

Monday, 14th August, 1950



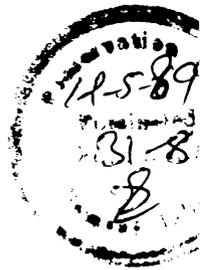
PARLIAMENTARY DEBATES

(PART I— Questions and Answers)

OFFICIAL REPORT

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

Second Session
of
PARLIAMENT OF INDIA
1950



CONTENTS

Volume IV—1st August to 14th August, 1950

	Cols.
Tuesday, 1st August, 1950—	
Members sworn	1—2
Oral Answers to Questions	2—32
Written Answers to Questions	32—70
Wednesday, 2nd August, 1950—	
Oral Answers to Questions	71—107
Written Answers to Questions	107—42
Thursday, 3rd August, 1950—	
Oral Answers to Questions	143—77
Written Answers to Questions	177—206
Friday, 4th August, 1950—	
Members' sworn	... 207
Oral Answers to Questions	... 207—42
Written Answers to Questions	... 243—80
Monday, 7th August, 1950—	
Members sworn	281
Oral Answers to Questions	281—318
Written Answers to Questions	318—46
Tuesday, 8th August, 1950—	
Members sworn	347
Oral Answers to Questions	347—54
Thursday, 10th August, 1950—	
Oral Answers to Questions	355—89
Written Answers to Questions	389—440
Friday, 11th August, 1950—	
Oral Answers to Questions	441—78
Written Answers to Questions	478—508
Saturday, 12th August, 1950—	
Members sworn	509
Oral Answers to Questions	509—42
Written Answers to Questions	542—56
Monday, 14th August, 1950—	
Oral Answers to Questions	... 557—611
Written Answers to Questions	... 611—84

THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)

OFFICIAL REPORT

557

558

PARLIAMENT OF INDIA

Monday, 14th August, 1950.

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

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

ORAL ANSWERS TO QUESTIONS

VOTERS LISTS

*349. **Shri Sidhva:** (a) Will the Minister of Law be pleased to state whether the attention of Government has been drawn to the voters lists in certain States which are incomplete inasmuch as several names have been omitted, and that the names of dead persons still exist?

(b) Are Government aware that the preparation of the lists is being hurried up without proper scrutiny?

(c) What steps have Government taken to see that the voters lists for the coming elections are as far as possible perfect?

The Minister of Law (Dr. Ambedkar): (a) Complaints have been received by the Election Commission about the omission from the electoral rolls of names of persons resident in certain areas in some of the States, and also about the existence of names of dead persons. The latter is not altogether avoidable, because of the lapse of time since the original preparation of the rolls.

(b) While it is true that the rolls are being prepared with great speed, they are not being prepared without proper scrutiny. The rolls are being checked as much as possible by various officers in all the States.

(c) The rolls prepared in 1948 have been made available to the public at taluk, thana or district headquarters for inspection. Alongside with the preparation of supplementary lists of voters necessitated by the changes made in the qualifying date and qualifying period by the Representation of the People Act, 1950, the State Governments have been instructed by the Election Commission to rectify informally as many of the omissions and errors as come to their notice in the rolls already prepared and to remove from them the names of persons known to be dead. This has been publicised and the public have been invited to help the authorities in making all necessary corrections. Steps have also been taken to prepare lists of persons believed to be dead with a

view to the exclusion of such names from the rolls at the time of determining claims and objections after preliminary publication. Every effort is being made by the Election Commission to secure the accuracy and completeness of the rolls now under preparation.

Shri Sidhva: May I know whether some citizens of Bombay City have made a complaint to the Election Commissioner that some names of persons who are dead some seven to ten years back have also been shown in the list, and if so, what steps have been taken to remove their names?

Dr. Ambedkar: That may be so, but I have no specific knowledge of the matter.

Shri Sidhva: May I know, Sir, in view of the fact that Parliament has passed the Act regarding the extension of the qualifying period, whether all the States are complying with the provisions of that Act or whether some of them are overlooking that Act?

Dr. Ambedkar: I am sure all of them are following the provisions of that Act passed by Parliament.

Shri Dwivedi: What is the policy followed in connection with the States which are now merged into the neighbouring States? The names of the voters were included in the original State, and are they now being included in the list for the Province with which the State has been merged?

Dr. Ambedkar: I am sure all the consequential changes have been made by the Election Commissioner.

Shri Sondhi: Is it a fact that the Punjab Government have asked for extension of time for the preparation of the rolls?

Dr. Ambedkar: I heard so.

Shri Sondhi: What is the reaction of the Government to this proposal to extend the time?

Dr. Ambedkar: Government will consider all these suggestions made by the Provincial Governments in fixing the time-table.

Shri Rathnaswamy: Are Government aware of complaints from certain quarters regarding the neglect of their work on the part of certain enumerators?

Dr. Ambedkar: There might have been complaints, but I have no doubt that the Election Commissioner will look after them.

Shri Kamath: What arrangements have been made for the proper publication of the electoral rolls in the rural areas?

Dr. Ambedkar: I have just now said in reply to part (c) that the rolls have been made available to the public at taluk, thana or district headquarters for inspection.

Shri Bharati: May I know whether there is one complete general list or is there a separate list prepared for Scheduled Castes?

Dr. Ambedkar: There is no separate list for the Scheduled Castes.

Shri Kamath: Are the copies of the rolls kept with the *Patwari* or the Revenue Inspector also?

Dr. Ambedkar: I should think so, there is no taluka where there is no *Patwari*.

Shri S. N. Das: In view of the fact that the Constitution envisages one general electoral roll for every territorial constituency, and since no delimitation of constituency has taken place, may I know how this work of preparation of the rolls is going on?

Dr. Ambedkar: I think separate electoral rolls are being prepared for different talukas, beginning from the village. They amalgamate the lists for the villages into one list for the taluka and the taluka electoral rolls are amalgamated into the Thana and then the District list and so on. That is how the work goes on.

Shri B. R. Bhagat: Is Government aware that certain parties have expressed the opinion that proper publicity has not been given to these rolls in certain areas, and if so, what action has been taken in this respect?

Dr. Ambedkar: If any particular people have reported to the Election Commissioner that proper publicity has not been given, the Election Commissioner would have taken steps to see that proper publicity is given.

Prof. S. L. Saksena: Will the hon. Minister give the names of the States in which the lists have been completed?

Dr. Ambedkar: I require notice, Sir.

Shri Hanumanthaiya: In view of the fact that the Punjab and other States have asked for extension of time, would it be possible for the elections to be held in April-May next year?

Dr. Ambedkar: I am not in a position to say anything. It all depends upon how the preparations go on.

Shri Dwivedi: Will it be possible to get the lists corrected according to the figures of the coming census?

Dr. Ambedkar: If the census figures are not ready before the election, obviously those figures cannot be taken into consideration.

Shrimati Durgabai: May I know, Sir, whether instructions have been given to the State Governments to remove the names of castes and communities against the names of the voters wherever such a practice is being followed?

Dr. Ambedkar: I really do not know, whether such instructions have been given, but the hon. Member will agree that it is desirable to give as many particulars as may be necessary in order to identify a voter.

Shri Sonavane: Is it a fact that in Bombay State the voters of the

Scheduled Castes have not been brought on the rolls as they should have been?

Dr. Ambedkar: I suppose the hon. Member has a duty upon himself to see what he can do in the matter.

श्री भट्ट : क्या जो मतदान पत्रक तैयार हुए हैं उनकी प्रतिलिपि कीमत से मिल सकती है ?

[**Shri Bhatt:** Can a copy of the electoral rolls that have been prepared be obtained on payment?]

Dr. Ambedkar: I do not think the *kutch* rolls can be put on sale.

Shrimati Renuka Ray: In view of what the hon. Minister has said about details regarding the different castes and communities being given, would not that go against the very fundamental principles of the Constitution?

