, Karwar, Sawantwadi, Sangli and other places in Bombay State?

(c) If so, how many cases of such smuggling have been detected so far and with what result?

(d) What steps have been taken by Government to minimise such smuggling?

The Minister of Finance (Shri C. D. Deshmukh): (a) The existence of differences between the Indian Customs Tariff and the Portuguese

Customs Tariff gives an incentive for smuggling.

(b) Smuggled gold was detected at Belgaum, Sawantwadi and Karwar and frontiers.

(c) Since January 1949, about 130 cases of smuggling of gold have been detected and as a result gold weighing about 8,106 tolas has been seized.

(d) It is not in the public interest to divulge the specific measures that are being taken to combat smuggling. But Government are taking all possible steps.

CENTRAL EXCISE RULES

***342. Shri P. K. Ramiah:** (a) Will the Minister of Finance be pleased to state whether it is a fact that the tobacco growers and dealers all over India are very much agitated owing to certain recent amendments to the Central Excise Rules, especially in respect of warehousing, allowance for loss due to natural causes and processing?

(b) Have Government received any representation in this respect and if so, what steps have Government taken in the matter?

The Minister of Finance (Shri C. D. Deshmukh): (a) Some sections of the tobacco trade reacted unfavourably to the amendment of rule 145 of the Central Excise Rules, 1944, imposing certain restrictions on the extension of the maximum period prescribed in that rule during which tobacco may remain bonded in a warehouse.

No amendments have been carried out in the Rules regarding allowances for loss due to natural causes and processing, nor are specific scales of allowances fixed by rules. Individual merchants have sometimes expressed their dissatisfaction with the scales of allowances admitted by the Central Excise Department as due to natural causes and processing in warehouses.

(b) Yes; with a view to removing any hardship that may have been felt by the trade in respect of tobacco already warehoused, instructions were issued exempting from the operation of the revised rule 145, all tobacco first warehoused prior to the 1st January, 1947.

Allowances for losses in non-duty-paid tobacco are being regulated in accordance with the general directions issued by the Central Board of Revenue.

DUTY ON TOBACCO

***343. Shri P. K. Ramiah:** (a) Will the Minister of Finance be pleased to state whether Government have received any representation from the trade or any recommendation from Central Excise authorities in favour of a flat rate of duty on tobacco for chewing, for *hookah* and for *biries*?

(b) If so, what action do Government propose to take in the matter?

The Minister of Finance (Shri C. D. Deshmukh): (a) Some sections of the trade have, from time to time, represented to Government for a flat rate of duty on tobacco.

(b) Government are not prepared to disclose their intention.

TRANSFER OF LANDS BY HIMACHAL PRADESH

***344. Dr. Parmar:** Will the Minister of States be pleased to state:

(a) whether it is a fact that the Government of Himachal Pradesh transferred to Simla not only urban area, as laid down by the Gazette Notification of the Government of India, in the enclave of Sanjauli (Himachal Pradesh) but also agricultural lands; and

(b) whether it is a fact that the only political party in Himachal Pradesh, the traders and the agriculturists all protested against the handing over of Sanjauli to Simla?

The Minister of Home Affairs and the States (Sardar Patel): (a) The answer is in the negative.

(b) Some letters and telegrams protesting against the transfer of Sanjauli were received.

STAFF ABSORBED BY HIMACHAL PRADESH

***345. Dr. Parmar:** (a) Will the Minister of States be pleased to state whether it is a fact that the Himachal Pradesh Government offered to absorb the staff employed in the enclaves of Kotgarh and Kotkhai and in the office of the District Inspector of Schools, Simla, on the same grades of pay and allowances which they were receiving before absorption?

(b) Is it a fact that the President of the Indian Union has been pleased to decide that they should be allowed their existing pay grade, dearness allowance and other allowances which they were drawing in the Punjab as personal to them till they quit or retire from service?

(c) Is it a fact that the Himachal Pradesh Government is not paying the staff so absorbed according to the pay scales and other allowances which the absorbed staff were receiving in the Punjab and that many members of the staff have been refused absorption simply because they insisted on drawing their old pay and allowances?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). The position stated is correct in respect of staff employed in the enclaves. There was no such arrangement in respect of the staff of the District Inspector of Schools, Simla.

(c) No, Sir.

CONTRACTS BY RULERS OF MERGED STATES

***346. Shri R. L. Malviya:** (a) Will the Minister of States be pleased to state whether it was the policy of Government to honour and ratify the leases, contracts, monopolies and agreements etc., entered into by the

Rulers of the merged States in general and Madhya Pradesh States in particular, with individuals, corporations and firms before the merger of the States?

(b) If the answer to part (a) above be in the affirmative, what steps have Government taken to implement this policy?

(c) Have any instructions been issued to the States (Provinces) concerned, if so, what?

The Minister of Home Affairs and the States (Sardar Patel): (a) The policy of the Government of India is to honour these commitments except when on due enquiry any such commitment is found (i) to have been made *mala fide* and (ii) to be against public interest.

(b) and (c). Instructions on the above lines have been issued from time to time to the State Governments concerned.

PENSIONS OF OFFICERS IN HIMACHAL PRADESH.

***347. Dr. Tek Chand:** (a) Will the Minister of States be pleased to state whether it is a fact that a number of officers, who were in the service of Hill States which merged into the Himachal Pradesh in April 1948, and who were subsequently retired on pension, have not been paid their pensions, though long periods (in some cases extending over 20 months) have elapsed since their retirement, causing much distress to them and their families?

(b) If the answer to part (a) above be in the affirmative, do Government propose to take steps to see that the arrears of pensions are paid to such persons without further delay?

The Minister of Home Affairs and the States (Sardar Patel): (a) and (b). I understand that there has been some delay in framing necessary rules on the subject but orders have now been issued to the Chief Commissioner for prompt payment of pensions to retired personnel in the

Himachal Pradesh. If any specific cases of delay or hardship are reported action will be taken to expedite payment.

SCHOOLS AND COLLEGES IN HIMACHAL PRADESH

*348. **Dr. Parmar:** (a) Will the Minister of **Education** be pleased to state what is the number of Arts and Science Colleges and High Schools in Himachal Pradesh?

(b) What is the number of new schools, High, Middle and Primary, opened in Himachal Pradesh, district-wise, during the last two years?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) There is only one Arts and Science College at Mandi in Himachal Pradesh. The number of High Schools is 23 including 5 aided schools.

(b) Only two Primary Schools have been opened at Theog and Rohru (Mahasu District) during the last two years.

HISTORICAL MONUMENTS

52. **Lala Raj Kanwar:** Will the Minister of **Education** be pleased to state:

(a) the names of foreign countries in which historical monuments symbolising, depicting or illustrating the ancient Indian art, architecture, sculpture or culture have been found to exist;

(b) whether any list of such monuments has been prepared; and

(c) what steps, if any, have been or are proposed to be taken to ensure the proper preservation of such monuments?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Historical monuments symbolising, depicting or illustrating ancient Indian art, architecture, sculpture or culture are found almost all over Asia, particularly Pakistan and the Indian Archipelago.

(b) No.

(c) The Government of India is not in a position to ensure the pre-

servation of monuments located in foreign countries.

CHILDREN'S AID SOCIETIES

53. **Lala Raj Kanwar:** (a) Will the Minister of **Education** be pleased to state the names of States and the Centrally Administered Areas in which Children's Aid Societies are functioning?

(b) What financial assistance is being given by the Government of India to such societies?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) and (b). There is a Children's Aid Society Home in Delhi to which a grant of Rs. 25,000 was given during 1949-50. Information regarding other States is being collected and will be sent later.

INCOME-TAX AND SUPER TAX

54. **Lala Raj Kanwar:** Will the Minister of **Finance** be pleased to lay on the Table of the House a statement showing the income-tax and super-tax rates in force in India and in some of the advanced countries of the world such as the United Kingdom, the United States of America, Canada, Australia and France?

The Minister of Finance (Shri C. D. Deshmukh): A statement furnishing the required information is laid on the Table of the House. [See Appendix IV, annexure No. 23.]

HOSPITALS AND DISPENSARIES IN HIMACHAL PRADESH

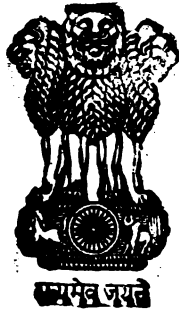
55. **Dr. Parmar:** Will the Minister of **Health** be pleased to state:

(a) the number of new hospitals and dispensaries opened in Himachal Pradesh, district-wise, during the last two years; and

(b) whether any of these dispensaries are Ayurvedic and if so, how many?

The Minister of Finance (Shri C. D. Deshmukh): (a) and (b). The information is being collected and will be laid on the Table of the House as soon as it is ready.

Saturday, 12th August, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME V, 1950

(31st July, 1950 to 14th August, 1950)

Second Session

of the

PARLIAMENT OF INDIA

1950



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**THE
PARLIAMENTARY DEBATES**

(Part II—Proceedings other than Questions and Answers.)

OFFICIAL REPORT

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PARLIAMENT OF INDIA

Saturday, 12th August 1950

*The House met at a Quarter to
Eleven of the Clock*

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

QUESTIONS AND ANSWERS

(See Part I)

11-50 A.M.

APPROPRIATION (No. 3) BILL

Mr. Speaker: We will now proceed with the Legislative Business.

The Minister of Finance (Shri O. D. Deshmukh): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the year ending on the 31st day of March, 1951.

Mr. Speaker: The question is:

“That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the year ending on the 31st day of March, 1951.”

The motion was adopted.

Shri O. D. Deshmukh: I introduce the Bill.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

The Minister of Food and Agriculture (Shri K. M. Munshi): I beg to

move for leave to introduce a Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946.

Shri Alladi K. Aiyar (Madras): On a point of order, Sir, I think, if I may say so, the resolution standing in the name of Shri Hare Krushna Mahtab will have to come up first because, it is only after that Resolution is passed that Parliament will be empowered to deal with this measure. Introduction of the measure is itself a process of legislation. It may be considered whether it is not the proper order to move the Resolution first. Then this House gets jurisdiction to pass a measure of this kind as the result of the Resolution being passed in these terms. Until then, it will have no jurisdiction to deal with the measure. Though it may be a question of form, I think it may be considered by the learned Speaker.

Shri K. M. Munshi: I am afraid my hon. friend has not realised the scope of the Bill which I propose to introduce. The Resolution which is to be moved by my hon. colleague Mr. Mahtab is to take additional powers, while so far as this Bill is concerned, it is covered by article 369 of the Constitution which runs as follows:

“Notwithstanding anything in this Constitution, Parliament shall, during a period of five years from the commencement of this Constitution, have power to make laws with respect to the following matters as if they are enumerated in the Concurrent List, namely:—”

[Shri K. M. Munshi]

This Bill only relates to matters which fall within the purview of article 360 while the Resolution deals with power to legislate with regard to matters which are outside article 360 of the Constitution. Therefore, it is perfectly in order.

Shri Alladi K. Aiyar: Then, it is all right. I was under a wrong impression.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946.

The motion was adopted.

Shri K. M. Munshi: I introduce the Bill.

DELHI PREMISES (REQUISITION AND EVICTION) AMENDMENT BILL

The Minister of Works, Mines and Power (Shri Gadgil): I beg to move for leave to introduce a Bill further to amend the Delhi Premises (Requisition and Eviction) Act, 1947.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Premises (Requisition and Eviction) Act, 1947."

The motion was adopted.

Shri Gadgil: I introduce the Bill.

RESOLUTION re: MAKING OF LAWS BY PARLIAMENT WITH RESPECT TO CERTAIN MATTERS IN STATE LIST FOR ONE YEAR

The Minister of Industry and Supply (Shri Mahtab): Sir, I beg to move:

"That this House do resolve in pursuance of article 249 of

the Constitution, as adapted by the President under article 392 thereof and as at present in force, that it is necessary in the national interest that Parliament should, for a period of one year from the 15th August, 1950, make laws with respect to the following matters enumerated in the State List namely:

(i) trade and commerce within the State subject to the provisions of entry 33 of List III, and

(ii) production, supply and distribution of goods subject to the provisions of entry 33 of List III."

Shri Sidhva (Madhya Pradesh): On a point of clarification, Sir, before we proceed, the wording in the Resolution is "...enumerated in the State List...", whereas the matters are covered by entry No. 33 in the Concurrent List. May I know if there is any mistake?

Mr. Speaker: We have to go by the wording of the Resolution. Perhaps the hon. Member is confounding the words "State subject" with List III.

Shri Sidhva: I am referring to main part of the Resolution, Sir.

Mr. Speaker: Let him hear the hon. Minister and if the point is not clarified, then he may raise it.

Shri Mahtab: The other day the Prime Minister gave an indication of the purpose for which this Resolution is being brought before the House. I do not want to go into the technicalities of this Resolution

which has been very carefully examined by our Law Ministry. Even with regard to the date about which some doubt was raised yesterday, a further examination has been made and we have then fixed the date. The fixing of that date really means that from that date Parliament will have the power to make laws, and before that date no laws will be made. It is not the intention to bring forward any law between to-day and the 15th August. This Resolution as it stands, its legal position is very clear.

About the purpose of this Resolution, the Prime Minister gave a hint the other day that the rise in the prices has created a very serious situation in the country to-day. Some of the Members of this House were in favour of de-control at a certain stage and opinion was elicited whether control on several articles should stay or go, and I think some opinions have been collected and they were forwarded to the Government for consideration. Immediately I assumed office, I was faced with the opinions collected as to whether control on some articles should stay or go. While this was under examination a curious situation arose. In July the prices of several articles, not only articles coming under the Essential Supplies Act, but also other articles, the price of other articles also rose suddenly and abnormally. Representations were made to Government all over the country by wire and by applications. The situation at Delhi became so serious that I had to issue a strict warning, and I also wrote to the State Governments to keep a strict watch over the situation. Some of the State Governments took really prompt action in the matter, and because there was no law, they had to take recourse to public opinion and they had to educate it against this kind of rise of prices. In Calcutta, the House may remember, a warning of boycotting was given to those who indulged in this sort of hoarding and profiteering. Similarly

in Bombay the Home Minister had stated that he would not object to non-violent boycotting in this connection. And to-day as hon. Members would have seen, the Food and Supply Minister of Bihar has given the warning that those who indulge in profiteering and hoarding would forfeit police protection. The seriousness of the situation can be judged by these actions taken by the State Governments of Bengal, Bombay and Bihar. Similarly, I have received letters from Madras also that the prices of various articles are rising very abnormally, and the Prime Minister and myself are receiving a large number of wires from various parts of the country to do something to meet the situation.

Now, the House would like to know the cause of this rise in prices. At one time the cause was mainly inflation of currency. But to-day the cause is not really the inflation of currency. Those hon. Members who have studied the Reserve Bank Accounts and Deposits and other things must have come to the conclusion that inflation of currency has nothing to do with the rise in prices. The reason is this. The tendency to make easy money is still persisting even though the war is long ago over, and whenever an opportunity arises, there are elements which want to take advantage of the situation and make easy money thereby. They are even indulging in forward markets in regard to imported articles also, and the prices of these are also rising. Hon. Members must have known that the Government were compelled to revise the O.G.L. programme in order to keep down prices here, and the result has been satisfactory, so far as reports show. In Bombay prices of several articles have considerably fallen. But now many people are coming forward to make forward marketing in imported goods also, and it is difficult to control the price of imported goods to-day. But hon. Members cannot expect Government to allow large

[Shri Mahtab]
 scale imports which will not be permitted by the foreign exchange available and also which will have a very detrimental effect on the local industries here. Therefore Government are in a dilemma. Large scale imports will not be permitted by the exchange available, and that will have a disastrous effect on local industries also. But we have to face the situation of rising prices and for this we require the help and co-operation of the local industries and trade.

In my opinion we have to take recourse to several methods to keep down prices. I must tell it
 12 NOON straightaway that Government are determined to see that a situation of high prices is never allowed to develop in this country. They will not only make the necessary laws which will be brought forward if this Resolution is passed, but they will take other methods also. Of course it will be in the nature of platitude if I say that more production will meet the situation. We have been talking about more production for the last several years, but very little result has been achieved. So I did not mention that, I know that will not be seriously considered by the House. The only other way is to strictly enforce the law and also rouse public opinion against this sort of rise in prices. I would request all hon. Members to whichever political party they may belong, to exercise their personal influence and also to exercise the influence of their political parties in this direction so that prices may not rise higher. No law can be administered satisfactorily unless there is considerable public opinion to back it. In other words as I have already said, the situation can be tackled more or less satisfactorily only if the various State Governments take recourse to public opinion. In this connection I must admit that there is an element in the trade and in the industry which is willing to exercise its moral influence. I can give the House one instance—

soda ash, a basic material. The price of soda ash rose abnormally in Delhi and I took the help of the responsible section of the trade and they tried their utmost to bring down the price and they succeeded. But even they had to admit that unless there was some law to back up their efforts of persuasion, it will not be possible for them to exercise their influence satisfactorily. Therefore, from whichever point you may start, you will come to the conclusion that unless there is some law which must be ruthlessly enforced, persuasion will not succeed. Similarly unless there is sufficient public opinion behind it, no law can be successfully administered. The two must work in co-ordination and Government at present are trying to see that these two elements work properly so that a situation of high prices may not arise in this country.