Dr. Ambedkar: I don't think so really; that is probably an over-elaboration of the provisions contained in the Constitution.

Shrimati Durgabai: Has the Committee presided over by the hon. Diwakar made any recommendations about this matter?

Dr. Ambedkar: I saw something in the papers, but I have no official information.

Shri R. Velayudhan: Has the list of Scheduled Castes voters been notified by the President or not?

Dr. Ambedkar: I believe it has been, if I mistake not. Either it has been done, or it will be within a very short time.

Shri B. R. Bhagat: May I know whether Government propose to take any action on the suggestion which has been made, namely, to put the voters lists in every village for proper scrutiny and publicity?

Dr. Ambedkar: I am sure it is being done.

Shri B. B. Bhagat: I want to know whether it is being done in every village.

Pandit M. B. Bhargava: Is it a fact that the revision of the electoral rolls as required by the People's Representation Act has not yet been commenced in Ajmer?

Dr. Ambedkar: In some States it has commenced.

Mr. Deputy-Speaker: The hon. Member says that it has not yet commenced in Ajmer.

Dr. Ambedkar: Probably it has not been done in Ajmer.

Shri Tyagi: As in the case of the Census, have orders been issued to the Election Commissioner not to mention caste and sub-caste against the names of voters in the electoral rolls?

Mr. Deputy-Speaker: That question has already been asked and answered.

RECOMMENDATIONS OF COMMITTEE OF EXPERTS FOR DEVELOPMENT OF INDIAN MERCANTILE MARINE

*350. **Shri Sidhva:** Will the Minister of Commerce be pleased to state:

(a) whether the question of developing the Indian Mercantile Marine was examined by a Committee of experts sometime ago and if so, what were their recommendations;

(b) how much additional cargo has been carried in Indian ships since the recommendations of this Committee; and

(c) whether the recommendations of this Committee have been adopted by Government?

The Minister of Commerce (Shri Sri Prakasa): (a) No expert Committee has recently considered the question of developing the Indian Mercantile Marine, after the Shipping Policy Committee, the recommendations of which were dealt with in

Government Resolution dated the 12th July 1947. Possibly, the hon. Member has in mind an informal Committee set up by the Ministry of Commerce in December 1948 under the chairmanship of the Controller of Indian Shipping. This Committee considered the various proposals which had been made to the Ministry for enabling Indian Shipping to secure larger shares of cargoes with a view to examine how far it would be feasible to implement them,

(b) and (c). The Committee's recommendations have been under the active consideration of Government and some of them have been implemented to the extent they were practicable. It is not possible to say specifically how much cargo could be said to have been carried in addition to what would have been carried but for the recommendations of the Committee.

Shri Sidhva: May I know whether Government cargo, both import and export, is being carried by Indian steamers? Have Government chartered any Indian steamers for conveyance of Government cargo, such as for instance cereals and foodgrains?

Shri Sri Prakasa: I could not exactly hear the hon. Member's question but I may tell him that we have got two steamship companies, which are members of the Conference of Shipowners and their boats carry our cargo.

Shri Sidhva: Since the hon. Minister did not understand my question properly I will make it clear. The hon. Minister said that at present all the Indian shipping companies cannot get sufficient cargo. May I know if for the purpose of Government cargo Indian ships are being utilised?

Shri Sri Prakasa: That is so.

Shri Sidhva: What was the reservation of coastal cargo carried by the Indian mercantile marine?

Shri Sri Prakasa: They carry 75 per cent. of the coastal trade at the present moment.

Shri Sidhva: Is it a fact that while in Bombay the hon. Minister's attention was drawn by the Indian National Steamshipowners' Association to the fact that they are considerably handicapped for want of cargo. If so, has he looked into the matter and what is the position at present?

Shri Sri Prakasa: This matter is always considered by this Ministry and we are trying to utilise as much tonnage as is available for carrying our own cargo.

Shri Sidhva: May I know whether other countries have received any financial help from the World Bank? If so, has our country also made any effort to get any financial aid from the World Bank for the Indian Mercantile Marine?

Shri Sri Prakasa: I want notice of that question.

Dr. Deshmukh: How many ships have been ordered by the Government to be got ready within the next three years; have Government any programme for the purpose?

Shri Sri Prakasa: No, Sir.

AHMED WOOLLEN MILLS AT AMBARNATH, BOMBAY

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

(a) whether the Ahmed Woollen Mills at Ambarnath (Bombay) has been declared Evacuee Property;

(b) if so, whether the mill is being worked and by whom; and

(c) what is the realisation from production from this mill since it was declared as Evacuee Property?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) No, but the right, title and interest of the shareholders in Messrs. Ahmed Abdul Karim Brothers Limited, who own the Ahmed Woollen Mills, have been notified as Evacuee Property.

(b) The Mill is being run by Messrs. Ahmad Abdul Karim Brothers, Limited.

(c) As the Mills are being run by the firm, the question of realisations does not arise.

Shri Sidhva: May I know whether the shares of this company were transferred to a concern in Karachi by the name of the Karachi Electric Supply Corporation? Is it a fact that the Bombay Government agreed to have this concern run by the refugees from Sind and the Punjab? If so, what is the position now?

Shri A. P. Jain: It is a rather complicated question but I shall try to explain the position. At one time there was a proposal that the evacuee shares in Messrs. Ahmed Abdul Karim Bros., Ltd. might be allowed to be exchanged with certain shares in the Karachi Electric Supply Corporation which were owned by Indian nationals. But that permission has not been given and so no exchange has been made. There was also a proposal of the Bombay Government to allot this mill to a Company formed by the refugees in India. At the moment certain proceedings are pending in the Bombay High Court about these shares and as soon as legal difficulties are removed adequate steps will be taken to allot this mill to the refugees who have formed themselves into a Company.

Shri Sidhva: Is it not a fact that the running of this mill has been handed over to the persons who were connected with the Karachi Electric Supply Corporation now?

Shri A. P. Jain: I have already answered that question. This mill is at the moment being run by Messrs. Ahmed Abdul Karim Bros., Ltd., and by none else.

Shri Sidhva: It may be by that name but who is actually running the mill?

Mr. Deputy-Speaker: The hon. Member wants to know whether they

are interested in the Karachi Electric Supply Corporation.

Shri A. P. Jain: They are not interested in the Karachi Electric Supply Corporation, and no exchange has been permitted. Messrs. Ahmed Abdul Karim Bros., Ltd., are quite a different firm.

Shri Sidhva: Is it not a fact that at the instance of the Bombay Government the refugees actually made deposits of their shares with the Bombay Government amounting to Rs. 50 lakhs? If so, what is the position now?

Shri A. P. Jain: No, Sir. They have floated a Company with a capital of Rs. 40 lakhs, out of which they have collected about 20 per cent. or Rs. 10 lakhs which they have deposited with a bank.

Shri Sidhva: Is it not a fact that a case which was filed in the Bombay High Court was subsequently withdrawn, because of the fact that such an exchange was likely to take place?

Shri A. P. Jain: As I have said, at one time a suggestion was made for the exchange of shares of Messrs. Ahmed Abdul Karim Bros., Ltd., with certain other shares of the Karachi Electric Supply Corporation but that exchange has not been allowed and that exchange has not taken place.

Shri Goenka: Is it a fact that the refugees were asked to deposit certain sums of money and an undertaking was given to them by the Government of Bombay that this mill will be given to them on lease, provided that money was deposited? Is it a fact that though the money has been deposited the mill has not yet been handed over to the refugees?

Shri A. P. Jain: As I said, the whole matter is a rather complicated one.....

Shri Sidhva: Why is it complicated?

Shri A. P. Jain: That is what I am explaining. At one time some Indian owners of the shares in the Karachi Electric Supply Corporation had approached the Bombay Government with a request that they may be allowed to exchange their shares with these evacuees shares of Messrs. Ahmed Abdul Karim Bros., Ltd., but that exchange was not allowed, and no exchange can take place without the permission of the Government.

Meanwhile a proposal to allot the mill to the refugees who had formed themselves into a corporation was pending. Because of the case pending in the Bombay High Court this mill cannot be handed over to these refugees, but orders have been passed that as soon as this case is settled, the mill will be allotted to the refugees provided nothing arising from the order of the court stands in the way of allotment.

Shri Goenka: Is it a fact that the question of exchange of these shares with the shares of the Karachi Electric Supply Corporation arose much later than the agreement which was entered into by the Government of Bombay with the refugees to hand over the mill to them?

Shri A. P. Jain: I am not so sure of the date, but I think both the things took place more or less simultaneously.

Shri Sidhva: Sir, his predecessor's attention was drawn by me to the fact that actually an agreement was entered into between the Government of Bombay and these refugees to hand over this concern to these refugees. May I know what transpired later on?

Shri A. P. Jain: I don't know what transpired between Shri Sidhva and my predecessor, but from the record I find no commitment of that kind had been made. But orders have, in fact, been passed that as soon as legal difficulties with regard to the case now pending in the Bombay High Court are over, this mill will be allotted to the refugees; we could not do anything more than that.

Shri Goenka: Is it a fact that the Government have received a representation from the refugees that in order to deposit this money with the Government of Bombay they had to sell their jewels, belongings and shares to collect the amount, and they did this on the understanding that the mill will be allotted to them?

Shri A. P. Jain: I might state for the information of the House that the representatives of these refugees who came to me recently went away perfectly satisfied. Perhaps the advocates of the refugees are trying to over-reach the refugees.....

Shri Sidhva: Let us know what it is—I heard something else from them.

Mr. Deputy-Speaker: Next question.

Shri Sidhva: Sir, I wanted to ask a question. Is it a fact that a certain intermediary wants that if the mill is to be allowed to be run by the refugees, a certain share is to be given to him from their profit?

Shri A. P. Jain: There is no intermediary. Whatsoever the settlement, it is going to take place direct with the refugees and nobody comes in.

Shri Goenka: When was this mill declared an evacuee property? And why was it not taken over by the Government although according to my information it was declared evacuee property some 16 months ago?

Shri A. P. Jain: I cannot give the exact date when it was declared as such, but the reason why it could not be taken over by the Custodian is this. The Custodian of Evacuee Property, Bombay, notified the right, title and interest of the shareholders in Messrs. Abdul Karim Brothers as evacuee property. In April, 1950 the Custodian, in exercise of his power, had called a shareholders' meeting with the object of amending the Articles of Association so that the control of the mill would pass

into his hands. But this has made no progress owing to an application made by the Company to the High Court on which an injunction was issued. The High Court has not yet decided the case, and therefore it is impossible for the Custodian to take control of this mill.

Prof. S. L. Saksena: Why was an application for exchange of evacuee property with non-evacuee property entertained at all?

Shri A. P. Jain: Anybody is at liberty to put in any application, but what is decided on that application is what matters.

Prof. S. L. Saksena: But the fact is that the evacuee property has been kept pending for so long.

NATIONAL RESEARCH LABORATORIE

***352. Shri Kesava Rao:** (a) Will the Prime Minister be pleased to state the progress made in the establishment of National Research Laboratories?

(b) Are these entirely devoted to fundamental research or have the researches carried on here any relation to the problems of production?

The Prime Minister (Shri Jawaharlal Nehru): (a) A statement giving the information is placed on the Table of the House.

(b) The National Laboratories carry out fundamental and applied research along lines likely to help the industries concerned either by evolving new methods or by improving established methods so as to bring down costs.

STATEMENT

- (1) The National Chemical Laboratory, Poona, was opened by the Prime Minister on 3rd January, 1950 and has started its research programme.
- (2) The National Physical Laboratory, Delhi, was opened by the hon. the Deputy Prime Minister

on the 21st January, 1950 and has started its research programme.

- (3) The Fuel Research Institute, Dhanbad, was opened by the President on the 21st April, 1950 and reasearch is being conducted at the Institute.

Two Coal Survey Stations at Raniganj and Jharia coalfields under the Administrative control of the Institute have started work. Four more at Bokharo-Ramgarh-Karanpura, Umaria, Kamptee and Assam are being constructed for conducting regional coal survey.

- (4) The Central Glass and Ceramic Research Institute, Jadavpur, Calcutta, will be opened on the 19th August, 1950. Research work has started at the Institute.
- (5) The Central Food Technological Research Institute, Mysore, will be opened during the current year. Research work at the Institute has started.
- (6) National Metallurgical Research Laboratory, Jamshedpur, will be opened during the current year. Research work at the Institute has started.
- (7) Central Drug Research Institute, Lucknow, will, it is expected, be opened by the beginning of 1951. Research work is being conducted there on a small scale.
- (8) The Central Leather Research Institute, Madras. The Tannery Block of this Laboratory is under construction and will be completed by August, 1950. The construction of the Central Block of the Institute will be commenced shortly.
- (9) The Central Electro-Chemical Research Institute, Karaikudi. Construction of the Technological Block is to be started shortly and it is expected that the Laboratory buildings will be completed during the financial year 1951-52.

- (10) The Central Road Research Institute, Okhla (Delhi-Mathura Road). A temporary laboratory building is put up for this Institute for carrying out important and urgent research on road problems. Designs for the permanent laboratory are being drawn up.

- (11) The Building Research Institute, Roorkee. The land required for the building has been obtained recently and plans for the building of this Institute are ready. A nucleus unit is working at Roorkee in a building given on loan by the Thompson Engineering College.

Shri Kesava Rao: Under the terms of reference of the establishment of these National Research Laboratories, can a private industry ask for research assistance to solve its special problems regarding production?

Shri Jawaharlal Nehru: There are no terms of reference, but Government and these Laboratories are always ready to help private industry in that way.

Shri B. R. Bhagat: May I know the total expenditure on these Laboratories, and also out of that total how much is contributed by Government and how much by private industries?

Mr. Deputy-Speaker: That is given in the Budget.

Shri Jawaharlal Nehru: Obviously I cannot supply these figures, but they were given not only at the time of the Budget but also in that kind of annual report that was presented to the House by me. Of course, the larger part comes from Government, but a fairly considerable part comes from private contribution.

Prof. S. L. Saksena: May I know whether the Prime Minister is satisfied with the progress of research in scientific matters in these Laboratories?

Shri Jawaharlal Nehru: Most of these Laboratories have just started functioning in the course of the last year. In the course of the next week one of them is going to be opened at Calcutta. So far as I know, research work is progressing. Normally, bright and scintillating results don't come out—it is a mass of small results that go to make up the sum total. All I can say is that the progress of normal research work here is very good.

Shri T. N. Singh: May I know whether the fundamental research being carried on there is with a view to helping in the industrial research or whether it is just pure fundamental research?

Shri Jawaharlal Nehru: The hon. Member has not followed my first answer. That is the very question I answered.

Shri Kesava Rao: May I know what are the industries taking advantage of these Laboratories?

Shri Jawaharlal Nehru: Such industries as are bright and smart.

NEW COUNCIL OF MINISTERS

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

(a) whether it is a fact that the Prime Minister and the other members of the Council of Ministers submitted their resignation to the President on 5th May, 1950 or thereabout;

(b) when the new Council of Ministers was appointed by the President; and

(c) on what date did each of the Ministers take the oaths of office and of secrecy under Article 75 (4) of the Constitution?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes, on the 5th May, 1950.

(b) On the 5th May, 1950.

(c) A statement is laid on the Table of the House showing the date on

which each member of the Council of Ministers, as appointed by the President, on the 5th May, 1950, took the oaths of office and of secrecy.