Now we have to think of the results of these high prices. Really we have not yet recovered fully from the war conditions, and I doubt whether any country in the world has. Here I would like to correct one impression which is prevalent among uninformed circles. There is a feeling that in the case of other countries all is well and that we alone in this country are suffering. That is not the case. From the reports that I get, I know that people in other countries are also suffering. The only difference is that while they are taking drastic steps to correct the situation, we are hesitating. That is what I am inclined to think. The Prime Minister particularly is determined to see that the situation will not be allowed to deteriorate further. We must take drastic steps to keep down prices as far as possible. Also at the same time, we must take steps which may go to help more production. I would not like to dwell upon this point of increased production which is a more or less hackneyed theory, and I do not want to re-echo here any of the common remarks about increased production. But so far as legal measures and public

opinion are concerned they are entirely within our hands. As Members of this House and as influential individuals in their localities they can exercise their influence to keep down the prices successfully. I was thinking of the result. Supposing the prices are not brought down and are allowed to go higher up, the result will be disastrous. It will result in large scale famine as happened in 1943. It will result in public disorder which we cannot conceive to-day. The discontent is there and people have not yet reverted to normal life. If prices are allowed to rise higher and higher the result will be serious discontent among people and that will manifest itself in public disorder. You cannot expect the police or the military to put it down. That disorder, if it is to be prevented, must be done by removing the causes of the discontent and one of the major causes is the high prices. Therefore all measures should be supported by the House which are meant to keep down the prices. That is as far as legislation goes. So far as public opinion goes I would very respectfully request those who do not see eye to eye with the Government in this matter not to use this as a sort of political weapon against the Government. When I compare the activities of the opposition in other countries with the activities of the opposition here I am surprised to see that in other countries in all these matters the opposition takes a rather compromising attitude. Whenever any such measure is brought forward it is supported by all not only inside the legislature but also outside. Nobody takes any political advantage of the situation. In India too I would respectfully request that we also try the same thing. That is to say, let not any political party take any political advantage of the situation which is likely to arise.

I do not think it is necessary for me to dwell upon this subject longer. If any other points are raised I shall be very glad to reply to them. At

first thought I was inclined to mention some of the commodities, the prices of which have risen and which should be controlled. But on second consideration I feel that it will not be desirable to mention the commodities, because whatever discussions may take place here will have an effect on the market also. Taking that into consideration I do not like to mention any commodities in our discussion, unless I am compelled to do so. But I would appeal to the House not to name any particular commodities about which the opinion of Government should be expressed. In that case it is likely to happen that the commodities will go underground or the prices will again rise or something else may happen. This will have some repercussions in the market. Therefore I would not like to discuss individual commodities which are now worrying the Government or the public. I am simply laying this resolution before the House just as a general proposition regarding an admitted thing, namely the high prices, which have to be controlled and brought down.

Putting myself in the position of Members I imagine that a possible objection might be raised: Why is more power taken when the existing powers are not properly exercised? I would like to reply to that question also.

As you know, I have some experience of the State Governments and I know how these laws are administered below. The passing of a law here will not help the situation, unless it is very actively administered in the States. So far as State Governments are concerned it is to their interest that they must work out these laws much more actively than heretofore. There is no other way for them also. For instance, the situation which Bihar faces today will compel them to take action. The Prime Minister has invited the Chief Ministers of the States to meet him on the 19th and one of the subjects for their discussion is this. The

[Shri Mahtab]

State Governments will of course take necessary action in this matter and I have no doubt in my mind that they will fall in line with the policy laid down by this House and by the Government of India.

Let us not refer on this occasion to past incidents which happened three or four years ago. Everybody knows them and knows where the difficulty lies. For the present let us make up our mind to keep the situation under control and let us try this experiment again. When I say experiment I do not mean that this resolution has been brought forward in a light-hearted manner. As a matter of fact all the emphasis I can command and all the influence which the Prime Minister and Deputy Prime Minister command are behind this resolution. We are all determined to see that high prices are not allowed to develop in the country.

With these words, Sir, I move the resolution.

Sardar B. S. Man rose—

Mr. Speaker: Let me place the resolution first before the House and then hon. Members may speak.

Sardar B. S. Man (Punjab): Sir, I wanted clarification from the hon. Minister on one point.

Mr. Speaker: He may get it later on. The hon. Member knows that there is a specific resolution before the House. In view of a situation which is likely to arise, as is seen by Government from the signs of the times today, it may be necessary for Government to exercise stricter powers by legislation and take more powers. This Resolution really does not go into the merits of those powers nor about the commodities involved. It is only meant for Parliament to take more powers. I shall first place the Resolution before the House and then hon. Members may seek clarification. Motion moved:

“That this House do resolve in pursuance of article 249 of

the Constitution, as adapted by the President under article 392 thereof and as at present in force, that it is necessary in the national interest that Parliament should, for a period of one year from the 15th August, 1950, make laws with respect to the following matters enumerated in the State List namely:

(i) trade and commerce within the State subject to the provisions of entry 33 of List III, and

(ii) production, supply and distribution of goods subject to the provisions of entry 33 of List III.”

Sardar B. S. Man: I wanted to know whether the Mover of the Resolution proposes to bring within the purview of his Resolution agriculture and its produce. There seems to be a certain amount of confusion amongst us as to whether this Resolution will cover agricultural produce or not.

Shri Mahtab: As I have already explained, the commodities which will come under the law are a matter for future consideration. Today only the power is being taken. Whether this or that commodity will come under the category covered by this law is a matter for future consideration.

Prof. Ranga (Madras): May I take it that Government intends to use such powers as they want the Parliament to assume only for purposes of the control of prices or for other things also?

Shri Mahtab: As mentioned in the Resolution we take powers to control trade and commerce within the State as also production, supply and distribution of goods.

Prof. Ranga: But only in relation to the control of prices?

Shri Mahtab: Of course, it includes control of prices.

Shri Naziruddin Ahmad (West Bengal): Sir, may I point out one of

two lacunae in this resolution? One has been already pointed out by Mr. Sidhva. Entry 33 of List III is the Concurrent List and in the body of the Resolution it is mentioned.....

Mr. Speaker: Order, order. If the hon. Member reads the language of article 249 and entry 33 he will find that this language has been taken from entries 26 and 27 in the State List.

Shri Naziruddin Ahmad: There is another point. In the body of the resolution it is said that it is necessary in the national interest and so forth. But there is a divergence in the wording between article 249 and entry 33 in List III of Schedule VII. In the body of the section it is said that Parliament must consider that it is necessary or expedient in the 'national interest'. But in item 33 it is said that it should be necessary in the 'public interest'.

Mr. Speaker: I think he may better first study that point because, after all, assuming that there is an inconsistency, it will be a point of reconciling the Constitution.

Shri Naziruddin Ahmad: I wanted to suggest a short notice amendment: "in the national and public interest". This will solve all possible difficulties.

Mr. Speaker: I am afraid it will complicate the matters more.

Shri Kamath (Madhya Pradesh): May I ask for a clarification of this constitutional point? As you have just now observed, the items in the State List are Nos. 26 and 27. Item 26 reads as follows:

"26. Trade and commerce within the State subject to the provisions of entry 33 of List III."

List III is the concurrent List. And item 27 reads as follows:

"27. Production, supply and distribution of goods subject to the provisions of entry 33 of List III."

Entry 33 in the Concurrent List says:

"Trade and commerce in, and the production, supply and distribution of, the products of industries where the control of such industries by the Union is declared by Parliament by law to be expedient in the public interest."

There are two aspects to this entry 33. First of all, it refers to products of industries. The argument of my friend, Sardar Man, has some force. He asked about agricultural products; this relates only to industrial products.

The second aspect is that those industrial products can be taken into consideration where the control of those industries by the Union Government is already declared by this Parliament to be expedient in the national interest. The House will recollect that an Industries (Regulation and Control) Bill was brought forward in this House in the last session which was designed to secure this end, but that is still pending. That Bill specifically dealt with this matter as to which industries could be controlled by the Union in the public interest. But that Bill has not even been considered and so Parliament has not declared by law up to now which industries can be controlled by the Union in the public interest. That fundamental matter has to be decided and until that matter is decided by Parliament by law, I am afraid that Government cannot take any powers to regulate matters as specified in this Resolution.

The second point is this. The Resolution mentions that after the 15th August all these laws will be made by Parliament. According to the present schedule Parliament will not sit after the 15th of August. Does that mean that all this will be done by Ordinances which will be brought before Parliament for approval in November or December?

[Shri Kamath]

These are the two points on which I want clarification.

Pandit Thakur Das Bhargava (Punjab): Sir, just now a question was put by Mr. Ranga to the hon. Minister in charge of Industry whether this power which is sought to be taken will have reference to prices only, and he replied in the affirmative. May I humbly ask him: how will the question of price be related to the production of goods? The words are, "production, supply and distribution". The question of prices in regard to production, I think, Sir, will not admit of any action. So far as these entries go, Nos. 33 in List III, 27 and 26 of List II are complementary. It means that the entire control of trade and commerce and of the production, supply and distribution of goods is taken up by the Central Government, but to say that it is only in relation to prices would be a wrong thing. I therefore want a clarification of this, as to how the question of price alone can be related to production.

Shrimati Durgabai (Madras): On a point of information, may I know whether the State Governments have been consulted with regard to the proposed legislation contemplated by this Resolution? Of course I know that article 249 does not make it obligatory on Government to consult them.

Dr. Deshmukh (Madhya Pradesh): By this Resolution power which vested in the States is sought to be vested in the Centre also. I am prepared to agree that it will be exercised in such measure and on such occasions as the laws that may be passed from time to time may declare. But would a situation arise where because of this Resolution it might be argued that the States which are managing all these affairs at the present moment will have no authority to keep in force the Regulations and laws which are prevailing at the present moment and according to which the production, supply and distribution of

goods are regulated? If there is a possibility of a difficulty of that nature arising, I would like the hon. Minister to kindly explain this point also because it may be argued that by this Resolution the subject which existed in the State List has now been transposed and has been brought to the Union List. If that happens, then the States will not be left with any power to regulate the supply, distribution, etc. of these articles and therefore, whatever regulations and laws they have at the moment may be declared as not constitutional? Would that situation arise?

Shri Himatsingka (West Bengal): Sir, I do not think that presumption is correct. The subjects will come into the Concurrent List and Parliament also will be entitled to make laws in respect of trade and commerce etc. which at the present moment are State subjects. As soon as this Resolution is passed, both the States and the Parliament will be entitled to pass orders on these subjects. There will be concurrent jurisdiction and therefore the difficulty contemplated will not arise.

Shri Alladi K. Aiyar (Madras): As regards the point raised by Mr. Kamath, I would just like to say a word or two. In the Resolution, item 1 is merely a repetition of entry 26 in the State List, and item 2 is merely a repetition of entry 27 in the State List. Normally speaking, in regard to the matters mentioned in entries 26 and 27, it is only the State that will have the jurisdiction to deal with it. The object of this provision is to enable the Centre also to encroach upon what may be called the State field. In effect, what is a State subject becomes a concurrent subject. It does not take away the power of the State to deal with the subject, but if the subject is of such a paramount importance and if the Union Legislature intervenes and passes a law, that law will have dominance over the law passed by the State. In other words, what is

a State item becomes in effect an item of the Concurrent List as a result of the Resolution before the House. Therefore, there is no point in saying, "Why? Already the Union has power." The Union has power only in specific and particular cases under entry 33. Similarly, in regard to item 34 in the Concurrent List when once Parliament considers that a particular subject is of national interest and having come to that conclusion undertakes a measure dealing with that particular subject an item in the State List becomes in effect an item in the Concurrent List. The effect of the present Resolution is to invest Parliament with the power to deal with the subject in question. Once it is passed, in the manner contemplated by the Constitution, Parliament is seized with the power to pass a law in regard to the particular subject matter. The existing power in the Union, say in regard to trade and commerce or items 33 and 34 in the concurrent list is not taken away. The existing power is felt to be incomplete and insufficient to meet the needs of the situation, because you may have one kind of law in one State; another kind of law in another State; and a third kind of law in a third State, while there is interaction and inter-connection between prices prevailing in all these three sets of States. That is the whole difficulty in a federal constitution, and our Constitution has got over that trouble by investing Parliament with the supreme power in a time of national emergency, which national emergency has to be determined by a two-thirds majority of the representatives of the States. You cannot have one kind of price in Madras; another kind in U.P. and another in another State.

The power resulting in the Union by means of the resolution does not take away the powers under items 26, 27 in the State List. Therefore the effect of the present resolution is that, every aspect of trade and commerce can be taken over by the

Union, provided you—the Parliament—consider the particular matter to be of sufficient national importance and you also consider that it is necessary in the national interest to make laws with respect to particular matters. The extent and ambit of the legislation would be a matter of policy for Parliament to decide. It does not mean that it will entrench upon the entire field of State Administration or State legislative sphere. Parliament will have to take into consideration the interests of provincial autonomy and State autonomy, and taking that into consideration and after due consultation—it may be—Parliament may give effect to the Resolution that is passed by this House. That is my submission with regard to the point raised by my hon. friend Mr. Kamath.

Shri Venkataraman (Madras): May I know whether it will include agriculture and agricultural products also?

Shri Alladi K. Aiyar: It will include agricultural products. But the word 'agriculture' means the actual carrying on of agriculture. Thus, carrying on of agriculture is one thing, and dealing with agricultural products is another thing. Dealing with agricultural products will certainly come within the purview of 'trade and commerce'. Agriculture is the act of carrying on the industry or vocation of agriculture,—the actual raising of the product from the field. Having regard to the general scheme of our Constitution, the word 'agriculture' is used in a defined and narrow sense, but so far as agricultural products are concerned, they stand on a wider footing.

Shri Biswanath Das (Orissa): Sir, I rise to support the motion of my hon. friend the Minister of Industries and Supply. We see from the reports that the international political situation. (*Interruption*).

An Hon. Member: Are we dealing with the merits of the Resolution, Sir?

Mr. Speaker: No.

Sardar B. S. Man: Sir, I rise to a point of order. So far as agricultural products are concerned, they do not fall within the ambit of entry 33 in the Concurrent List, because the words 'trade and commerce' cover only the production, supply and distribution of industrial products. I put this point for your ruling before we proceed further.

Mr. Speaker: The hon. Member wants me, at this stage, to interpret the words 'trade and commerce' and 'Production, supply and distribution' and he wants me to rule whether they include 'agricultural products' or not. It is hardly a point of order for me to decide. If any dispute arises, it will be for the courts of law to decide, as to whether a particular term is covered by this wording or not. This cannot be a point of order here.

Shri Tyagi (Uttar Pradesh): It is for the Mover to explain.

Mr. Speaker: Therefore, I was saying that all that hon. Members are wanting is a sort of a clarification.

Shri J. R. Kapoor (Uttar Pradesh): Sir, I have a specific point of order to raise. I submit that this Resolution is beyond the scope of our Constitution. Not only is it unnecessary, but it cannot be passed by us within the scope of article 249 of the Constitution. This Resolution asks us to declare that a necessity has arisen, because of which the Union Government should be empowered by passing a certain Resolution under article 249 to make laws in respect of certain matters enumerated in List II. According to List III, which is a concurrent list, under item 33 the Central Government can exercise the power of making legislation in respect of the very subjects which are embodied in the present Resolution. According to this item 33, all that we have to do is to declare by law that an emergency has arisen. The next step is to pass the necessary legis-

lation. Any item which is included in the concurrent list can be taken up by Parliament in its own inherent right without any Resolution being passed. I would, with your permission, read out item 33 in List III.

Mr. Speaker: It has been read twice already.

Shri J. R. Kapoor: Then I will not read it again, but I would draw your attention to the following words therein:

"...declared by Parliament by law to be expedient in public interest."

There is, you will see, no reference to any resolution. Therefore, we need not pass any Resolution. The Union Government, after this session, if necessary, may in the first instance pass an Ordinance laying it down that an emergency has arisen or that it is in public interest to make law on these subjects. They may thereafter or simultaneously enact any Ordinance that they may consider necessary for dealing with these subjects. I think it will be unnecessary to take up the time of the House in passing a Resolution like this. Apart from this, I submit that according to article 249, it is not permissible for the Union Government to bring such a Resolution. According to that article, they can ask us by a Resolution to express our decision that an emergency has arisen only with respect to those subjects which fall within List II, but since the subjects contemplated in the present Resolution are subjects which fall within List III, no such Resolution is necessary at all.

Mr. Speaker: I think it is better that I dispose of this point of view, which has been raised as a point of order. The position has been sufficiently clarified by Shri Alladi Krishnaswami Aiyar and after his lucid explanation, I thought that no further clarification about the constitutional or legal position was necessary. It seems those who are

arguing this point are not clear as to the precise division of powers made by entry 33 of List III on the one hand and the powers which are left to the States under items 26 and 27 of List II. Item No. 33 is in the Concurrent List and the Centre will have power, only on the condition that Parliament by law declares that the control of such industries by the Union is expedient in the public interest. Therefore, the power of the Centre to legislate in respect of item 33 is restricted to such industries as are declared by Parliament, by law, to be expedient in the public interest.

Now, such a law is not obviously conceived as a temporary measure for six months or a year. It becomes a permanent legislative measure, unless Parliament chooses to revise it. When the Parliament declares by law, it is a permanent power which the House is giving, but one can visualise a situation.....

Pandit Balkrishna Sharma (Uttar Pradesh): Can we not place a time limit on the law?

Mr. Speaker: There need be no time-limit on that. You pass a law and so long as that law stands the Centre is entitled to exercise that power. I think it would be better if hon. Members read carefully the language and the structure of this provision in this light.

What I was saying was that, this power under item 33 can only be exercised where the Parliament has, by law, declared that the control of certain industries is expedient in the public interest. I need not elaborate the names of such industries, but there may be certain basic industries, which it may be necessary to control by law made by Parliament. But so long as such legislation stands, the power of Parliament to legislate in respect of those industries is, to that extent, a permanent measure. For instance, such other situations may be imagined—there may be a war; there may be some other

exceptional circumstances in which case it becomes necessary, for the Union for the sake of a common policy, to co-ordinate the policies of the State Governments in certain respects. It may be necessary in such an eventuality for the Parliament to assume those powers and that is what Sir Alladi referred to as a necessity under the Federal structure. Article 249 is enacted to provide for that kind of contingency, where it becomes imperative for the Centre to exercise certain powers for a certain period. If the scheme of Article 249 is seen, it will be found that, it requires a resolution of the Council of States, supported by not less than two-thirds of the members present and voting.