STATEMENT

Cabinet Ministers

(1) Shri Jawaharlal Nehru	6th May, 1950.
(2) Sardar Vallabhbhai Patel	6th May, 1950.
(3) Maulana Abul Kalam Azad	6th May, 1950.
(4) Dr. Jotin Matthai	6th May, 1950.
(5) Sardar Baldev Singh	6th May, 1950.
(6) Shri Jagjivan Ram	6th May, 1950.
(7) Shri Rafi Ahmad Kidwai	6th May, 1950.
(8) Rajkumari Amrit Kaur	23rd June, 1950
(9) Dr. B. R. Ambedkar	8th May, 1950.
(10) Shri N. V. Gadgil	6th May, 1950.
(11) Shri N. Gopalaswami Ayyangar	6th May, 1950.
(12) Shri Jairamdas Daulatram	6th May, 1950.
(13) Shri Harekrushna Mahtab	12th May, 1950.
(14) Shri K. M. Munshi	12th May, 1950.

Ministers of State

(1) Shri C. C. Biswas	12th May, 1950.
(2) Shri Mohan Lal Saksena	6th May, 1950.
(3) Shri K. Santhanam	6th May, 1950.
(4) Shri R. R. Diwakar	6th May, 1950.
(5) Shri Satya Narayan Sinha	12th May, 1950.

Shri Kamath: After the dissolution, or rather the resignation of the old Council of Ministers, did any of the new Ministers attend to their Ministerial duties and draw their salaries as Ministers before they took the oaths of office and secrecy?

Shri Jawaharlal Nehru: Yes, Sir, because I believe some of them were not in Delhi. One of them was abroad carrying on ministerial duties and on her return she took the oath of office.

Shri Kamath: Is it not a fact that according to the Constitution a Minister cannot be a Minister until he takes the oath of office?

Shri Jawaharlal Nehru: That is a matter for the Law Minister to reply.

Mr. Deputy-Speaker: That is a matter of opinion.

Shri Kamath: Article 75(4) says:

“Before a Minister enters upon his office, the President shall administer to him the oaths of office and of secrecy...”

Shri Jawaharlal Nehru: I may tell the hon. Member that the oath of office and the oath of secrecy were taken in each case previously. They had not ceased after a certain date. For instance, if a person is ill for a few days before he takes a second oath, that does not mean that he ceases to exist.

Shri Gautam: Does this oath of secrecy and allegiance apply to the Ministers who have resigned and have not been appointed Ministers again?

Shri Jawaharlal Nehru: It applies to the Ministers who have resigned even though they may not be reappointed. It goes on applying to them for the rest of their lives.

Shri Tyagi: If it is a fact that the oaths of these Ministers is continuing, then may I know why they have taken the oath of secrecy once again? Why was it repeated?

Shri Jawaharlal Nehru: For form's sake.

Shri Kamath: On the date the new Council of Ministers was appointed by the President, did the Deputy Ministers form part and parcel of the Council of Ministers, and were they appointed by the President or by the Prime Minister?

Shri Jawaharlal Nehru: That is rather an intricate matter of legal interpretation on which opinions differ, but at the present moment it is perfectly clear and in fact it has been laid down definitely and precisely that the Deputy Ministers are part and parcel of the Council of Ministers.

Shri Kamath: Have the Deputy Ministers who had been appointed previously by the Prime Minister been re-appointed by the President now, and if so, on what date?

Shri Jawaharlal Nehru: They have been so re-appointed, but I cannot remember the exact date.

PURCHASE OF BUILDING FOR INDIAN EMBASSY IN IRELAND

*354. **Shri Tyagi:** (a) Will the Prime Minister be pleased to state whether his attention has been drawn to the press statement issued by Dr. John Matthai, ex-Minister of Finance, in which he had stated that the Prime Minister had sanctioned expenditure for the purchase of a building for our Ambassador in Ireland and also for the staff of the said Embassy?

(b) Is it also a fact that the above expenditure was sanctioned against the expressed decision of the Standing Finance Committee?

(c) How much expenditure was involved in the transaction?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes. But there was no question of purchase of a building. The proposal was for renting a small building and the employment of a skeleton staff.

(b) This matter was not specifically referred to the Standing Finance Committee, as it was not necessary to do so under the rules on the subject. When considering the establishment of diplomatic relations with Ireland last year, the Committee suggested that further expenditure on this should be avoided except for the travelling expenses of the Ambassador in paying occasional visits to Dublin. This year the matter arose again because of certain political reasons and it was found necessary to establish a small office for the Embassy. This was considered and approved by the Cabinet.

The merits of a proposal regarding the establishment of diplomatic

relations with any country are considered on political grounds by the Standing Committee of the Legislature for External Affairs and not by the Standing Finance Committee. Final decisions in such matters, as in all other matters, rest with the Cabinet.

(c) The rent of the building is £900 per annum. A sum of £250 was also sanctioned for fittings.

Shri Tyagi: May I know if the building in question has been taken on lease, and if so, for what term?

Shri Jawaharlal Nehru: Sorry, I could not say for what period, but it is rented.

Shri Raj Bahadur: In view of the statement just now made by the Prime Minister in connection with the previous question that the oath of secrecy continues to apply to even those Ministers who have resigned, may I enquire whether Dr. John Matthai was entitled to divulge this information to the Press and if he was not, was any action taken by Government?

Mr. Deputy-Speaker: I do not think it calls for an answer.

Shri Kamath. Is Eire represented diplomatically in India?

Shri Jawaharlal Nehru: Not yet. We expect representation.

Shri Kamath: At the time we decided to appoint an Ambassador, was there no talk of exchange simultaneously?

Shri Jawaharlal Nehru: Of course. If the hon. Member remembers, he will realise that a statement to that effect was issued. But the actual sending of an Ambassador is left to the convenience of the Government concerned. In fact, we ourselves have not appointed a separate Ambassador for the time being in Dublin, but our High Commissioner in London is functioning as Ambassador there.

Shri Tyagi: May I know if it is a fact that this newly leased building remains vacant when the Ambassador is in England and is occupied only occasionally when he goes there?

Shri Jawaharlal Nehru: This is not a leased building. It is a small building rented for the office, and a Secretary and a clerk sit in the office there permanently. Nobody lives in it.

Shri Hossain Imam: May I know if the Standing Advisory Committee of the E.A. Ministry was consulted on this subject and also whether its approval was obtained?

Shri Jawaharlal Nehru: I presume it must have been. The matter came up but I do not exactly remember the date or the form in which it did. But such matters are always referred to the Standing Advisory Committee.

FEEs FOR APPLICATION FOR IMPORT LICENCES

*355. **Dr. Deshmukh:** Will the Minister of Commerce be pleased to state:

(a) the date on which fees for application for import licences were introduced;

(b) the amount of fees obtained up to the end of June 1950;

(c) the total number of applications which were received; and

(d) what was the number of applicants who were given import licences?

The Minister of Commerce (Shri Sri Prakasa): (a) Fees in respect of applications for import licences were levied with effect from 1st January 1950.

(b) Arrangements have been made with the Audit Officers to supply particulars of realisation of these fees. Complete returns for the period January/June 1950 have not been received but the figures so far supplied make a total of about Rs. 16 lakhs.

(c) 1,27,284 applications were received in the Import Trade Control Organisation under the Commerce Ministry during the period January/June 1950.

(d) 30,739 licences have so far been granted against applications received for the January/June 1950 period.

Dr. Deshmukh: May I know whether there has been any change in the basis of granting import licences to new-comers since the above announcement was issued?

Shri Sri Prakasa: No, Sir. The old policy continues.

Dr. Deshmukh: Is it a fact that originally those paying Rs. 500 income-tax were entitled to apply, but later on the basis was altered to about Rs. 3,000 or 5,000?

Shri Sri Prakasa: I am sorry, I do not exactly recollect the figures. But I may state for the information of the House that I am considering this matter and I hope to come to a decision before long.

Shri Sidhva: In view of the hon. Minister's reply that he is considering this matter, may I know whether the case of the new-comers who are refugees is being taken into consideration?

Shri Sri Prakasa: I need hardly assure the hon. Member that this matter touches my heart as much as it touches his. I am most anxious that as far as possible facilities should be given to refugees. But so far no definite policy has been laid down and I am considering the question as to how I can implement the wishes of both my hon. friend and myself in this matter.

Dr. Deshmukh: May I know the number of applications that are still pending?

Shri Sri Prakasa: 27,341 applications were pending disposal at the headquarters and at the port offices on the 31st July 1950. Every effort

is being made to see that all applications relating to January/June 1950 licensing period are disposed of by the 31st August 1950.

Dr. Deshmukh: What is the total expenditure involved in maintaining this licensing system as against the income of Rs. 16 lakhs from licence fees?

Shri Sri Prakasa: I am sorry, I am unable to give the figures straight-away.

Dr. Deshmukh: Is it a profitable business?

Shri Sri Prakasa: So far as I know, we are able to meet the expenditure of this Department from the licence fees.

Shri Sidhva: What is the procedure regarding the disposal of these applications for licence? Is it a fact that complaints are continuing that the licences are being delayed, and if so has the hon. Minister taken any steps in this direction? What is the minimum period he himself thinks should be taken for the disposal of each application?

Shri Sri Prakasa: The difficulty of the position will be realised when I say that 1,27,294 applications were received in the Import Control Organisation under the Commerce Ministry during the period January/June 1950. I was myself very much worried when I took charge about the delays. There were many complaints about the working of the Department also. Therefore, I requested Shri G. L. Mehta and some other colleagues to help me to find out ways and means of disposing of these applications quickly. I am expecting their report by 15th September and I do hope that things will improve before long.

Shri Raj Bahadur: May I know the name of the State to which the largest number of import licences was granted and the name of the State to which the lowest number was issued?

Shri Sri Prakasa: We do not keep any record State-wise.

Shri Raj Bahadur: Is it a fact that more than one import licence is granted to the same firm or the same man?

Shri Sri Prakasa: It is too general a question which I cannot answer.

Shri M. L. Gupta: May I know whether it is a fact that certain articles are allowed to be imported under O.G.L., but when they are actually landed, difficulty is experienced in regard to Custom clearance? On reference of such matters to the Ministry originally the Ministry rules that the said article is covered by O.G.L. and subsequently the first letter is said to be incorrect, with the result that importers are put to considerable hardship.

Shri Sri Prakasa: Some cases, as referred to by the hon. Member have come to my notice and I have tried my best to put things right.

Dr. Deshmukh: Is it a fact that for the new-comers only 10 per cent. of the total quota is reserved? Are there any instances where this quota has been exceeded.

Shri Sri Prakasa: It is a fact, Sir, that the policy of the Ministry has been that 10 per cent. should be reserved for new-comers. I am myself examining whether it is possible to increase that percentage, because I do feel that new-comers might be encouraged. As to whether in any particular case the quota has or has not been exceeded, I cannot say.

Shri Tyagi: Have any instances come to the notice of the hon. Minister of licences being sold by the actual licencees to big firms?

Shri Sri Prakasa: I am glad my hon. friend has asked this question.

That is the exact difficulty with the Ministry's working, because persons do not behave as honestly as they ought to. There have been illicit transfer of licences because of which various restrictions have been

put and unfortunately the honest have also had to suffer with the dishonest.

Shri Tyagi: Is there any proposal before the Ministry to make it a rule that licences will not be transferred or sold to other parties?

Shri Sri Prakasa: There are rules; but if people do not follow the rules, what are we to do?

Shri Shankaraiya: How are licences granted? Are all the applications pertaining to a particular item considered and licences granted simultaneously, or stray applications only are taken into consideration?

Shri Sri Prakasa: Does the hon. Member want to know the procedure we follow?

Mr. Deputy-Speaker: He wants to know whether the applications are considered as and when they are received, or are all the applications bundled together and looked into and decisions taken?

Shri Sri Prakasa: Applications are received in the office in large numbers every day. They are diarised and then each section looks after the applications pertaining to it.

Shri Shankaraiya: My question is about disposals. Are all the applications considered simultaneously, or stray applications as and when they are received or one here and one there are considered and disposed of?

Shri Sri Prakasa: The applications received in my office are disposed of in exactly the same manner as my hon. friend disposes of his daily dak. I am sure he does not dispose of all the dak he receives simultaneously. Nor is my office able to dispose of all the applications simultaneously. Each application has to take its own turn.

Dr. Pattabhi: What is the advantage of fixing a last date for sending in of applications? If the earlier applications are disposed of and they get the benefit of the quota, what is

the purpose of fixing June 30th as the last date for the receipt of applications?

Shri Sri Prakasa: I presume that date is fixed so that no further applications may be made after that date.

Shri Goenka: Arising out of the answer of the hon. Minister that inspite of the fact that these transfers do take place, do the Commerce Ministry think in terms of penalising those who transfer their applications?

Shri Sri Prakasa: When such cases come to light, the offending parties are put on the black-list and they are not issued any further licences.

NATIONAL INSURANCE SCHEME

*356. **Shri Kesava Rao:** (a) Will the Minister of Labour be pleased to state why it has not been possible to inaugurate the National Insurance Scheme in Delhi and the U. P. as was originally planned?

(b) What is the amount so far spent on the organisation of the scheme?

(c) When will it be possible to inaugurate the scheme?

The Minister of Labour (Shri Jagjivan Ram): (a) and (c). The attention of the hon. Member is invited to the answer given to Question No. 54 on the 1st August 1950.

(b) Rupees seven lakhs and twenty-six thousand till the end of June 1950.

Shri Kesava Rao: May I know whether it is a fact that there is opposition for this scheme from the industrialists?

Shri Jagjivan Ram: It is a fact that just a day after I left India for Geneva a representation was made to the Government by a big capitalist to postpone the scheme for the present.

Shri Venkataraman: May I know what is the total number of workers who are expected to be covered in Delhi area?

Shri Jagjivan Ram: I am afraid I have not got the figures.

Shri Kamath: How much of this amount of Rs. 7 lakhs and odd has been spent on the acquisition of buildings for the offices of the corporation and how much for other purposes?

Shri Jagjivan Ram: I have not got the figures separately; I require notice of that question.

Shri Kamath: Is it a fact that the deal for the purchase of the building in Bombay was finalised without reference to the hon. Minister who was subsequently faced with a *fait accompli*?

Shri Jagjivan Ram: That is not a fact. It was with my full approval that the negotiation was carried on and the negotiation is still continuing. There was some legal difficulty about the matter. As soon as that point is cleared the building will be purchased.

Shri Goenka: Is it a fact that the Federation of Indian Chambers of Commerce and Industry was in favour of the scheme?

Shri Jagjivan Ram: I never said that all the industrialists are against the scheme. I only said that one big industrialist made a representation.

Shri Kesava Rao: Is there a proposal before Government to abandon this scheme on account of the opposition of the industrialists?

Shri Jagjivan Ram: Just the contrary. The proposal before Government is to implement the scheme.

Shri Venkataraman: How many doctors are going to be engaged in the Delhi area to attend to this scheme?

Shri Jagjivan Ram: I have not got the figures.

Shri Goenka: Is it because of the opposition of one industrialist that the scheme has been put in cold storage?

Shri Jagjivan Ram: Not at all; I may inform the House that the representation of that industrialist did not carry any weight with the Government.

JAPANESE TECHNICIANS

*357. **Shri Kesava Rao:** (a) Will the Minister of Industry and Supply be pleased to state whether there is a proposal to invite more Japanese Technicians to this country?

(b) Are they coming down to India in an advisory capacity for the Government of India or will they assist industrialists to tackle their problems?