Shri Naziruddin Ahmad: This has been adapted.

Mr. Speaker: I know that. But unless we understand the scheme of the Constitution, it will not be possible for us to come to a correct conclusion on the present point.

So, unless two-thirds of the majority of the Council of States support a particular resolution, that it is expedient in the national interest that Parliament should make laws, Parliament cannot assume to itself the powers of special legislation.

Now hon. Members will be aware of the Constitution of the Council of States. The Council of States consist mostly, if not wholly, of the representatives of the various States and the spirit of the Constitution is that if those representatives of the States concur in vesting the Parliament with a power having the effect, not of divesting the States of certain powers, but enabling the Centre to have concurrent powers, so that Central legislation may supersede the State legislation, then only can we get out of the difficulties and the Centre can exercise the powers. Today, as we have not got the Council of States, it became necessary for

[Mr. Speaker]
the President to adapt the Constitution. Therefore, we have to keep in mind the fact that, if the powers which are exclusively vested in the States under the States List are required to be exercised by Parliament, if and when such occasions arise, there has to be some kind of machinery or method of vesting the Parliament with such power. It is with this end in view that Article 249 is provided:

If hon. Members refer to the wording of the Resolution, with this background they will find that it adopts the language of article 249. We have nothing to do with item 33. I believe I have sufficiently cleared the ground. The resolution refers to only certain specific restricted powers. Beyond that, if it is necessary to exercise further and wider powers, which are vested in the State legislatures, it may be necessary to assume concurrent power of legislation in respect of further States subjects. Therefore, taking advantage, or under the provisions of Article 249, this Resolution is placed before the House. If the Council of States were in existence the resolution would not have come here. It would have come before the Council of States. But, today, we are functioning as one House of Legislature. Therefore, this Resolution is coming here following the language given in Article 249 and the resolution has to be supported by not less than two-thirds of the members and it must state "that it is necessary or expedient in the national interest that Parliament should make laws." The adaptation made is that the words "Council of States" will be substituted by the word "Parliament."

Shri M. A. Ayyangar (Madras):
What about the two-thirds majority.

Mr. Speaker: That applies.

Therefore, as I was saying, this resolution follows the language of Article 249. It, however, lays a

time limit of one year, from the 15th August 1950. Further, it says:

"...make laws with respect to the following matters enumerated in the State List (namely items 26 and 27);

- (i) trade and commerce within the State subject to the provisions of entry 33 of the List II"

Similarly item no. 27 also says the same thing. What we have got here in the Resolution is a copy of items 26 and 27 in the States list. Therefore, to my mind, there is no irregularity in the proposition that is laid before us. It does not go against the Constitution and the Resolution as it stands is perfectly in order and a valid one from the constitutional point of view.

Of course, as regards the interpretations of the Resolution, as to what is covered under the term trade, commerce, production, supply and distribution, it is not for me to decide. But such explanations as the hon. Members want may be had. The hon. Minister has expressed himself against the idea of giving explanations at this stage, giving the reasons also as to why they should not be asked for. But then, still it is a matter of pleasure of the hon. Members to ask and it is a matter for the Minister whether to reply or not to reply. But, so far as I am concerned I think the resolution is quite in order.

Shri Kamath: May I seek clarification of one little point? Clause (2) of article 302 of the Constitution under which this article, that is article 249, has been adapted, says "Every order made under clause (1) shall be laid before Parliament". Does that mean that it will just be laid on the table and not discussed?

Mr. Speaker: It is an order of the President and if it is to be laid on the table, it means that it is for the information of the Members of the

Parliament. The President is not exercising his powers in consultation with the Parliament. I think we may now proceed with the discussion on the merits.

Shri Venkataraman: Sir, I want to raise a real point of order. Under article 392 of the Constitution the President has powers to lay before the House such adaptations only for the purpose of adapting the provisions of the Government of India Act, 1935 to the provisions of this Constitution and not in any other case. Here what the President now seeks to do is to adapt the Constitution Act to suit some emergencies. Sir, let me make the position clear. My point is that if any difficulty arises in carrying out the provisions of the Act of 1935 then the President may make such adaptations so as to bring them in line with the provisions of the Constitution Act. But where any difficulty arises in the application of the provisions of the Constitution Act the President has no powers to make any such adaptation. I particularly invite your attention to the words "The President may for the purpose of removing any difficulties, particularly in relation to the transition from the provisions of the Government of India Act, 1935, to the provisions of this Constitution, by order direct...etc.". That is to say, only in such cases where any difficulty arises out of adapting the provisions of the Act of 1935 that the President has the power and in no other case has the President the power to make any such adaptation. That is my submission and I think that the adaptation made by the President in this case is *ultra vires* of the Constitution.

Mr. Speaker: The point, as I have understood it, seems to be—apart from the words 'particularly—that the President has got the power to make adaptations only with reference to the provisions of the Government of Indian Act, 1935. Perhaps the Law Minister may like to say something on this.

The Minister of Law (Dr. Ambedkar): The wording of the article is that "the President may, for the purpose of removing any difficulties, particularly . . . etc." "Particularly" does not mean that he has not got the general power.

Mr. Speaker: As I have understood the point of order of the hon. Member, apart from the words "any difficulties" and "particularly", he seems to construe article 392 as empowering the President to make adaptations only for purposes of transition from the provisions of the Government of India Act to the provisions of the Constitution. That is substantially the point.

Dr. Ambedkar: That cannot be because it is a wrong construction. The point raised by my hon. friend is that under article 392 the only power which the President possesses is confined to an adaptation of any section of the Government of India Act, 1935, so as to bring it in line with the provisions of the Constitution. My submission is that that is not correct, because the opening words in article 392 are quite general, namely, "The President may, for the purpose of removing any difficulties" and then "particularly etc." comes in. Suppose you were to drop the words "particularly in relation to the transition from the provisions of the Government of India Act, 1935, to the provisions of this Constitution" the wording would be "The President may, for the purpose of removing any difficulties, by order direct... etc".

Shri Meera (Madras): May I say something with regard to this point? If you remove the words "particularly in relation to the transition from the provisions of the Government of India Act, 1935" it would read "The President may, for the purpose of removing any difficulties to the provisions of this Constitution, by order direct...etc." "Particularly" is something like an instance

[Shri Meeran]
and it is a smaller provision. The wider provision is the giving of powers to remove any difficulties to the provisions of this Constitution.

Mr. Speaker: I would just seek clarification on one or two points which may dispose of the matter, without entering into the niceties of interpretation. Am I right in my interpretation that the Constituent Assembly of India (Legislative) was functioning as a result of the Adaptation of the Government of India Act?

Dr. Ambedkar: Yes, the Independence Act was an amendment of the Government of India Act, 1935.

Mr. Speaker: My mind was working on another line. Instead of going into the interpretation, what I think is that if we were functioning as Constituent Assembly of India (Legislative) under the Government of India Act, and if the same status is now being continued, then practically we are in a stage of transition. And so long as the Council of States is not constituted that transition will continue. Therefore, any adaptation which the President makes will be an adaptation, even "particularly", in relation to the transition from the provisions of the Government of India Act to the provisions of the Constitution.

Pandit Thakur Das Bhargava: Kindly see the Proviso also. The Proviso makes it still clear.

Mr. Speaker: All things make it clear.

I am to'd that we are functioning under Article 379. Whatever Article we are functioning under, my point is that so long as both Houses of Legislature are not constituted under the Constitution, the process of transition is in continuation and the President has got ample powers to remove all difficulties, even if we interpret the word "particularly" and the whole article in a restricted manner. So, I do not think that

point really survives and we need not, therefore, consider it any further. I hope there is no other point of order.

Shri Shiv Charan Lal (Uttar Pradesh): There was no necessity for the President to pass an order under Article 372 at all, because under 379.....

Mr. Speaker: Order, order. I am not going to decide about any matters in respect of which the President has exercised his discretion. If the President says that there is a necessity, there is a necessity. His decision on that point is final and I do not think it is competent for this House also again to sit in judgment over the materials on which the President had come to a decision.

Shri Shiv Charan Lal: I was not challenging the President's decision, Sir. I was saying that under article 379 this House can act as a Council of State without that order there.

Mr. Speaker: That is a different matter. Then the adaptation is a superfluity and we have got the power even without the adaptation order. So much the better for us.

Shri Bharati (Madras): It is thought that the Parliament has no power to have these two matters. In fact this was before our minds when we passed it and we knew that this emergency would arise, and article 369 exactly mentions in terms of this emergency, namely "Notwithstanding anything in this Constitution, Parliament shall, during a period of five years...have power to make laws in respect of trade and commerce within a State and the production, supply and distribution etc." In fact article 369 was intended only to meet such contingencies. Sir, I did not quite catch my hon. friend, Mr. Munshi when he said that the Resolution is intended to give 'wider powers'. I would like to have a clarification as to what he meant by 'wider powers', because the words found in the Resolution and the section are exactly the same.

Mr. Speaker: Order, order. It is an interesting point of academic interest to discuss; but in view of the pressure on our time, let us go into the merits as they are rather than go into the history and the constitutional points now. Mr. Hossain Imam.

Shri Hossain Imam (Bihar): Sir, I want to speak on this Resolution.

Shri Mahtab: I would like to reply to some of the questions which have been raised provisionally and that would help the House to save time.

Mr. Speaker: I think there is just a minute only. We may re-assemble at 2.30 P.M.

The House then adjourned for Lunch till Half Past Two of the Clock.

The House re-assembled after Lunch at Half Past Two of the Clock.

[MR. SPEAKER in the Chair]

Mr. Speaker: The hon. Minister. He is only clarifying certain points now.

Shri Mahtab: Sir, I think it would be easy for the hon. Members to discuss if I mention the several articles of the Constitution under which we could have taken action with regard to prices. We could have taken action by a declaration by law that control on certain specified industries shall be in the public interest under item 33 of the Concurrent List, by legislation for price control under item 34 of the Concurrent List, by a proclamation of emergency made by the President under article 352 of the Constitution, by declaration of a financial emergency under article 360 of the Constitution, by taking power to legislate under article 249 of the Constitution as we have done, by a resolution of the State legislatures under article 252 and by an amendment of the Constitution under article 368. After examining all these

things, we found out that our purpose will not be served if we take action under any of these provisions except the one, under article 249. Item 33 of the Concurrent List deals only with products of industry; it does not include imported articles. The present problem really relates to agricultural products, production of industries and imported goods. We have to take measures for controlling the prices of these three categories of goods, namely, agricultural products, industrial products and imported articles.

I would like to remind the House of some previous laws which were being enforced during the war. In 1943 we had the Hoarding and Profiteering Prevention Ordinance, 1943. Then there was the Consumer Goods Control and Distribution Order, 1944. At that time, the situation was managed with these two laws which are not in force now. And, the circumstances of today also are different from the circumstances of 1943 and 1944. It is for the purpose of having control over these three categories of goods that we have to have recourse to article 249. There is no other way.

Then, a question has been asked as to which articles are likely to be covered in our view. As I have already explained, it will not serve any useful purpose if the articles are named. But, I can mention some of the articles which have gone up in price and that would give an idea as to what is likely to be done. Hon. Members who read the commercial section of the newspapers must have known which are the articles that have risen in price. I shall give the House the rise that has occurred in the case of some of the articles. For instance, take tea. I am comparing the prices prevailing at the end of June and today. In the case of tea, the index was 466 at the end of June. I shall leave this and take some other articles. The price of streptomycin has gone up by 96 to 100 per cent; God liver oil 56 to 62

[Shri Mahtab]
per cent., Waterbury's compound, 37 per cent; Worstid tweed 23 per cent; English satin 60 per cent; Copper 15 per cent; zinc 7½ per cent; tin 98 per cent; paper 29 per cent; caustic soda 29 per cent; etc.

You will see that there are some basic materials the prices of which have risen. All these articles will not be covered by any other method except the one we have adopted, as I have submitted. At present, we have got the Essential Supplies Act. That Act relates only to foodstuffs, textiles and a few other articles. We could have easily amended that Act to include these things; but, that would be stretching the law too far. As a matter of fact, most of the articles that I have read out are not really essential articles. I forgot to mention the articles in daily use, as for instance, razor blades. All these, even imported goods, have risen very much in prices. We ought to find out some method by which all this could be brought under control. I am sure if we pay a little attention to this, as I have already explained, both by means of legislation and persuasion, we will achieve our object.

Dr. Deshmukh: I am prepared to heartily welcome the Resolution, and respond to the appeal which the hon. Minister has made to the House not only so far as the support to this Resolution is concerned, but the spirit in which any legislation consequent on the passing of this Resolution will be undertaken by Government. We, all of us realise the necessity of controlling the prices. We are also conscious of the crisis to which such a situation can lead, if there is no proper direction, supervision or control. The House has always been prepared to empower the Executive with any powers that they wanted and there has not been on any occasion any hesitation on our part. But, while giving all these powers, there are certain cautions which ought to be borne in mind because we know that passing of the

laws as has been admitted by the hon. Minister, is one thing and their enforcement another. A good many of our actions which were intended for the well being of the community have, unfortunately, resulted in misery and deprivation. Sugar is one such instance. I for one do not think that if the control was not imposed at that stage on sugar, although probably the price might have gone up by a few annas, but it could never have reached the heights which it actually did. The situation once created has persisted for so many months. One of the first things that I would like to caution the hon. Minister about is to think twice before doing or ordering anything of this character so that a measure does not recoil upon the people and make the position worse than it was before.

Secondly, Sir, the evil of rising prices, the evil of hoarding and profiteering is very widespread and when undertaking measures like the present one, we have to bear in mind our capacity to follow them up with executive action. The efficiency both of the Central Government and the particular State Government has got to be considered to the fullest possible account before we embark on any drastic action likely to emanate from the powers that are being taken now. Of course, we have no desire to impede any of the powers which the Central Government wishes to take, and we have no doubt that before they do anything, they will take the State Governments into the fullest confidence. Sir, I was one of those who thought that the so-called autonomy of the States will be an impediment in the progress of India constituted as it is. But once having accepted the Constitution, once having clothed these States with certain powers, it may not be in the interest of the administration or the reputation and prestige of the Central Government to ride rough-shod over the wishes of the States. I would also like to point

out that there is a very curious situation in existence. We have on the one hand a responsible and respected leader like the Deputy Prime Minister who has confidence in the State administrations which can be inferred from the compliments he is prepared to pay to the Ministers working in the States and his dislike of any comments made at any place by anyone against them. That is a good thing, in my opinion, although sometimes the compliments are not so very well deserved and it amounts to a pat on the back which makes them oblivious to the defects from which they suffer. In spite of that, it is good and in the interest of the administration and the whole community that the Central Government should repose a certain amount of confidence in the State Governments and encourage them and get their co-operation. On the other hand there are in this very Central Government some Ministers who according to them have had bitter experience of State administrations. We have had complaints so far as the Agriculture and Food Ministry is concerned. Not only the present hon. Minister in charge of these portfolios but his predecessor also had on many occasions complained against State Governments, for their lack of co-operation, on the floor of this House. But, Sir, when undertaking responsibilities of this nature, I would like to say that the attitude should be one of reposing confidence, one of taking and asking for co-operation than one of doing something against the will of the State Governments, because ultimately as was said to me by one or two Ministers of States, it is for them to execute and administer the orders or directions issued by the Central Government. The Central Government has neither the means nor the personnel to execute all these orders that they pass. So before any particular commodity is taken up for control or any particular action is resorted to, I hope the hon. Minister and the Government will take all these things duly into consideration.

Sir, I had the good fortune of being the chairman of a committee which was called by the name of The State Trading Committee, and we have had during the last five or six months opportunities of examining many of the things which are pertinent so far as this particular Resolution and the orders that are likely to issue hereafter are concerned. And as a result of our investigations we could come to the conclusion that in many respects wherever the Government tried to distribute a certain commodity, and especially when that thing was required by almost everybody, there were many difficulties from which a government agency pure and simple, suffered from. For instance, if it is the intention to take stringent measures with respect to the articles which have been mentioned here, there are many pitfalls which a State Department would have to avoid, that Department would suffer from many disadvantages, and these disadvantages would have to be taken duly into consideration before my steps are taken in the direction of control and distribution of essential commodities. Such control and distribution require a very huge organisation and we know that our rationing and distribution channels are not so widespread as to cover the whole population of India. It is only a limited percentage of population we are in a position to supply a few selected articles. As a result of our investigations we have found that an agency of the State, pure and simple, is not likely to work so efficiently and with so much benefit as an agency under the control of the State, but with other elements interested in it and having the co-operation of these interests. Then, Sir, in the course of our investigations we also were concerned about the profiteering that goes on in all the articles which are in short supply and for which we have to depend upon foreign imports. One of the suggestions made by the Committee is that in all such articles, the private channel, the trade channels

[Dr. Deshmukh]

as they exist to-day should be given a chance, and if they do not behave properly, then there will be no objection so far as this Committee is concerned, to these articles being imported on Government account and being distributed through co-operative agencies. It may be possible for articles like streptomycine or penicillin or such other articles which are in short supply and which require and are regulated by import licenses. But distribution raises a very big problem and especially so because we have as yet not a network of working and efficient co-operative societies. So for want of these organisations the Government would have probably to fall back upon government agencies alone for their distribution and the pitfalls and defects of these and the misuse of those powers are too patent and well known to all of us. But as has been pointed out by the State Trading Committee there is ample scope so far as the control over articles which are imported and on which large-scale profiteering is carried on, that such articles should be handed over, not to State Departments alone, but to a mixed body which will have both the traders or businessmen as well as Government directors on it and that body.....

Shri B. Das (Orissa): May I know whether the Deshmukh Committee's Report has been published and whether a copy is available?