(c) Have the American authorities given the necessary permission?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). The Ministry of Industry and Supply have not so far invited any Japanese technician to advise them. It is, however, proposed to recruit a Japanese expert for the Central Silk Board to assist them in the installation of Reeling and Testing machines recently purchased by them from Japan. Government are also assisting Indian industry in obtaining the services of Japanese technicians.

(c) The answer is in the affirmative.

Shri Kesava Rao: May I know whether it is a fact that these Japanese technicians have come for the development of cottage industries in India?

Shri Mahtab: As I have already said, the Ministry of Industry and Supply have not taken any Japanese technicians.

The Prime Minister (Shri Jawaharlal Nehru): There is some confusion in the mind of the hon. Member. The Ministry of Rehabilitation have engaged the services of some Japanese technicians, not the Ministry of Industry and Supply.

Prof. S. N. Mishra: May I know how many Japanese experts are in India?

Shri Mahtab: So far as my information goes, 13 technicians have come from Japan to help the Rehabilitation Ministry and one is likely to help the Silk Board.

Sardar B. S. Man: Out of the Japanese technicians who came here, has any one of them gone back, and if so for what reasons?

The Minister of State for Rehabilitation (Shri A. P. Jain): Three of these technicians are still with us. Two or some such number have gone.

Sardar B. S. Man: But two or some such number has gone. What was the reason for their going back?

Shri A. P. Jain: One of them was not actually a technician. He had come more or less as an interpreter and we thought that it would not be in the public interest to extend his services.

Shri Kesava Rao: May I know whether there is any proposal that these Japanese technicians should co-ordinate their work with the Cottage Industries Board?

Shri Mahtab: The Cottage Industries Board has not considered the question at all, but there is a proposal to take the help of some of these Japanese technicians by having them appointed on that Board. But that has not been finalised.

Shri Kamath: Is there any proposal to secure the services of Japanese experts to aid and advise Government about fisheries and pearl culture?

Shri Mahtab: The Agriculture Ministry has got a proposal.

Shri Deshbandhu Gupta: May I know whether it is a fact that no steps are being taken by Government to encourage the employment of foreign technicians in India?

Mr. Deputy-Speaker: There are already Japanese technicians here!

Shri Deshbandhu Gupta: What I mean to ask is whether it is a fact that we need quite a number of

foreign technicians but they do not feel encouraged to come to India as they find Income-tax laws oppressive which apply to them in the same manner as to other people. Has Government considered that aspect of the question and if so do they propose to give them some concession?

Shri Jawaharlal Nehru: When we want a competent man we are prepared to get him from any country in the world. We want first-rate men. About Income-tax matters it is a question of payment and we have to decide whether a particular person is worth the amount he demands. That is a matter of decision in each individual case and we solve it.

Shri Deshbandhu Gupta: That is so far as the Government is concerned. I want to know whether it is not a fact that such technicians are given special facilities by some countries in respect of Income-tax laws so that private firms can get the services of technicians more easily.

Mr. Deputy-Speaker: It is a very large question.

Sardar B. S. Man: Is it a fact that many foreign nationals, more particularly from U.S.A., are willing to come here as technicians but they are unable to find suitable jobs here in Delhi?

Shri Mahtab: I do not think it arises out of the question.

UNIFORM SYSTEM OF WEIGHTS AND MEASURES

*358. **Lala Raj Kanwar:** Will the Minister of Industry and Supply be pleased to state:

(a) what active steps Government propose to take to ensure introduction of a uniform system of standard weights and measures in the country;

(b) the controlled price of a set of standard weights; and

(c) whether Government have considered the proposal of reducing the sale-price of a standard set of weights with a view to their more rapid introduction in the country?

The Minister of Industry and Supply (Shri Mahtab): (a) At the instance of the Government of India, the Indian Standards Institution set up a Special Committee on Weights and Measures to consider the question of introducing a uniform system of weights and measures in the country. The Committee has submitted a report recommending the introduction of metric system of weights and measures in the country. The introduction of this system involves considerable volume of work and expenditure. In view of the present financial stringency and various other more pressing problems and as the question of introducing a uniform system of weights and measures in the country is one which does not warrant over-riding priority, it has been decided to postpone the matter to a later date.

(b) and (c). Government of India only lays down the standard of weights and supplies reference standard to State Governments. It is the function of the State Governments to control the price of a set of standard weights which are manufactured by private agencies.

Government of India have nothing to do with the prices of a set of or sets of standard weights.

Lala Raj Kanwar: Are Government in a position to fix any target date for the introduction of a uniform system of weights and measures in this country?

Shri Mahtab: As I have already explained the Mint manufactures only the standard weights and supplies them to the various State Governments. For the bazar use private agencies manufacture these weights and there is no control over the prices of these weights manufactured. But the State Governments can control the prices as Bombay has done.

Lala Raj Kanwar: My question was with regard to the fixation of a target date.

Mr. Deputy-Speaker: Is there any particular date on which a uniform set of weights and measures will be

made applicable throughout the length and breadth of India? That is what he asks.

Shri Mahtab: Is the hon. Member referring to the metric system?

Lala Raj Kanwar: Any system.

Mr. Deputy-Speaker: Standards of weights vary with articles and products.

Dr. M. M. Das: May I know whether the decision has been taken to introduce the Metric system of weights within a definite period?

Shri Mahtab: No date has been fixed but it has been decided to introduce it.

Dr. M. M. Das: But has the decision been taken that that system will be adopted?

Shri Mahtab: That is the case.

MINISTERS HOLDING POSTS OF DIRECTORS OF JOINT STOCK COMPANIES

***359. Shri Gautam:** Will the **Prime Minister** be pleased to state which of the Cabinet Ministers, Ministers of State or Deputy Ministers of the Government of India have held the posts of Directors of any Joint Stock Company since the 15th August, 1947?

The Prime Minister (Shri Jawaharlal Nehru): No Cabinet Minister, Minister of State or Deputy Minister has held the post of Directorship in any Joint Stock Company since assumption of office as Minister, with the exception of Shri Rafi Ahmed Kidwai, who continued as a Director of the Associated Journals Ltd. of Lucknow till the beginning of this year when he sent his resignation from the post.

Shri Gautam: Is it not a fact that Shri Mohan Lal Saksena was a Director of a Joint Stock Company while he was a Minister?

Mr. Deputy-Speaker: I think it has no life now.

Shri Jawaharlal Nehru: I cannot precisely answer the hon. Member's question because Shri Mohan Lal

Saksena has not been available here for me to contact him and get the information. We have asked the other Ministers. But since his resignation I could not reach him and therefore I cannot precisely say. But speaking from such personal information as I have I think he sent his resignation soon after he came in as Minister, and that probably was kept pending.

Shri Gautam: Is the Government aware that some of the shareholders of this Joint Stock Company of which the hon. Minister Shri Kidwai is a Director got contract for the Night Air Mail Service the procedure of granting which contract was criticized by Mr. J. R. D. Tata?

Shri Jawaharlal Nehru: It is quite possible. I do not know the precise facts. But vaguely I think it is true that some shareholders of that Company were subsequently connected with that Air Mail Service. They were shareholders or part-holders of that Air Mail Service. I do not quite know what further information the hon. Member desires on this subject.

Shri Tyagi: May I know if the hon. the **Prime Minister** is aware of the practice that is prevalent in England with regard to Ministers being on the Board of Directors of concerns and of newspapers which are considered to be political organisations?

Shri Jawaharlal Nehru: As far as I know, Ministers have often continued on such bodies. There is no law. These are conventions and the conventions first do not allow any Minister to be connected with a profit-making industrial concern. In regard to the other matter I am not quite sure in my mind. I do not think it is considered generally right for them to continue, but it is not a strict rule. I am not sure about the non-profit-making and other concerns like them.

Shri Gautam: How many meetings of the Board of Directors did this Minister attend and for how many trips did the Government of India pay the travelling expenses?