Dr. Deshmukh: It has not yet been printed and I cannot therefore give copies of the Report just now. It will take about a week or ten days more. The Report has been submitted to Government.

Therefore, my submission is that the giving of these powers to the Central Government and the taking away of these powers from the hands of the States is not a matter which should be considered lightly by this House. It is a very important subject because within the course of a year we are doing something which

it would be difficult to find a parallel for, and in an important matter like this, in which almost anything could be included and under which almost any power which refers to the distribution of any particular article could be exercised, I submit that any step that the Government would like to take should be taken after the most complete investigation and caution. The Government would be well-advised to accept the recommendations of the State Trading Committee and establish a State Trading Corporation as suggested by us.

Shri Biswanath Das: I rise to support the Resolution and while doing so I wish to thank the hon. Members of this House for subjecting the motion to strict scrutiny and thus revealing that they are the proper guardians of the Constitution and the watch-dogs of the nation.

Sir, the powers that are desired by the Government here, in terms of the Resolution extend only to make these subjects come under the Concurrent List. As has been explained by jurists like Shri Alladi Krishnaswami Aiyar and others, it is merely an extension of the jurisdiction of the Central Legislature. This Resolution only proposes to confer certain powers on the legislature as different from the Union Government. Therefore let there not be any scare in the House that we are conferring fresh powers on the executive.

Having spoken so far about the extension of the jurisdiction of the law-making powers of the Union Parliament, I will proceed to discuss the necessity for the same.

The international situation is becoming more and more gloomy day by day and anything published in the press has its repercussions on the market, with the result that prices soar up. I heard from a local merchant that as a result of Mr. C. Rajagopalachari's speech the price level of certain commodities were

brought down immediately. Mr. Rajagopalachari stated that war was not coming and that was enough warning to the hoarder that their hoarding will be fruitless. Unfortunately, however, further information from the war zone is more and more discouraging and necessarily therefore prices go up. To meet the situation the Government of the day has to be empowered with the necessary legislative powers.

Sir, only the other day, Mr. Munshi, the Food and Agriculture Minister, made a very pertinent statement on the floor of this House. He stated "I am the most responsible person in the House so far as supply of food is concerned and I am also the most important man in the House." I do not want any Minister to put forth this plea in this House to find an easy way to escape. I want the Ministers to have full powers, all the powers that they want and thus be fully responsible to the House, so that there may not be any more talk of impotency hereafter. I am prepared to invest the Minister of Industries and Supply, the Food Minister or any other Minister with the fullest possible powers and leave them to fight against racketeers and black-marketeers.

My hon. friend Dr. Deshmukh from Madhya Pradesh was discussing a question which, with due respect to him, I consider is not very much to the point on this occasion. If I understood him aright he was discussing the question of the law and its application. I frankly confess that I have my grievances against the law and much more against its application. But that is for a different occasion. We are investing in the terms of this Resolution powers on the House itself, not on the Government, so that if and when required the House may make use of those powers to legislate and also the President may make use of these powers by enacting an ordinance for the time being to cope with the situation. When such a

legislation comes up, the House will then be in a position to consider the aspects relating to law as also the application of law. Therefore, while I go to a great extent with my hon. friend Dr. Deshmukh that the law as it exists today and much more its application have not been very satisfactory in most of the Provinces. I must frankly confess that the conditions prevailing at present in the world call for greater powers and that goes without saying. In this view of the question I do not feel that any hon. Members will differ. Therefore the conclusion is that we have to confer additional powers on the legislature so as to extend to certain State items also the powers of the Union Legislature to legislate if and when conditions so require. That is all that the House is called upon to do by this Resolution. I therefore do not see, nor any hon. Member should see any ghosts where there are none.

Let me also remind hon. Members how the clouds have been threatening. Only today's papers brought the news that the British House of Commons, cancelling its adjournment, is meeting within a week or so. Unfortunately ours is a legislature which is far different from the British House of Commons. The House of Commons sits from day to day and month to month to face and meet situation, to legislate and give directions to the executive to meet the situations. Unfortunately we have to meet occasionally, twice or thrice in a year. Therefore it is all the more necessary why we should provide the necessary powers for the executive to make use of to fight against certain situations. On an occasion like this when the executive calls for greater powers, or rather emergency powers, one should have expected that they would have consulted the Chief Ministers of the States before they came forward with a resolution of this nature. But unfortunately the times are against them, when I consider that aspect of the question. The international situation is changing from day to

[Shri Biswanath Das]

day and hour to hour and we have to adjourn on the 14th. The Chief Ministers of Provinces, however good and helpful they may be, cannot be available within a minute. Therefore the conference of Chief Ministers which is to take place will necessarily take time. I am very glad that the hon. Minister for Industries and Supply has assured us that he has invited them to meet here in Delhi on the 19th. The conference of Chief Ministers of Provinces will certainly be useful and helpful.

A point has been made that no action on this Resolution should be taken without consulting the Provinces. Unless it is very necessary and urgent I do not believe that the Central Government will be called upon or be advised to take such action without consulting the Provinces. My little experience goes to show that even during the days of irresponsible Government they were generally consulting the Provinces and more so is the case today, because of the difficulties of the situation. Let me therefore hope that they will take the Provinces with them in this regard as they go forward.

While giving the fullest approval to this Resolution, I would appeal to the hon. Minister in charge of S. P. M. Industry to see that all possible powers are taken. I tell him plainly and frankly that we do not hesitate to confer all the necessary powers on any Ministry or Minister, but we want them at the same time to go and fight against these black-marketeers. Sir, this reminds me of the ancient Indian woman who, while giving her good wishes, to her husband to go to the battlefield always told him, "Well, my husband, go ahead, kill the aggressor, come victorious—or don't come at all". That is the attitude that I would present to the Ministry. I would tell them, "Take all the powers that you require....."

An hon. Member: Who is the husband?

Shri Biswanath Das: None, it is not a question of husband if you mean domination, it is a question of colleague. I may warn those few or many Members to consider a Minister nothing less and nothing more than a Member himself. That is the view to which I am accustomed to take and which I always take. Therefore, there is no question of husband and wife in the sense of strong or weak. And if my hon. friend thinks that the wife is in any way inferior to the husband, of course, he can have his comparison and his protests. I am a believer in neither of these two. Therefore the question of objection does not arise.

Sir, I strongly and wholeheartedly support this motion, and thank my hon. friend for the lucid and beautiful exposition of the subject in his maiden speech.

Shri Khandubhai Desai (Bombay): I wholeheartedly support the Resolution that has been placed before this House. I believe that this Resolution has not come too soon; it is a belated one. However, better late than never. Some of us were, to tell this House frankly, agreeably surprised at this change on the part of the Government. I think this is the end of the complacency and the drift through which the Government had been passing for the last two years. And some of us do believe that Government, from the announcements that have been made by the hon. Prime Minister as well as the Minister of Industry, is now determined to tackle this problem of rising prices, as is made clear from this resolution.

The Minister of Industry, in support of the Resolution, said that critical international situation justified the bringing forward of this Resolution. The situation is not only critical or serious, but the Resolution has come to us too late

when the position is likely to be dangerous. Some of my friends who were discussing this Resolution said that the international situation calls for such powers so far as the Central Government is concerned. As if the home economic situation is happy! I personally believe that even if the international situation is not bad, the home economic situation is bad enough so that the Government should have taken these powers long ago. But now that they have come before the House, I think we should support this Resolution wholeheartedly with the proviso that when they take the powers, they should have no excuse again to come before us saying that such and such a thing has happened, or such a situation has arisen, so they could not use these powers. But I think they are fairly wide awake now to the dangerous situation that is prevailing in the country.

What is the situation, Sir? About a year back the cost of living index was about 360. Then we were promised that a ten per cent. reduction will be made in prices and a further fall will automatically come in when the Government succeeds in bringing down the prices by ten per cent. Well, we went to sleep. What is the situation today? Instead of the index number coming down from 360 roughly to 340, it is today about 410. That means a gap in the expectation of about 70 points. To make matters worse, what we find during the last three months is that the index number in different industrial cities of the country varies from 40 to 70. If in Bombay it is 300, in Kanpur it may be 400, in Ahmedabad it may be 380, in Calcutta it may be 360. Is this the way in which the economy of the country is to be managed? I very frankly feel that this is chaotic and no stable Government which likes to make for political and economic stability can sit with complacency. During the last two or three years we have seen two Finance Ministers. We have forty-

nately got another now who has newly joined us. I hope we may not have to tell the same thing as we did about the last two Finance Ministers.

Sir, the powers that we are prepared to give to the executive I am sure they will use very wisely—drastically if need be. But even all these Central powers alone will not bring about results as far as the economic stability of the country is concerned. Government would have simultaneously to utilise the other powers which they have already got. They have not got concurrent powers with regard to supply, distribution, production, trade and commerce, but they have got powers with regard to industry, they have also got powers with regard to finance. I believe that the utilisation of all the powers simultaneously with regard to all these aspects of the economic situation will take us out of these chaotic conditions.

Sir, as a humble student of economics I think the situation is much more serious than what our Government even now appears to think. When the production is low, when the production is being curtailed, when there is shortage of goods and commodities, the demon of unemployment raises its head. When production is already low, if unemployment comes along with it, that means further curtailment of production. That means that the situation is much more serious than what we are apt to believe. I personally feel that the present situation is the result of the narrow outlook and the narrow interests which influence even some among us and make us behave regionally instead of nationally. Otherwise, how is it possible that in a country with one Central Government the price of wheat varies from Rs. 12 in one part of the country to Rs. 22 per maund in another part of the country? (An Hon. Member: Not Rs. 22 but Rs. 32). If it is Rs. 32, it proves my case still further. So, when the situation is allowed to

[Shri Khandubhai Desai]
deteriorate to that extent, it is moon-
shine to think of bringing about
economic equilibrium. I believe
that the powers which we are taking
through this Resolution will be
utilised properly, so as to bring about
a price level on an equitable basis,
without considering the interests of
one State or another. This should
be one of the cardinal principles on
which Government should utilise this
power.

With these few words, I whole-
heartedly support this Resolution. I
believe that after taking these powers,
Government will, during the next
few months, issue Ordinance after
Ordinance to see that the situation
is kept under control within the
shortest possible time. It will then
be time for us during the next Session
to see whether the Ordinances they
have issued have brought about
proper results, and if further powers
are necessary, we in this House are
prepared to give them. I wish to
assure the Government that in order
to bring the economic situation
under control we in this House will
wholeheartedly be behind them.

Shri Goenka (Madras): This is an
emergency measure and we have
got to make sure that an emergency
has arisen. There is no doubt that
an emergency has arisen, but the
hon. Minister of Industries and Sup-
ply ought to tell us whether every
other remedy has been exhausted
before Government have decided to
take these powers from the States in-
to the hands of the Central Govern-
ment. If I have understood him,
whenever he asked the Provincial
Governments like Bombay, Madras
and others, they acted up to his
wishes. In fact, they did everything
in their power to see that prices were
controlled. If that is so, then I
would like to know whether such
powers as he is now seeking to take
are justifiable.

Sir, my difficulty is this: Is this
Government competent to implement
the powers which it is taking? That

is my whole proposition. If the
State Governments have been acting
according to the wishes of the Cen-
tre—as the hon. Minister of Indus-
tries and Supply said—what is the
justification for the Central Govern-
ment taking these extraordinary
powers? As you know, Sir, the fra-
mers of the Constitution provided
that these extraordinary powers can
be taken by the Centre only for a
year and that too after the Council of
States agreed to it by a two-thirds
majority. So the crux of the matter
is that there should be a general con-
sensus of opinion on the part of the
representatives of the States as re-
presented in the Council of States.
That was the attitude of the framers
of the Constitution. When that is
the position, I feel that the Minister
of Industries and Supply should not
only merely be content to say that
an emergency has arisen and there-
fore he is taking these powers, but
he should go further and prove con-
clusively and establish conclusively
—especially when the Council of
States is not there—that an emer-
gency has arisen and that all other
remedies open to the Government
have been exhausted and therefore
these powers are necessary. This has
got to be proved first.

Now, Sir, the whole House is be-
hind the Government in giving these
powers. It is not as if the House
will object to the Government taking
these powers. But what is our ex-
perience? Our experience of these
controls has been sad. Take cotton
piecegoods. This is a purely Central
subject. In this very thing, there is
70 per cent. to 80 per cent. black
market. Nobody can get cotton
piecegoods. Take jute. There is 30
per cent. to 40 per cent. black
market. That also is a Central sub-
ject; it has nothing to do with the
States. Then there is import con-
trol. The less I say about it the bet-
ter. If I were to repeat what is hap-
pening in the Import Control Depart-
ment, the hairs of hon. Members will
stand on end. The position there is
far from satisfactory. Applications

are lost; copies are asked for and furnished; again they get lost. But if some money passes, copies are available. This is the state of affairs in the Import Control Department. I am not going to give instances, I can give many.

The Minister of Commerce (Shri Sri Prakasa): As the hon. Member has definitely stated that there is corruption in the Department and that when some money passes, then alone something is done, I hope he would kindly give me full information on the subject, so that I can take up the matter immediately.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Goenka: I am very glad to hear from the hon. Commerce Minister this assurance. Three years ago, we proved some cases to their logical conclusion but still nothing happened. Let me tell him this for his information.

Shri Sri Prakasa: Three years ago there was no Swaraj and after Swaraj has come I think both the Department and the importers should be in a position to cooperate so that things may be improved. I shall be most obliged if the hon. Member will give me the facts and not refer to what happened three years ago.

Shri Goenka: I was only talking of the Swaraj Government; I was not talking of the previous Government at all.

Shri Sri Prakasa: There must be some mistake about the dates. I think three years of Swaraj will only end on the 15th of this month. Today it is less than three years old.

Shri Goenka: I am very sorry.

There have been plenty of complaints. If I were to go into the various complaints in regard to the Import Control Department, I am sure the patience of this House will be exhausted. But let me give the

hon. Minister a single instance which happened only three months ago. That matter is still pending. It is not a question of bribery or corruption. Let me give this particular case. A man from Madras had applied for Diesel oil engines of 25 horse power. He got a licence.

Shri Satish Chandra (Uttar Pradesh): Is this relevant to the discussion?

Shri Goenka: It is absolutely relevant. I am just trying to prove the inefficiency and incompetence of the Centre. If I can establish beyond all reasonable doubts that the Central Government is incompetent to handle these powers, then this House will not be justified or ill-justified in giving this power to the Government.

Shri Sri Prakasa: If the importers behave in a manner which my hon. friend is reluctant to disclose, they have absolutely no right to import anything.

Shri Goenka: I will not try to exhaust the patience of the hon. the Commerce Minister who is new to his job. I am sure he wants to put everything right to the best of his power and ability. I have complete faith in his ability, judgment, integrity and honesty. Sir, I have absolutely no doubt in regard to the present Commerce Minister, but I have been hoping against hope in regard to the past Commerce Ministers and I shall again hope against hope in regard to the present Commerce Minister.

Shri Sri Prakasa: On behalf of my predecessors, I must lodge my protest. If the hon. Member means that my predecessors were dishonest...

Mr. Deputy-Speaker: The hon. Minister need not take the hon. Member's remark to be an aspersion. He only says that the previous Minis-

[Mr. Deputy-Speaker]

ters had to contend with many difficulties and in view of this he just wants to know whether the powers should remain with the States or should be entrusted to the Centre. Therefore, the hon. Minister need not unnecessarily again and again try to refute the arguments of the hon. Member. He may be allowed to go on. The hon. Minister will certainly have his chance in full. He is not new to this House.

Shri B. Das : My hon. friend referred to the predecessor of the present Commerce Minister. As we all know it was Shri K. C. Neogy, who is still a Member of this House. I would request my hon. friend Mr. Goenka to make his charges against Mr. Neogy when he is in the House.

Mr. Deputy-Speaker : I am afraid hon. Members are too touchy over this matter. All that the hon. Member is trying to make out is that previous Commerce Ministers have not been able to exercise as much control over the Department as the House would have wished. I do not think he is impeaching the honesty of any hon. Minister.

Shri Goenka : I am most grateful to you for coming to my rescue. Let me say this, Sir, that I cast no aspersion or reflection on any hon. Member of the Treasury Benches, either past or present. All that I want to say is that so far as the Import Control Department is concerned, its activities have been far from satisfactory. Let me prove it by a case.

A dealer applies for a licence for 25 horse power Diesel engines, immediately required for the agriculturists of the Chingleput district about 80 miles from Madras. He gets a licence for about 25 motors. He imports those motors. In the meantime the Chief Controller writes a letter: "Will you please send your licence back to us for amendment?" He sends it. The Chief Controller changes the 25

horse power to 10 horse power. The engines are already on the high seas. They arrive in the port of Madras. He sends the licence back to the Chief Controller of Imports and tells him: "Here are the orders already placed on the basis of the licence granted by you. The engines have already arrived. I want you to amend the licence as 25 horse power so that I may clear the goods from the customs and deliver them to the agriculturists of the Chingleput district who are in dire need of these engines." For months he does not get a reply. He comes here and waits for a month. Then I as a representative of that unfortunate district write a letter to Mr. C. C. Desai giving him full facts of the case and asking "Will you kindly do justice to this particular case because thousands of rupees of demurrage has already been incurred and the engines are still lying at the Madras port, while they are very urgently needed for the Grow More Food campaign. I use the words "Grow More Food" campaign so that it may attract the immediate attention of the Commerce Ministry.

Now, Sir, what happens? The man could not meet Mr. Desai. But I must say that whenever such matters are brought to the notice of Mr. Desai he immediately attends to it. Mr. Desai immediately passes an order and tells the man that a clearance certificate will be sent to him and that he can go home. But, unfortunately, the writ of Mr. Desai does not also run in the Import Control Department. Nothing happens. The man who has gone back to his place sends frantic telegrams and letters, but receives no reply. He is back again here for the last ten days and he cannot get an interview. For the last three months the engines are lying in the port of Madras. Now, Sir, I am citing this particular case, because this man has been coming to me day in and day out. I took his case up because it is a genuine case of hardship.

Now, Sir, there are several cases like that. Thousands of rupees are paid by way of demurrage, not because of the mistake of the importer, but because of the negligence of the Import Control Department. Now this happens in the case of machinery for industry, raw materials for the industry and everything else that has to do with industry. And yet my hon. friend the Finance Minister asks for more production! What is to be done about more production? Here is the Import Control Department, here is the Industrial Finance Corporation—everything in a topsyturvy condition. It was not at all my intention to go into these matters. I only wanted to prove to the satisfaction of the House—I can give you several instances in regard to 'Industry'—that quite a number of these departments are not working satisfactorily. I do not want to use strong words—all I will say is that they are the most inefficient departments I have ever come across. In view of this situation, do you think that these powers which the Central Government now propose to take from the States, will be beneficial to the public? I come from Madras province. When I compare the administration of the Madras State with the administration of the Central Government, I make bold to say that the inefficiency of the Madras Government pales into insignificance. That has been my personal experience. I can go into these matters in very great detail. I can go into various matters in regard to industries. Take the Industrial Finance Corporation—I will come to my friend the Finance Minister. Do you know that the Industrial Finance Corporation is intended to finance such industries as are in dire need of money for the purpose of erecting machinery? But when they apply.....

Mr. Deputy-Speaker: Are we to go into all that? The hon. Member may as well take the Defence! What

I am suggesting is that it is not germane to the issue. Hon. Ministers cannot be expected to be ready with answers with regard to questions concerning various Departments of the Government of India. It is enough if the hon. Member confines himself to one or two things, particularly with regard to commerce or industries. Any other matters with regard to other Ministries do not appear to be relevant.

Shri Goenka: Sir, I am grateful to you for your advice. But as you would have noticed I never deal with any other matter except trade, industry and commerce. And Industrial Finance Corporation is part of industry and commerce.

An application is made to the Industrial Finance Corporation and for one year or more nothing happens. The decision is not given. The man does not get the money. What happens? After one year when the factory is erected they say "We are only interested in financing the erection of the factory or part of the work and not the working capital of the factory." When he applies for a loan he has to wait with folded hands and until this loan is sanctioned he has to carry on. He has to pour the money and to do something to put up that factory; and when it is complete your rules do not permit the money to go out to him and no money is given, though the Industrial Finance Corporation has been started mainly for this purpose. These are the various factors with regard to the Central Government.

All that I am going to submit to this House is that this House is unanimously in favour of giving these wide and extraordinary and emergent powers to my hon. friend the Industries Minister, but I would like to have an assurance from the Industries Minister that he has got the machinery to see that they are

[Shri Goenka]

properly exercised. Let it not be a case where one is transferred from the frying pan to the fire. Let us not be thrown from the frying pan into the fire. This is all my case and I would like to have an assurance from the hon. the Industries Minister that the powers which he now demands from this House will not meet with the same fate as the various other controls like cotton textiles, jute, sugar and the various other controls which are now administered by the Government of India. If I have that assurance, we are all in favour of clothing him with all the necessary powers.

श्री एस० एन० दास : उपाध्यक्ष महोदय, आज जो प्रस्ताव हमारे सामने है, उसकी कितनी आवश्यकता है, इस सभा के सभी सदस्य पूरी तरह से महसूस कर सकते हैं। जब थोड़े दिन पहले, राष्ट्रपति का भाषण हुआ था, उस समय राष्ट्रपति जी ने साफ़ तौर से यह बतलाया था कि देश की आर्थिक स्थिति कितनी खराब है। हम में से हर एक को जनता के सम्पर्क में आता है, अच्छी तरह से समझता है कि आज जनता की स्थिति और मनोवृत्ति क्या है। जिस आर्थिक अवस्था से देश गुजर रहा है, उसमें हर एक शरूत महसूस करता है कि उसके रोज़ के व्यवहार में आने वाली जितनी चीज़ें हैं, उनके दाम इस तेज़ी से बढ़ रहे हैं कि उसके सामने उनके भविष्य की समस्या बहुत दूर पड़ जाती है और दिन प्रति दिन की यह समस्या विक्रमाल रूप में सामने आकर खड़ी हो जाती है। जब इस संसद् का अधिवेशन बुलाया गया, उस समय, शुरू में, आम जनता को भावुक हुआ कि अन्तर्राष्ट्रीय परिस्थिति पर विचार करने के लिये ही हमें बुलाया गया है। कोरिया में युद्ध के बादल जब मंडराने लगे तो सारे देश के सामने यह सबाल प्रस्तुत हुआ कि इस युद्ध के प्रति हमारे देश का क्या रुख होना। लेकिन यह बात

समझने में किसी को कठिनाई नहीं हुई। लड़ाई की चर्चा शुरू होकर ही चीज़ों के दाम आकाश छूने लग गये। इसलिये जहाँ हम अन्तर्राष्ट्रीय परिस्थिति पर विचार करने के लिये इकट्ठे हुये, वहाँ राष्ट्रपति के भाषण पर जब वादविवाद हुआ तो इस सभा के बहुत से सदस्यों ने देश की आर्थिक अवस्था खासकर चीज़ों के बढ़ते हुये दामों की तरफ़ सरकार का ध्यान पूरे तौर से आकर्षित किया। आज हमें इस बात की बड़ी खुशी है कि इस अधिवेशन के अन्त होते होते सरकार ने यह मुनासिब समझा कि वह कुछ ऐसे अधिकार प्राप्त करे, जिन का प्रयोग कर के बढ़ते हुये दामों को रोका जा सके और इस तरह का काम हाथ में लिया जाये जिससे उत्पादन पूर्ति और वितरण का काम नियमित ढंग से हो सके। यह बात हम जानते हैं कि जिन विषयों का अधिकार हम संसद् की ओर से सरकार को देने जा रहे हैं वह अधिकार राज्य की सरकारों का है। इस में कोई शक नहीं है कि देश के सभी राज्यों में, वहाँ की सरकारों ने जहाँ तक उनसे बन पड़ा है, उत्पादन, पूर्ति और वितरण के काम को जनता के हित में चलाने का भरसक प्रयत्न किया है। मैं इस मौके पर सरकार को दोष नहीं दे सकता, लेकिन इतना कहा जा सकता है कि आज की स्थिति में, जब कि हमारा देश इतने राज्यों में बंटा हुआ है, उस नई परिस्थिति में—जिसमें हर वज़त लड़ाई की आशंका बराबर बनी रहती है, यह जरूरी हो गया है कि हम केन्द्रीय सरकार को अधिक से अधिक अधिकार दें, ताकि उनका उपयोग पूरे सामंजस्य के साथ वह सारे देश में किया जा सके। आज भी कुछ सशक्तियों ने इस बात पर उजू पैदा किया है कि केन्द्रीय सरकार के हाथ में जितने अधिकार हैं उन अधिकारों का उपयोग जब सरकार अच्छी तरह से, पूरे तौर पर नहीं कर

सूची है, तो फिर क्या आवश्यकता है कि राज्यों का अधिकार आज इस केन्द्रीय सरकार के हाथ में दिया जाये। मैं समझता हूँ, जिन माननीय सदस्यों ने इस तरह का खयाल पेश किया है वह आज की परिस्थिति की गम्भीरता को पूरी तरह से महसूस नहीं करते हैं। आज संसार के एक कोने में जो लड़ाई शुरू हुई है, इस बात की पूरी आशंका है कि वह चिनगारी ज्वाला के रूप में और स्थानों में न फूट पड़े। साथ ही यह सब जानते हैं कि आज दुनिया के सारे देशों में युद्ध की ख्याती होने लग गयी है। इस परिस्थिति में जहाँ देश की रक्षा करने के लिये पूरा प्रबन्ध होना चाहिये और आवश्यक हथियारों का उत्पादन और संग्रह होना चाहिये वहाँ उसी के साथ साथ इस की भी बड़ी आवश्यकता है कि देश की आर्थिक अवस्था को सुदृढ़ बनाया जाये। मैं इसी दृष्टिकोण से, जो प्रस्ताव आज हमारे सामने उद्योग और रसद विभाग के माननीय मन्त्री ने रखा है, उस का हृदय से स्वागत करता हूँ और आशा करता हूँ कि जो अधिकार आज संसद की ओर से केन्द्रीय सरकार को दिया जाने वाला है, उस अधिकार का वह ऐसा प्रयोग करेगी और ऐसा प्रबन्ध करेगी कि जिस से अभी जो अम्ल लोगों और संसद के उन अनेकों सदस्यों की जिनको इस बात का शक है कि इस अधिकार का प्रयोग केन्द्रीय सरकार ठीक तरीके से नहीं कर सकेगी, फिर ऐसा कहने का मौका नहीं मिलेगा और उन की यह शंका निर्मूलक सिद्ध होगी। जहाँ हमें केन्द्रीय सरकार को यह अधिकार देने में आनन्द होता है, वहाँ साथ ही साथ मुझे, आज यहाँ यह कह देना आवश्यक प्रतीत होता है कि सरकार केन्द्र में अधिकारों का उपयोग कर के देश की अर्थव्यवस्था को और विशेषकर चीजों के बढ़ते भावों में सुधार लाने के काम को पूरा नहीं कर सकती है। इसके साथ साथ तत्परा

के साथ केन्द्रीय और राज्य की सरकारों को कोशिश करनी होगी कि वह अपने अनुत्पादक खर्चों को कम करें और उत्पादन के लिये पूंजी तैयार करें और ऐसी योजना तैयार करें जिससे उत्पादन तेजी से बढ़े। सिर्फ कंट्रोल (Control) इम्पोर्ट कंट्रोल (Import control) या डिस्ट्रिब्यूशन (Distribution) के सवाल को लेकर अगर हम आगे बढ़ेंगे और उत्पादन की ओर पूरा ध्यान शीघ्र ही नहीं देंगे तो हम अपनी समस्याओं का हल जल्दी नहीं निकाल सकेंगे। अपने भाषण में माननीय मंत्री जी ने कहा था कि "मैं उत्पादन के सम्बन्ध में इस सभा के सामने कुछ विशेष इसलिये नहीं कहना चाहता हूँ कि चूँकि बार बार इस शब्द को दोहराया गया है और सदस्य इसे पसन्द नहीं करेंगे।" बात चाहे जो कुछ हो, सदस्यों को यह बात पसन्द आये या न आये, हमारे माननीय मन्त्री जी इस पर आज जोर दें या न दें, लेकिन इस समस्या का हल अगर कहीं है तो अधिक से अधिक उत्पादन में है। अगर उत्पादन की ओर पूरा ध्यान न दिया गया तो मेरा ख्याल है कि सिर्फ इम्पोर्ट को बढ़ा कर, जिसका बढ़ाना हमारे लिये आसान विषय नहीं है, हमारा काम नहीं चलेगा। मैं समझता हूँ कि हम अपनी इम्पोर्ट को बहुत ज्यादा नहीं बढ़ा सकते हैं। अगर हम इसको अधिक बढ़ायेंगे तो हमें हानि होगी। हमारा विदेशी विनिमय इतना पर्याप्त नहीं है कि हम अपने मुल्क में चीजों का ज्यादा आयात कर सकें। साथ ही यदि हम बाहर से अपने मुल्क में अधिक से अधिक चीजों का आयात करेंगे तो देश के अन्दर जो उत्पादन का काम हो रहा है उसमें शिथिलता होगी और उसको भ्रंशका पहुँचेगा। इसलिये हमें अपने देश में उत्पादन पर अधिक जोर देना चाहिये और उत्पादन पर जोर देकर लोगों को बढ़ाने की कोशिश करनी चाहिये।

[श्री एस० ऐन० दास]

उपाध्यक्ष महोदय मैं एक बात सभा के सामने और रखना चाहता हूं। और वह यह है कि हमारे समाज के अन्दर व्यापार और वाणिज्य की जो अवस्था है उसमें लगे लोग समाज की अवस्था को देख कर, उस के सम्बन्ध में उनका जो कर्तव्य है, उस का पालन ठीक तरह से नहीं कर रहे हैं। जैसे ही कोरिया की लड़ाई की खबर अखबारों में छपी, कि उत्पादक और व्यापारी वर्ग ने—जिनके पास जनता के उपयोग की चीजें हैं, चाहे वह खाद्य पदार्थ हों चाहे दूसरे उपयोग के पदार्थ हों—उन सब पदार्थों को उन्होंने छिपाना शुरू कर दिया। जिस समाज के अन्दर ज्यादातर लोगों की मनोवृत्ति सिर्फ़ नफ़ा कमाने की हो, उस समाज का कल्याण कहां तक हो सकता है यह हममें से प्रत्येक आदमी अच्छी तरह से अनुभव कर सकता है। लेकिन मैं आज यह नहीं कह सकता कि सरकार के हाथ में ऐसी चीजें हैं जिनका इस्तेमाल कर के वह समाज की या जो समाज के दुश्मन हैं, जो अपने स्वार्थ को ऊपर रखते हैं और समाज के स्वार्थ को नीचे रखते हैं, उन की मनोवृत्ति को समझ कर वह उनमें परिवर्तन कर सकती है। लेकिन मैं इतना तो अवश्य कहूंगा कि आज जब एक आवश्यक बुराई 'कण्ट्रोल' को सरकार ने जारी किया है उस के लिये और उसके संचालन के लिये उसे काफ़ी योग्य अफसरों की ज़रूरत है, योग्य कार्यकर्ताओं की ज़रूरत है। पर सरकार इस तरफ़ पूरा ध्यान नहीं देती है। आज कण्ट्रोल को लेकर, देश के अन्दर, हमारी सरकार के प्रति जो असन्तोष फैल रहा है, उस का एकमात्र कारण यह है कि इसके संचालन करने वाले पूरे तौर पर अपने कर्तव्यों का पालन नहीं करते हैं। अगर कण्ट्रोल का संचालन करने वालों ने अपने इस सम्बन्ध के

चरित्र को ऊंचा उठाया होता तो आज चीजों की कमी रहते हुये भी सरकार के प्रति इतना असन्तोष न फैलता। आज केन्द्रीय सरकार हो या राज्य की सरकार हो, दोनों के प्रति जो असन्तोष की लहर पैदा हो गई है, उस का मुख्य कारण यह है कि कण्ट्रोल का संचालन ठीक तरह से नहीं होता है। इस लिये मैं माननीय मन्त्री जी से अनुरोध करूंगा कि जहां उन्होंने संसद् से अधिकार लेने के लिये प्रस्ताव उपस्थित किया है वहां नियंत्रण के संचालन करने की जो मशीनरी है, उनके जो विभाग हैं उनके कर्मचारियों के चरित्र को ऊंचा उठाने की पूरी कोशिश करें और इसके लिये जो भी क़ानून बनाने की ज़रूरत हो, या दूसरे प्रकार की कार्यवाही करने की ज़रूरत हो उन्हें शीघ्र करें नहीं तो सिर्फ़ संसद् से यह अधिकार लेकर जिन अधिकारों को लागू करने के लिये उनके पास उपयुक्त मशीनरी नहीं है, कोई काम नहीं चलेगा। हजार क़ानून बनाये जायेंगे और हजार प्रस्ताव पेश किये जायेंगे। फिर भी इन चीजों की व्यवस्था ठीक नहीं हो सकती। मेरा ख़्याल है, और मैं इस ख़्याल को जाहिर करना चाहता हूं कि इस बात को लेकर जो सरकार की बदनामी है वह मुख्यतः इसी कारण से है। आज जो सरकारी मशीनरी है उसमें लगे लोगों में ठीक वैसे ही भाव होने चाहियें जैसा कि एक नागरिक में होने की आशा की जाती है। सहयोग का भाव कहिये या सहायता का भाव कहिये जिनकी हम जनता से आशा करते हैं ठीक उसी प्रकार के भाव सरकार के संचालन करने वाले में होने ज़रूरी हैं। जिनके द्वारा नियंत्रण आदि चलते हैं, उन के स्वभाव और कार्य के तरीक़े में परिवर्तन होना ज़रूरी है। मेरा ख़्याल है कि क़ानून या बिधान जो हमने बनाया है उससे अधिक से अधिक फ़ल तभी निकल सकता है

उन कानूनों को चलाने बले अधिकारी वर्ग उन कानूनों को ठीक से चला कर देश की व्यवस्था करने के लिये कटिबद्ध होंगे। जैसे देश के व्यवसाय कार्य में लगे लोगों की मनोवृत्ति में परिवर्तन नहीं हुआ है, वैसे ही जिन के हाथ में कानून बनाने का अधिकार है अथवा जो कानूनों को लागू करते हैं उनकी मनोवृत्ति में भी परिवर्तन नहीं हुआ है। वाणिज्य और व्यवसाय में लगे हुये लोगों की मनोवृत्ति में जिस परिवर्तन की आवश्यकता है वैसे ही आवश्यकता सरकारी कर्मचारियों की मनोवृत्ति में भी करने की है। यदि शीघ्र उनकी मनोवृत्ति में आवश्यक परिवर्तन न हुआ तो मैं समझता हूँ कि हजार वाणिज्य और व्यवसाय के सम्बन्ध के अधिकार, हजार उत्पादन पूति और वितरण के प्रबन्ध का अधिकार हम केन्द्रीय सरकार को दें, फिर भी जो असन्तोष आज सरकार के विरुद्ध है वह बढ़ता ही जायेगा। इसलिये मैं इस प्रस्ताव का समर्थन करता हूँ और आशा करता हूँ कि नियंत्रण को चलाने की जो मशीनरी तैयार की जायगी उसमें ऊंचे दर्जे की सामाजिकता का भाव लाने के लिये अच्छे और ईमानदार अफसर रखे जायेंगे। ऐसा होने पर ही सरकार को सफलता होगी।

(English translation of the above speech)