Shri Jawaharlal Nehru: I do not know how many meetings he attended, but I do know that the Government of India did not pay anything on that account, in regard to the travelling expenses.

Mr. Deputy-Speaker: The Question Hour is now over.

Short Notice Questions and Answers

FAMINE CONDITIONS IN MADRAS

Shri Kamath: Will the Minister of Food be pleased to state:

(a) whether the attention of Government has been drawn to a P.T.I. report dated 30th July, 1950, from Madras (Vide *Times of India, Delhi*—Page 1) to the effect that people in some parts of that State are living on creepers and leaves;

(b) whether the report is correct;

(c) whether similar reports have been received from other parts of the country, if so, from where; and

(d) what measures Government have taken or propose to take in order to meet this serious situation?

The Minister of Food and Agriculture (Shri K. M. Munshi): Perhaps it will be more convenient if I make a statement before the House giving in detail the position in Bihar and Madras rather than answer questions and then supplementaries. I ask your permission to do so.

Mr. Deputy-Speaker: Very well. Then I will ask the other questions to be put.

Shri K. M. Munshi: The other question may also be taken up.

Mr. Deputy-Speaker: The next question is by Shri B. P. Jhunjhunwala.

FOOD SITUATION IN BIHAR

Shri Jhunjhunwala: (a) Will the Minister of Food be pleased to state whether the attention of Government has been drawn to the statement dated the 10th August, 1950, made by hon. Shri Anugrahnarayan Sinha, Supply Minister, Bihar in connection

with the deteriorating food situation in the State of Bihar wherein he says that the maintenance of the population of Bihar cannot be guaranteed at anything other than semi-starvation level?

(b) If so, what steps do the Government of India propose to take to arrange for the supply of food grains adequate enough to meet the present situation?

The Minister of Food and Agriculture (Shri K. M. Munshi): Sir, I will take the position of Madras first. When I visited Madras in the first week of July no one expected any trouble because the Madras Government expected to procure sufficient quantity of rice. By the middle of July, the situation deteriorated on account of the failure of the South West Monsoon in southern districts. On 30th of July, Madras had 139,000 tons of foodgrains on hand. The Madras Government had expected a procurement of 60,000 tons in July, 50,000 tons in August and 54,000 tons in September, but in July they could only procure 40,000. In August also they were expecting 40,000. In September also they were expecting 40,000 tons. This sudden short-fall in procurement added to the difficulties. In the month of July 50,000 tons of food supplies and 30,000 tons of fertilizers arrived in the Madras ports and had to be moved to different districts immediately. This made the internal transport position very difficult and the internal stocks could not be moved and distributed promptly. In July, August and September the Central Government are moving 92,000 tons of milo, 75,000 tons of wheat and 83,000 tons of rice by imports or from internal sources. The difficulties in the districts have arisen partly because the seriousness of the situation became apparent only about the middle of July all of a sudden and the transport was not able to cope with the needs of the situation. Today the Madras Gov-

ernment is estimated to possess 100,000 tons. In addition 2,000 tons per day approximately are being imported and distributed directly to the districts. The Madras Government have now sent senior responsible officers to the surplus States to expedite the despatches of the quantities allotted by the Centre earlier. Now that absolute priority is given to food, movement is expected to start from these States within about a week's time. Difficulty in transport which has been mainly responsible for the Madras Government's inability to place sufficient stocks at the disposal of ration shops is likely to continue for a few days. The Madras Government is manfully trying to meet the very difficult situation. The procurement has become more difficult even in the present surplus areas on account of the scare created by propaganda. During the last two weeks the situation had been very precarious. The story of people living on barks, inedible leaves or selling babies is unfounded.

The overall position from August to October when the new crop will come in is as follows:

Stocks at the end of July—
140,000 tons.

Internal procurement expected by the Madras Government—
150,000 tons.

Supplies by the Centre—
276,000 tons.

In the result that by the end of October Madras will have 566,000 tons. The normal off-take of Madras is 150,000 tons per month. Thus up to November when the arrivals of the new harvest may be expected, there will be sufficient stock. By the end of September some foreign import of rice is expected and the position should improve. At the end of October there will be a stock of over one lakh tons.

As regards the rice position in general, it is not possible to satisfy in full the rice demands of Madras, Travancore-Cochin, Mysore, West Bengal and some parts of Bombay from internal sources or from imports. The rice stocks in the country are meagre.

The purchase of rice from Burma, Egypt, Italy and Siam is being actively pursued, but not with quite satisfactory results. There seems to be an impression that we can procure rice from Burma, but our negotiations with the Government of Burma have not been successful. However, contracts for import of certain quantities of rice from Italy, Egypt and Siam have been made, but it will take some time before they start arriving. I also hope to induce some of the wheat-eating States to give up rice in order that it may be diverted to deficit areas in rice. Recently, I am glad to say that the Punjab has agreed to give 6,000 tons of rice out of their scanty resources. Mr. Karunakara Menon was deputed by the Central Government to tour the affected districts and he investigated the position and has helped the Madras Government to take immediate measures to relieve the situation.

Shri Kamath: Who is Mr. Karunakara Menon and what is his designation?

Shri K. M. Munshi: Mr. Karunakara Menon is an ex-Director-General of Food of the Central Government. He has been recently deputed for special purposes in Bihar and Madras, because he has considerable experience of procurement all over India and he was a Member of the Tirumala Rao Committee.

With regard to Bihar, the latest position this morning is this. Fair price shops have been opened in the affected districts: Dharbhangha 21, Purnea 19, Shaharsa 25, Monghyr 51 and Bhagalpur 24. Rice is frozen in Dharbhangha to the extent of 16,371 maunds, Purnea 66,608

maunds, Shaharsa 2,833 maunds, total, 85,812 maunds. A large number of officers of the Bihar Government have been appointed to tour scarcity affected areas in the districts and report every day and they are making arrangements for the distribution of food. I have also requested hon. Members Shri Jhunjhunwala and Shri A. P. Sinha to proceed after Parliament is over to Bhagalpur and other districts and help in making the necessary arrangements to see that the stock which is sent by the Central Government reaches there in time.

With regard to the Bihar food situation, after the 15th of July when information about the situation in Bihar reached the Central Government, 19,300 tons were despatched to Bihar of which 9,300 tons are confirmed as having reached Bihar. The balance of 10,000 tons should have reached the different stations in Bihar by now though official confirmation is lacking. Additional 18,000 tons are being moved into Bihar by special trains as quickly as possible. The total receipts, therefore, between the 15th of July and 31st of August, 1950, would be in the neighbourhood of 37,300 tons, i.e. more than three months' normal requirements of Bihar.

Then I come to starvation deaths. For the last three days I have been getting the Bihar Government to make enquiries into the large number of starvation deaths which go on appearing again and again in newspapers. The following is the result of the investigation carried on by the Bihar Government officers on the spot, with regard to each village and with reference to the name of the person reported dead:

Purnea: 94 deaths were reported in the whole district from the 15th of June as having been starvation deaths. Out of this number, eight

are not found to have occurred at all. Twelve deaths took place many years ago; 23 died of cholera; one of malaria; ten of other diseases; six of old age; eight in which malnutrition may be a contributory factor; one death was entirely due to starvation; 25 cases are still under enquiry.

Bhagalpur: Four deaths were reported, all in the Thana of Gopalpur. One person died of longstanding bowel trouble; one case was of death while tending cattle in the fields; one person died while going about his normal work; one died of over-exertion, after he had walked seven miles.

Shaharsa: Twenty cases were reported during the last two months. All reports so far enquired into are found to be untrue. Some reported deaths have not occurred at all. One death was due to burns and one due to septic wound and old age. This is the latest report on starvation deaths.

In the light of what I have stated the situation, as hon. Members will see, was unanticipated and it is only the floods in North Bihar and the failure of the mid-July monsoon in Madras that suddenly developed this enormous strain on the supply position in the two provinces of Bihar and Madras. The position of Ministers in both the provinces of Madras and Bihar is made difficult by exaggerated propaganda about starvation.