Shri S. N. Das (Bihar): The hon. Members may be well conscious of the undoubted necessity of the Resolution under discussion in the House today. The President in the course of his recent Address had simply referred to the deteriorating financial position of the country. On our part everyone amongst us, who comes in contact with the masses, knows only too well which way the general mass mentality is drifting today as also their general conditions of living. The impact of

general financial stringency through which the country is passing these days is felt by every individual. The rise in prices of articles of daily use continues to be so sharp that what to say of the distant future, even the day-to-day living problem has become a disturbing concern to everyone. When the present session of the Parliament was called, the public in general had the idea that we were going to assemble merely to consider the international situation. With clouds of war looming large on the Korean horizon, our country naturally began to think in terms of its own attitude towards that conflict. But nobody felt any difficulty in understanding the problem. The general talk of a possible World War has provided an immediate fillip to the outstanding sharp rise in the prices. It was natural, therefore, that besides discussing the international situation, many an hon. Member utilized the occasion to discuss the Presidential Address in drawing the attention of the Government to the country's general financial position and particularly to the soaring prices of articles. So it gives us pleasure to note that the Government, before the conclusion of the present session has thought it proper to come forward to assume certain powers which would enable it to check the continuous upward trend of the prices as also to set itself to handle the production, distribution and the supply in a systematic way. We are also aware that the powers, that the House is about to vest in the Government are in fact the responsibility of the State Governments, who have undoubtedly, consistent with the means at their disposal, have done their utmost in handling the production, distribution and supply to the best interest of the people. Just now I do not see any justification to blame the Government. It can, however, be asserted that in the present context of the situation, when our country stands constitutionally divided in a number of states and the fear of another World

[Shri S. N. Das]

War holds out a perpetual threat, it has become necessary to arm the Central Government with more and more powers so that their application throughout the country may be brought on a most equitable basis. Even today some hon. friends have put forward excuses and have questioned the advisability and the necessity of giving to the Centre even more powers on the states list when the Centre has been unable to make an effective use of the already numerous powers vested in it. I have a feeling that the hon. Members responsible for the expression of such excuses do not realise the full seriousness of the present-day situation. The conflict going on in one corner of the World today may well contain potential threats to engulf other parts. Besides this everyone is well aware of the feverish war-preparations going on in all countries today. In the context of this situation whereas the Defence of the country should be complete in every respect and collection as well as production of all kinds of necessary weapons should be undertaken with all speed, it is vital that the financial position of the country be brought on a very sound and firm footing. From this view-point I heartily welcome the Resolution placed before the House today by the hon. Minister of Industry and Supply and fervently hope that the powers, which the Parliament is about to vest in the Centre, would be utilized by it in such a manner and such arrangements would be made that would completely allay all apprehensions of the people in general as also of the hon. Members as to the incapacity of the Centre of making a right use of them. I also hope that such apprehensions will prove utterly devoid of any foundation and would give them no further occasion to complain.

Whereas we feel pleased to have these powers vested in the Central Government, I feel it necessary to warn it that the mere use of these powers would not, in any way, go to improve the overall financial posi-

tion of the country and bring any relief in regard to prices. Besides this the Central and the States Governments will have to make efforts to reduce the unnecessary expenditure and build up a capital for the around production, and to draw plans aiming at a speedy increase in the production. To me it appears that a speedy solution of the problem facing us would not be found if we would continue to concentrate our attention merely on controls, i.e., control of imports or distribution, and do not pay full and immediate heed to the all important aspects of production. The hon. Minister, in the course of his speech, had stated that he proposed to say nothing in regard to production for fear of an over repetition of the word which the hon. Members might dislike. Whatever may be the proposition and irrespective of the hon. Members liking or disliking it or even emphasising or not emphasising of it by the hon. Minister, the fact remains that the solution of the problem lies in more and more production only. Things will simply not work with a mere increase in our imports, which is certainly not an easy matter for us, and the continued half-baked consideration of the 'production' aspect. I consider that our imports can be increased only to a certain limit. We stand to lose if we try to go beyond that limit. We do not possess adequate foreign exchange as to enable us to import foreign articles in this country. It will slacken the production within the country and even prove a set back to it. We should, therefore, concentrate more and more on production and try to bring the prices down thereby.

I wish to submit one more thing before the House. In the present set up of our society the persons engaged in trade and commerce, seeing the condition of the society today, are not discharging their duty faithfully. No sooner than the news about the Korean War came to be published in the newspapers, the producers and the

businessmen, who possess the essential commodities of general public utility, like foodgrains or other things, began to conceal these essential commodities. Everyone of us can well imagine as to how that society can prosper and make progress, the mentality of the majority of whose members is only to reap huge profits. But I cannot say that Government do possess such powers by the exercise of which it can change the mentality of those who are enemies of the society and to whom their own self-interest only matters and who are quite un-mindful of the interests of the society. But I will submit at least this much that when the Government have introduced the necessary evil of controls then for their smooth and efficient running a sufficient number of able officers and honest workers is required. But Government do not pay any attention towards this fact. The discontentment that is spreading against the Government today as a result of these controls is due entirely for the reason that the persons responsible for running these controls do not discharge their duties properly. Had the people responsible for running these controls kept their characters high then, in spite of there being an acute shortage of essential commodities, there would not have been so much resentment against the Government, as is found today. The resentment and discontentment, that is found today against the Central and the Provincial Governments, is primarily due to the fact that the controls are not being worked efficiently. Therefore I would insist upon the hon. Minister that along with the resolution, that has been moved today to get the necessary power from the Parliament, he should also try to improve the machinery of the controls and raise the standard of morality of the personnel of these Departments. To achieve this end the Government may pass at the earliest such laws and adopt such other measures as may be deemed necessary else no useful purpose would be served only by taking such powers from the Parliament, for the execution of which the Govern-

ment do not possess proper machinery. May thousands of laws and resolutions be passed, yet still the state of affairs with regard to this cannot be improved. I think, and I wish to express my opinion, that all the resentment that is found against the Government today is primarily due to this reason. The personnel employed in the Government machinery should be fired with the same sense of duty as is expected to be possessed by a loyal citizen. The spirit of co-operation and help that we expect from the public should also be found in the persons responsible for working these controls etc. It is high time that a change be now made in the behaviour and the approach to work of the persons responsible for running these controls. I think that the Constitution, that we have adopted, can serve the best purpose only when the officers charged with the responsibility of maintaining these laws and legislations would be made duty bound for enforcing them for the benefit of the country. There has been no change in the mentality of the business community of this country and similarly there has occurred no change in the mentality of those also, who are responsible to pass legislations and Acts, or of those, who are expected to enforce them. It is essential to effect a change in the mentality of the business community and at the same time it is still more necessary to change the mentality of the Government servants also. If the desired change in the mentalities is not made at the earliest then, I think that may we vest countless power in the Centre, may we give the Centre immense power with regards to production, supply and distribution, yet still the resentment against the Government would go on increasing. Therefore, I support this resolution and hope that in order to imbibe a deep sense of responsibility in the machinery, that would be set up to run these controls, good and honest officers would be recruited. Only after this the Government would achieve success.

Shrimati Durgabai: I have great pleasure in supporting this Reso-

[Shrimati Durgabai]
 lution. The food situation in the country, as we see today, and the rising prices to a very abnormal height as we find them today, have provided ample justification for a Resolution of this nature to come before us today. Millions of minds are being agitated by the present situation. The President's Address to this Parliament on the opening day gave an indication that a step like this will be taken by this Government in order to check the rising prices. Therefore, we rightly expected that this Government which is responsible for the peace and happiness of millions of people in the country would come forward with a Resolution of this nature. I have every feeling that not only my support, but the support of the whole House, will be with the Government who have sponsored this Resolution today. Sir, I remember the days when this article 226, which is re-numbered as article 249 in the Constitution as it is passed came up for consideration in the Constituent Assembly. It was not without a heated debate on this particular article that this article was allowed to come in the Constitution. Grave doubts were expressed that this article is a mischievous article and that it would allow the Central Government to encroach gradually on the limited jurisdiction and powers of the States. Some Members went to the extent of saying that it would be making provincial autonomy a mockery. There were, on the other hand, supporters of this article who said that even a limitation of some kind with regard to the time of duration of the legislation was not necessary, and that that would make the position of the Central Government very difficult because they would have to come before the House with a fresh Resolution year after year. Sir, the House would remember that when the article appeared in the Draft Constitution, there was no time limit. The hon. Dr. Ambedkar's original amendment was to fix a time limit of three years. But, ultimately, when these fears were expressed and doubts were cast on the utility and working

of this article with regard to passing of legislation and taking over of powers by the Centre in respect of subjects in the State List, the final amendment from the Chairman of the Drafting Committee fixed a time limit of one year. Then there was a compromise and the Members reconciled to the fact that in a state of emergency and in the interests of national peace and happiness, an article of this nature was to be introduced in the Constitution. That is the history of this article.

Today, Mr. Goenka asked a question, when the Central Government is taking over this power whether it has got the machinery that is necessary to implement or administer that. May I ask, Sir, is there anything in the Constitution that would prevent the Central Government from utilising the State machinery if it has a will to do? I think nothing in the Constitution prevents the Central Government from asking the State Governments to co-operate and lend their machinery for the proper implementation and administration of the laws that are passed by this Government.

Sir, the main ground on which this power is given is that in the national interests and also during the period of emergency, the Central Government should take over this power. The exercise of that power is to be limited only to the period of emergency. If it is to be renewed, I do not think the representatives of the States who are sitting in this House, would allow their own interests or the interests of their respective States to be overlooked. They are supposed to take good care of their interests. There is absolutely no reason for anybody to fear that these powers of the Central Government would be unduly exercised, and if really there is any mischief in this article, as was apprehended by some Members when this article was passed, the mischief will be limited to only one year, that has been finally decided upon. We are all aware of the threatening food situation, and it is causing very great alarm in the minds of the people. If these prices which are rising abnormally are not brought down at the proper time by a

proper authority, then, maybe, it may lead to revolutions. This fact, we should not allow the country to ignore.

The hon. Minister has explained in his opening remarks that he would see that every step is taken to consult or seek the co-operation of the States whose powers he is now trying to take. But, he has not replied to the question that I have addressed to him while he was introducing the resolution, whether he has consulted the States concerned. I hope he would answer that question in his reply.

When this article came up for consideration, hon. Members may remember that there were amendments seeking to substitute the word 'consent' of the States also. After a long debate that word was dropped because it was said that if the consent of the States is made obligatory, then, the States may not come forward, and there will be a lot of delay in getting that consent. A question was asked whether the States would be so anti-national in their attitude as not to give their co-operation, or not to undertake legislation which was meant to meet an emergency. Anyhow, the Members agreed to drop the word 'consent'. But, the Chairman of the Drafting Committee, I think, had given an assurance that whenever a situation like that arose, when the Central Government sought to take over this power, by means of a resolution, to legislate on the subjects in the State List, then, there will be consultation with the States concerned. I do not know whether, before the hon. Minister brought this Resolution, he has consulted the States concerned. I think, for a proper and successful working of these laws in the particular States concerned, every effort should be made to seek their co-operation and it is highly necessary that as far as possible the existing machinery in the States should be availed of.

With these words, Sir, I have great pleasure in supporting this Resolution.

Shri Himatsingka: I whole-heartedly support the Resolution that the hon. Minister for Industry and Supply has placed before the House.

It seems to me, Sir, that there is a good deal of misunderstanding even after the explanation that was given before Lunch. I do not see how any suggestion can be made that power is being taken away from the provinces. What is intended to be done is that the Central Parliament also is being empowered to legislate concurrently with the States. When we pass this Resolution, it does not deprive the States of the power of legislating in any particular manner with regard to trade and commerce that they want to legislate. They can go on passing legislation.

Pandit Thakur Das Bhargava: We get preferential powers.

Shri Himatsingka: What will happen is this. When the Centre passes a law and that law is different from the law passed by the States, then, the law passed by the Centre will prevail. That, I think, is absolutely necessary in an emergency like this. Instances have been cited in this House which go to show that whereas a certain commodity is being sold at Rs. 12 per maund in one State, in the neighbouring State, it is selling at Rs. 22 or 24. Gram is available in plenty in the Punjab, but it is not available in Delhi. These anomalies exist on account of the various States passing different kinds of laws and enforcing different kinds of control. These may be done away with by the Centre, and this is necessary in the interests of an all-India policy. I do not see how any State can take exception to this. We cannot even dream that the Centre would try to legislate in a manner which could be taken exception to by any of the provinces, unless the provinces be so narrow-minded as to have the interests of a very small section of the population to the detriment of the interests of the rest of India. Therefore, there is no question of any difficulty arising.

[Shri Himatsingka]

Nor does it seem to me that the criticism that the Centre has no machinery to enforce these laws, has any force. After all, a law that is passed by the Centre will have to be enforced in the different States. Therefore, the only difference is that instead of the States passing laws, it will be passed by the Centre. Certainly, the machinery of the States must be availed of for enforcing the law that would be passed by the Central legislature. I do not think there is any difficulty in regard to this matter.

I welcome very specially the opening remarks of the hon. Minister for Industry and Supply. He has really hit on the right point when he says that it is not only legislation that would enable him to bring down the prices and bring about an improvement in the situation, but what is really needed is to rouse public opinion and also to have the co-operation of hon. Members of the House and the business community. I know various instances where even one single Member who has the confidence of a section of the people and of the Government has been able to bring about a lot of improvement. The hon. Minister himself quoted the instance of soda ash. I know of certain cases in Calcutta where an hon. Member of this House who has the confidence of the business people and also that of Government intervened and brought about a healthy improvement in the markets and brought about an arrangement whereby a number of articles—prices whereof had risen suddenly—continued to be sold at reasonable prices. What is really needed is that everybody who has the interest of the country at heart should give whole-hearted co-operation in making any measure that we pass here or any decision we arrive at a success. But what happens is even Congressmen are often busy running down their rival Congressmen, and their rival groups and thus they spend all their energies instead of using it for preventing black-markets and anti-

social activities. They do not do so and so the anti-social elements carry on their anti-social activities. The note struck by the hon. Minister is the proper one and, if he follows it up and tries to obtain the co-operation of all interests he can bring about an improvement in the situation, and I have no doubt that he will do so. Mere threats of punishment or the passing of legislation providing for heavier and heavier punishments will be of no avail unless you have persons who are able to explain the real position to the people and ask them to behave properly. They should also, when cases occur which are against the law, they should bring them to the notice of the authorities and proper steps should be taken to see that the law is properly applied and enforced. Unless that is done, I do not see how the position can be improved.

Sir, the price factor depends upon a number of things or factors. As the hon. Minister himself said, when the O.G.L. was stopped the prices of various articles went up. We cannot stop the natural forces of demand and supply to function, nor can we bring about an improvement unless proper steps are taken. Import of *dal cheeni* for instance has been banned for the past eighteen months and its price has gone up gradually very much. If you restrict the import for two years and then if you expect to get the thing for the same price, at the end, then it will be expecting something which is not likely to happen even if we wish it. It all depends upon a number of factors, the short supply, the demand for the article, the availability of it and the method of distribution, and so many other things. It is in the field of proper distribution that the State Government comes into the picture and should play its role. The Government should take into consideration what articles should be allowed to be imported and what not, so that the necessities of life which affect a very large section of the population might be made available to all the sections of the population at reasonable prices and not articles

which are needed by only a few and which are not necessities of life and without which we can carry on.

With these words, I support the motion.

Mr. Deputy-Speaker: Shri Hathi.

Shri B. Das: Sir, I have stood up so many times. Are you referring to any list before you Sir? If that is the case, I would not have stood up five times.

Shri Naziruddin Ahmad: Sir, we strongly object to any list being insisted upon.

Shri N. S. Jain (Uttar Pradesh): Sir, I have stood up four or five times.

Mr. Deputy-Speaker: Hon. Members must know that some of our friends who have come from various parts, they are new to the Assembly and they must be given an opportunity also. During the Korea debate, during the general discussion on the President's Address and during the Indo-Pakistan Agreement debate, all the front-benchers have talked and talked. They may take rest for some time.

Shri Hathi (Saurashtra): I rise to support the Resolution moved by the hon. Minister of Industry and Supply. The Resolution, Sir, aims at an object which is very important when we bear in mind the present economic situation in the country. It has been said by some hon. Members that this Resolution, by empowering Parliament to legislate for certain subjects would usurp or deprive the State Legislatures of their right to legislate on those subjects. But I would like to state that that is not at all the intention, it is not the intention of this Resolution to deprive the State Legislatures of their powers. It is not out of a greed for power that this House by this Resolution seeks to empower itself with the right to legislate for these subjects. It is not this narrow viewpoint that should move the House in supporting

this Resolution. It is not, as I said, any desire or greed for power, it is not a desire to usurp the powers of the State Legislatures. It is with a higher object that this is done. We know that at present prices have gone very high. It has become practically impossible for people to get their daily necessities of life and my learned friend Shri Khandubhai Desai has explained at length how this measure has been delayed. If the measure has been delayed it is our duty not only to support it, but to support it sincerely and with all our heart to implement this Resolution and also, give support and co-operation to all the consequential measures that may have to be passed later on.

Sir, it has been said that it would have been proper if the States are consulted before actions are taken. Sir, it is but right that the States should be consulted. But when we find that a thing is in the national interest, it is very doubtful if any of the States would object to Parliament taking any action. But it is a fortunate coincidence that the Chief Ministers of the States are coming for a conference to be held on the 19th of this month. At that time it would be possible to discuss this question with all those Chief Ministers and before any action is taken it will be possible to know their views. But I am sure no State would raise any objection or take exception to the Centre being empowered to legislate under the present circumstances.

Therefore, looking to these circumstances, it is up to us to support this Resolution. I may also add that during all these years, this House has passed so many Bills and adopted so many measures, but the only measure that touches millions of our people, perhaps every individual in this country, is this particular measure. This measure will help each and every villager, every individual to procure, to have and to purchase the commodities at reasonable prices. This will enable them to obtain at equitable prices the commodities which they

[Shri Hathi]
 need in life, and I therefore wholeheartedly support this Resolution.

Shri Hossain Imam: Sir, the Resolution before the House is of such a nature that no reasonable man can withhold his support, except on the fundamental ground, which was ventilated by Mr. Goenka, namely that the Government in power is inefficient and unable to utilise that power. I might mention that conditions in India are no doubt somewhat similar to those in other countries, I mean really important countries of the West, but with this major difference that our conditions are by far the worst, comparatively. I do not wish to compare my country with Indo-China or such other petty countries. Wherever there are independent States in the West or in the East, which have been in existence for sometime, they have managed to bring the deterioration under control and the deterioration in conditions is not of the same extent.

Sir, I was rather intrigued by the statement of the Industries Minister that he has no intention of bringing any Bill. It means, therefore, that the Parliament is sanctifying the passing of an ordinance, when it is promulgated. This type of delegated legislation is one which is not taken into account by any of the authorities on the Constitution; because this power is very rarely, if ever, found in the constitution of other countries; I mean the power to promulgate ordinances.

The question was asked whether the powers of the States will be ousted. That is self-evident under article 254 of our Constitution. Whenever there is a conflict between a Central Act and a Provincial Act, the Central Act prevails. So to the extent that the Centre would promulgate an ordinance or Parliament pass a law, the powers of the State would be curtailed.

The question which Mr. Goenka raised was very pertinent to the

discussion. Is this Government capable of using its powers effectively? I would cite one or two instances, though very minor ones, which will give some indication as to how this Government has been ineffective in the use of its powers. I would like to mention first of all the sugar scandal, which is the subject matter of enquiry today. While the stocks of the mills were frozen, the stocks of the wholesalers, the mill agents and even the stock on the Railway wagons which had not been delivered to anybody, were never frozen. If the Government does not care to use its powers to the full for the benefit of the people it is idle to clothe it with further powers. It will only mean one thing that we will have more rules, more regulations and more black-marketing and ultimately greater hardship to the people than exists today.

Besides, the Government both inside and outside this House has been saying that it is their intention to support cottage and small scale industries. There are innumerable instances where small scale industries are rotting, because they do not get supplies from those who have got the supply under control. The supplies are controlled by the Government. Take the case of the textiles. There are a large number of printers in almost every big town—in Delhi, Ajmer, Ahmedabad and other places and they have also associations of theirs. Thousands and thousands who are engaged in this industry can never get any supply from the Government. The Central Government gives the supplies to the State Governments and they give it to the wholesalers and retailers but not to the printers. The whole trouble is that we have too many irons in the fire. It is no good controlling each and every item. By trying to do every thing we do nothing. Some people are giving high hopes that this Resolution and the measures under it would bring contentment and relief to the general masses. I am very doubtful whether it will

directly benefit any of the consumers. I would remind the House that under article 369 there is a list of things over which the Government had power for five years to pass laws affecting trade and commerce within a State, production, supply and distribution. That includes cotton and woollen textiles. It includes food stuff, including edible oilseeds, oil, cattle fodder. It includes coal, iron and steel, etc. So all the articles of general consumption which are required were already available to the Centre to legislate upon and for that no resolution was necessary. It is really to control essential supplies outside this group that power is being given to the Government.

A question was asked as to what methods or measures or authority is Government going to have for the enforcement of these powers. I may remind the House that at the close of the war we had an organisation under the Controller General of Civil Supplies who had control over a very large number of things under the Anti-Hoarding and Anti-Profiteering Act. Mr. C. C. Desai, whose name was mentioned as a sympathetic officer, and who is the Secretary of the Commerce Department today, was in charge of this department. At that time the Centre had its agents in almost all States and a machinery existed for the enforcement of price control inside the States as well. There is nothing to prevent the Centre having a machinery of that nature. What I am afraid of is that just as we started on too many developmental schemes, we might embark on too many controls with the result that no control will be effective. I wish to warn Government that it is no good trying to do too many things with our limited capacity—technical knowledge—as well as the personnel available. It is always better to hasten slowly. We must not be anxious to do every thing at once.

Sir, I am reminded of a similarity between the Parliament of today

and the Council of States of tomorrow. The Council of States of tomorrow will also be elected by the members of the Provincial Legislatures. We all represent the Provincial Legislatures. Sitting in the Council of State Chamber we might as well call ourselves a Council of the States.

I was rather surprised that people have still a great deal of faith in co-operative societies. It is an institution confined to local use and cannot be used for major trades, imports and exports. The machinery has to develop. We are all awaiting the report of the Deshmukh Committee on State Trading. The whole trouble arises not so much in production as in distribution. The whole difficulty of the situation today is distributive and until we find a method by means of which distribution can be regulated and controlled, you will never be able to have any control over prices or predict anything about expansion or contraction of production and demand.

Dr. Deshmukh: On a point of information, I may tell my friend that there is no recommendation that the co-operative organisations are to do the export and import business.

Shri Hossain Imam: No, no. I was just mentioning the co-operatives. But some people seem to have a great deal of hope that co-operative societies can replace the importers, exporters, all the big wholesalers, and everybody else. I personally believe that the co-operatives are the best organisation for the retail stage. When you come down to that stage the co-operatives can be used, but for the higher planes in the distributive trade it is not the co-operatives but Government agency alone which can solve the problem of India. For instance, in the olden days when liquors were manufactured by private distillers distribution was controlled by the State. It is on the lines of that

[Shri Hassan Imam]
which the British had developed that we have to develop an agency which can control distribution. Thereby you will be able to replace these sharks who indulge in black-marketing and all the nefarious activities of theirs.

Sir, to say a last word, we are empowering the Centre with the hope that Government will be cautious and take up one thing at a time, do it well, and then start doing another thing—not muddle through in all things as they have been doing in the past.

Pandit Krishna Chandra Sharma (Uttar Pradesh): I do not think the proposition before the House needs any long argument. It is accepted that a new situation has arisen and that some form of crisis has to be faced. Now, to face that crisis new measures must be adopted and for adopting them uniform powers must be taken in hand which only the Centre can do. Well, if that is accepted then it needs no argument to say that the Central Government should have power to enforce the laws enacted by the Central Legislature in order to introduce a uniform policy.

To the argument that there is so much corruption, so much inefficiency, I make bold to say that this is a time of change-over. All over the world, whatever country you may look at—Russia, China, Japan, Spain or Germany—it has undergone a change in the situation. And a country that has undergone that change has suffered from inefficiency and corruption. The fact of the matter is that in all situations like this it is the bold leadership that is taken into account, that rises to the occasion. It is the heads of departments that work day and night—the subordinate staff never rise to the occasion. It is a sad story all over the world. India is no exception to it. So long as this process of change-over goes on, there would be inefficiency despite the best efforts of the Ministers, despite the best efforts of

the head of the administration. The subordinate staff would be irresponsible and inactive till you recruit new personnel for the job.

But I suppose it is going too far to say that because the subordinate staff is irresponsible and inactive, and sometimes corruption and inefficiency prevails, therefore we should not go ahead with constructive effort. I give you a simple illustration. A new woman comes in the house. The situation necessitates the addition of a room in the house. It is no argument to say that because the brick is not well-burnt or the cement is not as good as it used to be, therefore no room should be built. That would be too pessimistic a view and life would not run that way as my friend Mr. Goenka would wish it to run. You have difficulties; face them. Things will change in due course. But despite all your difficulties you must make effort and make bold effort.

Sir, with these few words I support the Resolution.

Shri B. Velayudhan (Travancore-Cochin): Sir, I was extremely glad when the Prime Minister announced the other day that he was going to introduce legislation regarding certain powers which were vested in the States under the Constitution. Let me tell you, Sir, that when I read the Constitution first, I felt that later on in its working we would come across innumerable difficulties like this. I think this first instalment of change now introduced in this Parliament is the commencement of a series of changes that will come in the Constitution in the future. In other countries too they have experimented on systems of Government like ours. The other day when I was discussing with an American friend of mine, he told me that they too had more or less the same type of Government—the confederation—and they had to change it after five years' trial. At that time the States in the U. S. A. were just like the

States we are having today, enjoying the same kind of power. Sir, in India our constitutional fathers—and mothers—have devised a Constitution which is unitary as well as federal. But these two types of Government cannot go together and we see that we have to face difficulties as we are doing today.

Sir, I support this legislation with all my heart, but let me tell you that the success of it will depend on the agency the Central Government is going to set up in the States. I agree with Mr. Goenka's view that the States are worse than the Centre as far as administration is concerned. We have by our Constitution got a dyarchy by which the States are working almost as the focus of development and welfare. If the State is having a bad administration it will reflect on the Centre also. The chaos as well as the emergency that you see in the country—the kind of explosive situation all over which we witness—is I think mainly because of the mal-administration which we were having mostly in the States. I do not think that anywhere else in the world have people tolerated bad administration as they have done here both in the States and in the Centre. We are a sovereign body in this Parliament, and we want to mould a new India. It is our duty and responsibility to make that new India by giving predominance to the welfare of the people. We are daily seeing news in the Press that people are dying because they are not getting enough food. The Minister of Food in the Centre says that there is enough food, while the Minister of Food in the State says that there is not enough food and the Central Minister is wrong. In today's papers, I have seen a news item which says that in Madura and Coimbatore people are selling their babies for one rupee or two rupees in order to get food. We cannot tolerate this kind of thing. If the country is not revolting today, it is because we have got millions of people who have not got enough

political consciousness. It is therefore high time for the Centre to see that every individual in the country is given proper food, proper clothing and proper housing. No Government has a right to exist which cannot satisfy the fundamental and elementary needs of the people. We have got a rotten administrative machinery. Have our Government tried even a little to change it and remould it? Of course, when the Planning Commission comes, the Cabinet will say that they have not got enough powers. But I say this: unless we plan completely, unless we improve the administrative machinery, even if you have 100 Ministers and Deputy Ministers and other things, things will not improve; the present administration will not change. We want therefore thorough planning in the light of the innovation we have introduced here.

What happens in the Food Ministry? Have we got a uniform procurement plan? Have we got a well-planned plan of distribution? If I say that there is nepotism and favoritism in the State, the State people will complain. People are dying in Bengal and Bihar and yet there was not a single Member from Bihar or Bengal in this Assembly who referred to it. People think that if they criticise the Provinces, they may not get elected next time. If I criticise the Madras Government or the Travancore-Cochin Government, those people will not certainly like it. We are so much provincial-minded. That is the situation.

Sir, we have got power. We have got a party which has a majority. We must see whether our people are comfortable or not. Today, conditions are chaotic. Is there any other part of the world where there is so much starvation? Take, for example, Communist China, which has come to its own only six months ago. They have reduced inflation there to the minimum; they have brought prices under control. Take the other

[Shri R. Velayudhan]
State—though a small State—Ho-Chi-Minh's Indo-China. There is 90 per cent. literacy there. That is the report I have got. Within three years they have introduced so many changes. When we ask for more power from the States, the States people will resent it, but unless we change this kind of diarchical system of Government and unless the Centre takes complete power about the development side, the rationing of food and so on, I think we shall be heading for ruin. With these few words, I support the Resolution.

Shri Mahtab: Sir, I would like to reply to one question put by my hon. friend, namely, whether the State Governments were previously consulted when this Resolution was brought before the House. Some other speakers also referred to consultation with the State Governments. I suggest that the question should not be posed as one between the State Governments and the Central Government. It is not a question like that. Not only this question but any question is not like one between the State Governments and the Central Government. As a matter of fact, the question should be posed in this way: the State Governments and the Central Government combined, against the unsocial elements in the country. That is the question really. The Central Government cannot have their own machinery in the States. Any law which is passed here requires the active cooperation of the State Governments for its implementation. We cannot imagine a situation in which a law will be passed in this House and the cooperation of the State Governments will not be forthcoming. That cannot be conceived at all in the present structure of the Constitution.

Now, so far this House is concerned, I am glad that my hon. friend on the other side referred to it. All the Members are representatives of the State Legislatures. Therefore, it will not be wrong to presume that they also represent the State Governments to some extent. I do not

think the Members here are so far cut off from the States that they cannot say anything on behalf of the State Governments or hold themselves responsible on behalf of their respective constituencies for what is done here.

So far as this Resolution is concerned, the opinions of State Governments have not been specifically sought, but the general complaint from all the States is that the prices are too high. They have urged the Government of India that some steps should be taken to control these high prices. What steps should be taken has not been suggested by them, nor have we got time to take their consent in regard to that particular matter. But the complaint is there and even if the House analyses the legal position, no other step than the present one is possible under the circumstances.

Shri Ramalingam Chettiar (Madras): Will they be consulted before the Ordinance is issued?

Shri Mahtab: I am coming to it.

This Resolution does not give any power to the Government. It only confers power on the Parliament itself and from the Parliament the Government will draw their own power. By passing this Resolution, the House is not conferring any power on the Executive Government as such. They are conferring power on themselves. That is the position. When proposals will be placed before Parliament as to what steps should be taken after this Resolution is passed, then alone can we sit down and discuss what powers can possibly be given to this Executive Government in view of the allegations which are made or in view of their competency or incompetency. The time will come then when the powers and the actual steps to be taken after this Resolution is passed are placed before the House.

Shri Goenka: Is there nothing else contemplated by this Resolution?

Shri Mahtab: Nothing else. Only this Resolution is in contemplation. Let us think now whether this step is good enough for us. Why should we think of so many steps ahead when the first step is not yet over? The first step is here.

Now, with regard to the capacity of the Executive Government here to administer the laws which might be passed by this House,—it may be now or later,—I should say that I am fortunate in that I have escaped the general net which my hon. friend Mr. Goenka threw to catch all the three Ministers, namely, of Commerce, Finance and Industry and Supply. I am very fortunate that I have escaped his net, because he did not give any instance about my Ministry at least.

Of course, he referred to textile control. In regard to that, I think that he along with others will admit that the textile position, in regard to the administration of the control, is—I make bold to say—much better than what it was some years ago or even last year. I do not wish to go into details, but the complaint arises from the distribution arrangements in the States. It does not arise from the method of distribution which is prescribed by the Central Government. It arises from the manner in which cloth is distributed in the States. Therefore, the States come in. Indirectly, my hon. friend supported some sort of measure which will give some power to the Central Government to control the distribution also in the States in regard to textiles.

It has been suggested that the high prices may be due to shortage of commodities. But that is really not a fact. From the reports which are published in the newspapers, it is evident that the prices of some of the articles after the declaration of the O.G.L. have gone down. It is a surprising phenomenon. I can give you one or two instances to show how prices have gone down.

Mercury which had been pushed up last month from Rs. 342 to Rs. 600

per jar of 75 lbs. is now being quoted at Rs. 300. Similarly the price of textile chemicals have fallen, immediately the O.G.L. was announced. My conjecture is that stockists now want to relieve themselves of their present stocks and pounce upon the imports when they begin to come in.

Therefore, we have to guard ourselves against these things. We have to take into account various factors. The House need not be under the impression that immediately this resolution is passed Government will take into their hands the control of all commodities without seeking the co-operation of the States. I may assure the House that all factors will be carefully taken into consideration and nothing will be done which will bring discredit to us.

I am very glad, Sir, that hon. Members have expressed themselves freely and I am really overwhelmed with a sense of responsibility because of the way in which they have given their support to this Resolution. That in itself is an indication to the Government to proceed carefully in this matter. I do take note of the fact that there have been complaints of inefficiency. I do not vouchsafe for the honesty or efficiency of each and every officer in the Ministry; nor do I say that every one of them is beyond any complaint or suspicion. What the House should be particular of is to see whether steps are taken whenever any case of inefficiency or corruption is brought to the notice of the authorities. So far as Members belonging to this side of the House are concerned, they are perfectly at liberty to refer any of the cases to the Ministers concerned. If the Ministers do not take any action on their reference, it is of course open to them to bring the matter before the House. So far as the other side of the House is concerned, they are at liberty to criticise the inefficiency of the Department or to lay the blame at the doors of the Minister. It is open to all Members of this House, not only on this side but also on the other side, to bring to the notice of the Minister

[Shri Mahtab]

any cases of inefficiency or corruption, and if the Minister concerned does not take any action, he can be criticised on the floor of the House. If, however, the practice develops of criticising the services, without the Minister being previously apprised of it, the Minister will be compelled to defend the officers, because the officers are not here to defend themselves. I would therefore request hon. Members before bringing any such matters on the floor of the House, to bring them to the notice of the Minister so that he may take due action in time and outside this House. That practice will, perhaps, help all of us.

I may, in this connection bring to the notice of the House a remark made by Mr. Chamberlain when he was Prime Minister of the United Kingdom and Shri C. Rajagopalachari was Prime Minister of Madras, that the practice of criticising officers of Government on the floor of the House is unfair. Since the officers are not on the floor of the House to defend themselves, the Ministers will perforce have to defend them. Therefore if hon. Members wish to bring to book any of the officers who are in the wrong, it is better to refer the case previously to the Ministers and if the Ministers do not take any action, criticise the Ministers as much as they like on the floor of the House.

I can, however, assure the House that any measures taken in pursuance of this Resolution will be taken with a full sense of responsibility and only with one object, that is, to bring down prices. As I have already said, law by itself, will not bring prices down. It is the co-operation of the public that matters. Hon. Members of this House are influential leaders in their respective localities. They can exercise their influence in favour of reduction of prices, or in favour of administration of this law. So also, those who are not Members here, but are influential in their spheres of life are also expected to exercise their in-

fluence, at least to condemn these things, if not to accept the black-marketeers and profiteers as members of society. As the villagers think that because they have voted for a particular party in power that party will do everything, if members of this House begin to think that by merely passing a piece of legislation everything will be all right, I would warn them that they would be disillusioned. The law may be passed; but it will not be effective. As the House expects the Government to administer this law efficiently so also Government has a right to expect hon. Members to exercise their influence in favour of the law. I assure the House, with a full sense of responsibility that all steps which are necessary in pursuance of this Resolution will be taken by Government and no loophole will be allowed for any kind of inefficiency or any room for complaints.

Mr. Deputy-Speaker: I shall now put the Resolution to the House. Before I formally put it to the House I would like to remind hon. Members that so far as this motion is concerned, the House has to pass it by two-thirds majority and if there is a single dissentient voice, I will have to call a division. Since no amendments have been tabled, there appears to be unanimity already. I shall now take the sense of the House. The question is:

“That this House do resolve in pursuance of article 249 of the Constitution, as adapted by the President under article 392 thereof, and as at present in force, that it is necessary in the national interest that Parliament should, for a period of one year from the 15th August 1950, make laws with respect to the following matters enumerated in the State List, namely:

- (i) trade and commerce within the State subject to the provisions of entry 33 of List III, and
- (ii) production, supply and distribution of goods subject to the provisions of entry 33 of List III.”

The motion was adopted.

Shri Mazruddin Ahmad: May I point out one procedural matter? The Constitution expressly requires that two-thirds of the Members present and voting must participate. Although there is no dissentient, it does not necessarily follow that all the two-thirds have voted. It may be that a vocal section has voted, but it may not amount to two-thirds. This is an important matter; we must be certain that it was unanimously voted positively—not by negation.

Mr. Deputy-Speaker: The Article requires that this must be carried by a two-thirds majority of those present and voting. If of the Members who have voted, some Members had said 'No', then I would have to find out whether there is a two-thirds majority. Since there was no dissentient voice, I do not think there is any necessity for a division.

Seth Govind Das: Why do you not ask us to stand up?

Shri Maziruddin Ahmad: That is the proper way to ascertain the voting.

Mr. Deputy-Speaker: My ruling is final; the resolution is carried unanimously.

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FINANCE LAWS (AMENDMENT)
BILL—concl'd.

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the motion that the Bill to amend the Indian Finance Act, 1949 and the Finance Act, 1950, be taken into consideration.

Pandit Thakur Das Bhargava (Punjab): Sir, in relation to the proposed Bill the hon. the Finance Minister has been pleased to say that the broad question of the liability of the undivided Hindu family to taxation is not being considered, and rightly so. But the reason why I have intervened in this debate at this late hour is that I am not satisfied with

one or two observations which fell from him. In regard to the liability of the undivided Hindu family I have always maintained, and even now I maintain, that it is wrong to tax it as undivided Hindu family. The hon. the Finance Minister was of the opinion that this point has become rather more important as the Hindu Code Bill is on the anvil. So far so good, I agree with him. If the Hindu Code Bill just dissolves all the families as it proposes to do or according to the provisions of the Hindu Code Bill, all these Hindu undivided families will not remain undivided families, then the question will not arise at all. But supposing this provision of the Hindu Code Bill is not adopted by the House and there is a Hindu undivided family, even then my claim is that it ought not to be taxed as such.

This question has been before the House for the last at least twenty-five years or more and we have been maintaining that the Hindu undivided family should not be taxed as such. If the Hindu undivided family does not exist, no question arises. If one exists, even then we maintain that it should not be taxed as such.

So far as the question of discrimination is concerned, the Government itself, before the year 1938 probably, discriminated between individual and Hindu undivided family in regard to super-tax. Whereas an individual was liable if he had an income of Rs. 50,000, the Hindu undivided family was liable only if it had an income of Rs. 75,000, so far as super-tax was concerned. But there was no difference on the question of ordinary Income-tax and the Hindu undivided family was taxed just like an individual. For the first time in the year 1949 some difference was made and as a token, the amount was raised from Rs. 3,000 to 5,000 in the case of the Hindu undivided family and in 1950 this amount was raised to Rs. 7,200. At that time as a compromise we agreed that though, according to the characteristics of the

[Pandit Thakur Das Bhargava]

Hindu undivided family, a Hindu undivided family consisting of a father and a minor son as a Hindu undivided family was entitled to the concession yet as such a course would give him a preferential treatment over non-Hindus we would exclude such a family. My humble submission is that a compromise was accepted. I brought in an amendment—almost an agreed amendment—and it was accepted by the Finance Minister. I asked the Finance Minister at the time to give an assurance and he was pleased to give an assurance to me on that occasion. He said then:

“I am grateful to Pandit Bhargava for not pressing his other amendment in regard to super-tax. He has rightly said that we are not in a position on financial grounds to consider it and may I repeat here what I said in the course of my reply to the general debate that the decision that we are taking today is both on my part and on Pandit Thakur Das Bhargava's part without prejudice to whatever decision the House may arrive at hereafter”.

When the general debate was on I submitted for the consideration of the House that the Report of the Investigation Commission did not go far enough. As a matter of fact, there was such a great discrepancy between the questionnaire and the recommendations that they made that the recommendations were not justified either by the questionnaire or by what was given in the body of the Report. Therefore on that occasion the hon. the Finance Minister said that this will remain an open question and ultimately it will be decided whether Hindu undivided family is to be taxed as such on merits.

Previous to that, almost every year since 1928 this question was brought before the House and all the Finance Members said that though there was great injustice to the Hindu undivided family yet the time was not ripe and proper to consider this question.

They put it off by saying that the Taxation Enquiry Committee will enter into this question and ultimately make its report and then the matter will be finally decided. Since these two years, though a token concession was made in 1949 and a more substantial concession in 1950, even then on account of financial stringency the amendments were not moved, and no difference was made so far as super-tax was concerned.

The broad question whether the Hindu undivided family should be taxed as such or not is now a more difficult question than before because, apart from other arguments which have been advanced many times in this House and into which at this stage I do not wish to enter, I must say that the Constitution itself has made a great change. Now it is a question of fundamental importance and every member of a Hindu undivided family has got a fundamental right of not being discriminated against in the matter of taxation. Every member of a Hindu undivided family can today quote from our Constitution that this is a case of discrimination. There is no difference between a non-Hindu joint family and a Hindu undivided family. And probably in many Provinces now no undivided Hindu family in the pure Mitakshra conception exists. As far back as in 1889 the High Court of the Punjab held that there was no Mitakshra family in the Punjab. That was in 1889 and since then there have been many rulings in which by customs or by other circumstances the Hindu undivided family of the conception of Mitakshra has ceased to exist. In the Punjab, not only this, but a son as such cannot claim partition in the life-time of his father. This is the general custom of the Punjab, and if any authority were needed I will quote Rustomjee Customary Law, page 85 where about fifty rulings are given which say that a Hindu son cannot enforce partition. I do not want to go into greater details.

The Minister of Finance (Shri O. D. Deshmukh): I am prepared to accept that the customary law in the

Punjab may be different and therefore the hon. Member need not labour that particular point.

5 P. M.

Pandit Thakur Das Bhargava: I know that the hon. Finance Minister has been pleased to give some amendments at my instance and I am not going to labour the point at all. I was only mentioning that at this stage I want two things. I am quite satisfied with the amendments which he has given except perhaps in one small particular. I want to differ because he wants to make the law retrospective. At the same time I must say that I want him to make a statement to the effect that when the report of the Investigation Commission comes for discussion in the House, he will keep an open mind for the merits of the other Bill which he is bringing just as his predecessor said in this House. The question whether the Hindu Code Bill is passed or not is irrelevant to the question. If the proposition of Hindu Code Bill is accepted, I am on stronger ground. But supposing the Hindu Code Bill is not accepted by the House, I strongly suggest to the hon. Finance Minister that he should kindly make a statement in the House that he keeps an open mind on the question and as his predecessor did. I will be quite satisfied so far as the principle of the present Bill is concerned. I have no quarrel with him because in the amendment of 1949 which I proposed and in the statement that I made on the amendment, I also accepted the two principles which are the very basis of the amendment of the present Bill. Therefore, I hope the hon. Finance Minister will kindly see his way to assure us that he will keep an open mind and consider the question on its merits when it comes before the House on the amending Bill that he proposes to introduce.

Shri C. D. Deshmukh: Pandit Thakur Das Bhargava never lets go an opportunity of urging the interests of Hindu undivided families and therefore without disrespect to him

he may be said to be perennially in a state of heat, but as he himself recognizes any elaborate discussion of the equity of taxing Hindu undivided families is beyond the scope of the present Bill and the present discussion. I do not think I can add anything very usefully to what I said yesterday regarding considering the whole question of equity in regard to the taxation of Hindu undivided families in the light of the recommendations made by the Income-tax Investigation Commission. When I refer to the Hindu Code Bill I simply refer to an element of uncertainty which might turn one way or the other and according to his decision either the distinction between Mitakshara and Dayabhaga Hindu undivided families might be maintained or might not be maintained. I did not mean to imply that if the Hindu Code did not go through, then I would cease to have an open mind on the question of the status of Hindu undivided families for the sake of assessment to income-tax.

Then he made another point in regard to the retrospective application of this legislation, but I do not think here again I can add anything usefully to what I said yesterday. I took note of this point and explained why it was necessary that this legislation should be applied retrospectively. In regard to the particular custom in the Punjab, as I have recently become a Punjabee, I am afraid I was not aware of the peculiar customs which prevail there but I recognize that they are as he stated and therefore, I propose to bring at the proper time the two amendments of which I have given notice.

The only other contribution to this debate was made by Mr. T. T. Krishnamachari who seemed to think that the change of phraseology which would be brought about by this legislation is likely to affect the administration of section 25(a) of the Income-tax Act relating to assessment after partition of a Hindu undivided family. I cannot see on

[Shri C. D. Deshmukh]

what he bases his apprehension and I am aware that he has voiced certain grievances in this matter and in response he has received certain assurances in regard to the administration of section 25(a). The necessary instructions have already been issued to Income-tax Officers and if Mr. Krishnamachari feels that there are still difficulties, then they should be brought to the notice of the Central Board of Revenue in Delhi. They will be able to look into them and see whether there are any legitimate grievances which could be removed.

Pandit Thakur Das Bhargava: May I submit for the consideration of the hon. Finance Minister that at my suggestion his predecessor just accepted the present situation in regard to section 25(a) and stated that it will not be directly enforced and that he would issue instructions that the wording and the letter of that section 25(a) were too harsh and that they will not be enforced. I think he did issue the instructions, he spoke about it in the House and he gave us an assurance and in response to that assurance, he issued instructions.

Shri C. D. Deshmukh: This is precisely what I said, Sir, that assurances were given and instructions were issued. I have got the instructions here and I do not know if any one is interested in the matter, but the instructions are broadly in the terms of the assurance given by my predecessor, Mr. Chetty.

While I am on this subject, I might say that Pandit Thakur Das Bhargava himself forgot to point out one thing when he made a reference to these two amendments. He said that he refrained from going into the general question of Hindu undivided families because of the financial situation. It seems as if in the light of the debates that have taken place over the last few days, he must have come to the conclusion that the financial situation is very much better.

Mr. Deputy-Speaker: The question is:

“That the Bill to amend the Indian Finance Act, 1949 and the Finance Act, 1950, be taken into consideration.”

The motion was adopted.

Clause 2—(Amendment of Third Schedule, Act XIV of 1949).

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

For clause 2, substitute the following:

“2. *Amendment of the Third Schedule, Act XIV of 1949.*—
In part I of the Third Schedule to the Indian Finance Act, 1949,—

(a) In sub-clauses (a) and (b) of clause (i) of the proviso to paragraph A, for the words ‘entitled to a share on partition’, the words ‘entitled to claim partition’ shall be substituted and shall be deemed always to have been substituted; and

(b) at the end of paragraph A, the following Explanation shall be inserted, namely:—

‘*Explanation.*—For the purposes of this paragraph, in the case of every Hindu undivided family governed by the Mitakshara law, a son shall be deemed to be entitled to claim partition of the coparcenary property against his father or grandfather, notwithstanding any custom to the contrary.’”

The only change that this amendment makes is that in spite of the custom in the Punjab the courts and Income-tax officers will apply the usual law to all these cases.

Mr. Deputy-Speaker: Amendment moved:

For clause 2, substitute the following:—

“2. *Amendment of the Third Schedule, Act XIV of 1949.*—In part I of the Third Schedule to the Indian Finance Act, 1949,—

(a) in sub-clauses (a) and (b) of clause (i) of the proviso to paragraph A, for the words ‘entitled to a share on partition’, the words ‘entitled to claim partition’ shall be substituted and shall be deemed always to have been substituted; and

(b) at the end of paragraph A, the following Explanation shall be inserted, namely:—

‘*Explanation.*—For the purposes of this paragraph, in the case of every Hindu undivided family governed by the Mitakshara law, a son shall be deemed to be entitled to claim partition of the coparcenary property against his father or grandfather, notwithstanding any custom to the contrary.’”

Pandit Thakur Das Bhagava: So far as the main amendment is concerned, I am in full agreement with the hon. Finance Minister but in regard to these words “and shall be deemed always to have been substituted” I have got something to say. I quite see that the financial position has not improved and so far as that is concerned, I would not have objected to it, but my difficulty is that the legal position is going to deteriorate. Ordinarily in all such cases the law is never retrospective. If there was some lacuna in the Bill and a Madras assessee went to the High Court and just got a decision the matter does not become very serious. It would mean nothing to the Exchequer. Now if they want to review his case under section 94 or some other section, I for one would

submit that according to law, this retrospective effect is ordinarily not given to fiscal statutes. I am opposed on this ground to these words “and shall be deemed to have been substituted” here.

In regard to the general financial question, may I submit for the consideration of the hon. Finance Minister that taxing of undivided Hindu family is an important matter which involves 20 crores of rupees. I am not raising this broad question now. I did not raise it for the last two years and I do not propose to raise it as long as the financial stringency is there. But, at the same time, you must see that even if there are a few cases, I do not think there will be even ten such cases; there may be two or three cases,—where certain persons have taken advantage of the law as it stood, it does not behove you not to care for the legal position and see that these cases are also roped in. You must have a sportsmanlike spirit, and not allow the legal position ‘that fiscal statutes are not retrospective’ to be departed from. This is all I have to submit.

Shri Naziruddin Ahmad (West Bengal): Sir, I entirely support my hon. friend Pandit Thakur Das Bhargava when he said that in a fiscal measure there should be no retrospective effect. With regard to the drafting of this clause, it is most unhappy. All that the hon. Minister desires is that this law should have retrospective effect as if the law was enacted on the date when the original Act came into force. Instead of saying this, a most inartistic expression has been used, namely, “and shall be deemed always to have been substituted”. The word ‘always’ is a misfit with regard to substitution. Substitution is a momentary act. You substitute something for another. You cannot continue the act of substitution; you can continue its effect but not the act. The whole thing really depends on when the

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substitution came into effect. Substitution is not continuous in its operation. If a word is substituted for any other word in an Act, it remains for ever until repealed or altered. All that the drafting required was to say that the amendment shall have retrospective effect as if it was enacted on the date when the original Act was passed. There are samples of this sort of draftsmanship. Somehow or other, this inartistic and uncurrent English has been used in this case. I think firstly, that retrospective effect should not be given, and secondly, if it is attempted to be given at all, the wording should be changed.

Shri C. D. Deshmukh: Sir, we consider that it is necessary to give retrospective effect to this provision because it is unjust that the benefit of this lacuna should be taken only by a few people, who detected the flaw in the law. There are already many cases in which the benefit of the lacuna has not been taken and those cases have already become final and conclusive. I do not consider that any injustice is involved to any large section of the assesseees by giving retrospective effect. As regards the wording, Sir, in spite of what Mr. Naziruddin Ahmad says, I prefer to adhere to the advice of our legal draftsmen.

Shri Naziruddin Ahmad: They are always wrong.

Mr. Deputy-Speaker: The question is:

For clause 2, substitute the following:

“2. *Amendment of the Third Schedule, Act XIV of 1949.*—In Part I of the Third Schedule to the Indian Finance Act, 1949,—

(a) in sub-clauses (a) and (b) of clause (i) of the proviso to paragraph A, for the words ‘entitled to a share on partition’, the words ‘entitled to claim partition’ shall be substituted and shall be deemed always to have been substituted; and

(b) at the end of paragraph A, the following Explanation shall be inserted, namely:—

‘*Explanation.*—For the purposes of this paragraph, in the case of every Hindu undivided family governed by the Mitakshara law, a son shall be deemed to be entitled to claim partition of the coparcenary property against his father or grandfather, notwithstanding any custom to the contrary.’

The motion was adopted.

Mr. Deputy-Speaker: The Chief Whip must make a loud noise so as to enable the Speaker to give his decision.

Shri Kamath (Madhya Pradesh): Noise or voice?

Mr. Deputy-Speaker: Both. The question is:

“That clause 2, as amended, stand part of the Bill.”

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3—(Amendment of First Schedule, Act XXV of 1950).

Amendment made:

For clause 3, substitute the following:

“3. *Amendment of the First Schedule, Act XXV of 1950.*—In Part I of the First Schedule to the Finance Act, 1950,—

(a) in sub-clauses (a) and (b) of clause (i) of the proviso to paragraph A, for the words ‘entitled to a share on partition’, the words ‘entitled to claim partition’ shall be substituted and shall be deemed always to have been substituted; and

(b) at the end of paragraph A, the following Explanation shall be inserted, namely:—

Explanation.—For the purposes of this paragraph, in the case of every Hindu undivided family governed by the Mitakshara law, a son shall be deemed to be entitled to claim partition of the coparcenary property against his father or grandfather, notwithstanding any custom to the contrary.’’

—[Shri C. D. Deshmukh].

Clause 3, as amended, was added to the Bill.

Clause 1 was added to the Bill.

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

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

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

Mr. Deputy-Speaker: The question is:

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

The motion was adopted.

The House then adjourned till a Quarter to Eleven of the Clock on Monday, the 14th August, 1950.