Shri Kamath: On a point of clarification, as in the case of Bihar, is there a proposal to depute any Madras Members of Parliament to the affected districts to study the situation there?

Shri K. M. Munshi: As a matter of fact, I am considering the question of deputing a few Members of Parliament from Madras to go to the districts and look into the situation.

Prof. S. N. Mishra: May I know whether the Government have any knowledge about the target of procurement fixed for Bihar?

Shri K. M. Munshi: In Bihar procurement is only nominal.

Prof. S. N. Mishra: I want the target.

Shri K. M. Munshi: They have fixed no target. They have only been able to procure 37,000 tons in 1950.

Prof. S. N. Mishra: I want to know how the procurement figures compare with those of last year.

Shri K. M. Munshi: As a matter of fact, after the de-control of 1948, there has been no definite target and no specific efforts made to procure. Last year 48,000 tons were procured; this year 37,000 tons.

Shri Jhunjunwala: What is the percentage of deficit of food in Bihar when compared with the overall deficit of the whole of India?

Shri K. M. Munshi: I should like to have notice.

Shri Jhunjunwala: May I know if this statement given in the Hindustan Times is correct that the overall deficit of the whole of India is 4.92 million tons; out of that the deficit of Bihar is 1.9 million tons?

Shri K. M. Munshi: As I stated, I would like to have notice. We do not know whether these figures are correct.

Shri Jhunjunwala: When was the quota allotted from the Central food stock to Bihar Government in the previous year?

Shri K. M. Munshi: I have not got the figures for 1949. I can give the figure for 1950.

Shri Jhunjunwala: Is it a fact that 1,30,000 tons were allotted last year?

Shri K. M. Munshi: As I said, I should like to have notice.

Shri Jhunjunwala: What is the quota allotted this year?

Shri K. M. Munshi: The original quota for 1950 was 40,000 tons. It was raised in June to 60,000 tons and the allotment made so far is even in excess of that quantity.

Shri B. R. Bhagat: May I know whether the quota allotted last year was reduced from 1,60,000 tons in 1948 to 40,000 tons last year?

Shri K. M. Munshi: As I said, I do not know the figures for 1949. Last time when the basic plan was formed, the provinces agreed that this should be their quota. It was on that basis that these calculations are made.

Shri Jhunjunwala: Is it a fact that 200,000 tons of crop has been damaged, as has been accepted by the hon. Minister?

Shri K. M. Munshi: It is very curious. When I went to Bhagalpur, the Minister told me that 60 per cent. was the loss in maize. Now, it is said that I have admitted 60 per cent. and that 60 per cent. will be two lakh tons.

Shri Jhunjunwala: Has this Government any programme to meet this deficit?

Shri K. M. Munshi: As I have already pointed out, Bihar will have three months' stock by the end of September.

Shri Jhunjunwala: For the whole of Bihar or the affected areas?

Shrimati Durgabai: May I know whether the hon. Minister's attention has been drawn to the speeches made on the food debate in Madras, that some children were sold for a few rupees on account of the difficulty in securing food, and will the hon. Minister take steps to find out whether they are exaggerated statements or represent correct facts?

Shri K. M. Munshi: In my statement, I have already stated that the story of people living on inedible leaves or selling children is not corroborated by the Madras Ministry so far.

Shri Tyagi: May I know, Sir, . . .

Mr. Deputy-Speaker: Order, order. I will only allow Members from Madras and Bihar to put questions with respect to the Statement. The Statement is sufficiently complete. Still I will allow a few questions for three or four minutes. I do not propose to allow any other Member from any other province.

Shri Hossain Imam: Can the hon. Minister state what is the normal requirement of Bihar in the matter of food-grain and what was the estimated production for the year 1950?

Shri K. M. Munshi: I have not got the figures here. In 1949 the production was 5 million tons; this year it is 4.96 million tons.

Shri Hossain Imam: Is the requirement calculated on the basis of 12 oz. or 16 oz.?

Shri K. M. Munshi: I have not got the figures of requirement. Production did not fall very much this year.

Shri M. P. Mishra: Is it a fact that the basic demand of Bihar for 1950 was 80,000 tons out of which the Government of India allotted only 40,000 tons?

Shri K. M. Munshi: That is not correct. When the basic plan is formulated, all the provinces meet and they settle as to how much approximately they will require. Forty thousand tons was fixed as the quota to be allotted to Bihar.

Shri Satish Chandra: May I know whether the hon. Minister consulted or had any discussions with the Food Ministers of Uttar Pradesh.

Bihar and Madhya Pradesh before condemning the policy of their respective Governments in a public speech at Bombay?

Shri K. M. Munshi: I never condemned them and if I am going to condemn any one I am not going to consult him.

Shri Bharati: Has the attention of the hon. Minister been drawn to a statement made on the floor of the Madras Legislative Assembly in which the stock position in the various districts on the 5th August 1950 has been given? I have added up the figures and they come to 13,000 tons in all the deficit districts and I have also got the figures of tons of grains in transit and these latter total up to 10,000 tons. Adding the two totals together, I get a figure of 23,000 tons. In view of such a statement to which I trust the attention of the hon. Minister has already been drawn, how does he state that the stock is as much as 1,14,000 tons? I have got this statement in my hand here, and it has been published in all the newspapers. There they have given seriatim the stock position of each food grain, for instance rice, wheat, millet, and also the number of days for which such stocks can be consumed. All these are given. For instance, rice stock will last for so many days and so on. I do not want to read out the statement, but I only ask for information as to how we can reconcile the hon. Minister's statement here and what these figures show us. I want to.....

Mr. Deputy-Speaker: The hon. Member need not go on lecturing. The Minister of Food can reply.

Shri K. M. Munshi: Well, I do not have the statement that the hon. Member refers to. But on the 30th July, there was a stock of 1,15,000 tons of rice with the Government of Madras. Unless I have the statement which the hon. Member refers

to, I cannot give any answer off-hand.

Mr. Deputy-Speaker: It is better in such cases that the hon. Member gives a copy of the statement to the Minister and the latter checks it up and studies it.

Shri Jhunjhunwala: Regarding the statement of the food position given by the hon. Minister, will the stocks be sufficient only for the affected areas or for the whole of Bihar?

Shri K. M. Munshi: The affected areas do not require so much. Do you mean to say that the affected areas require three times the monthly quota of Bihar?

Shri T. N. Singh: Sir, is the distress in these areas owing to the lowering of the purchasing power of the people also or only due to the scarcity of the food grains?

Shri K. M. Munshi: As I said, in Bihar two factors contributed to the difficulties, the early rains and the floods. In Madras there were also two factors—the failure of the south-west monsoon and the transport position.

Shri Karunakara Menon: Has it come to the notice of the Government that in certain ration shops in Malabar District, instead of cereals roots have been ordered by the Collector to be distributed to the people?

Shri K. M. Munshi: I read about it in some newspapers. I have not verified it and I cannot say anything about it.

Shri Meeran: Sir, is there a ban against private individuals or firms getting rice from other countries, for instance from Burma or any other country?

Shri K. M. Munshi: I should like to meet that gentleman who is going to get rice from Burma; I shall hug him to my heart.

Shri Meeran: Has the attention of the hon. Minister been drawn to the fact that in the Madras Assembly it was stated that necessary facilities are not given for such imports and that if the necessary facilities are given there are people prepared to get the rice from outside.

Shri K. M. Munshi: If everything stated in Madras Assembly is taken as correct, then anything might have happened to Madras by now.

Shri Meeran: Are they then prepared to give the necessary facilities to those who are prepared to get the rice from outside?

Mr. Deputy-Speaker: The hon. Minister has already said that he would embrace that man.

Shrimati Durgabai: It has been stated that rice is being rushed to the deficit areas in Madras, but are Government taking steps or are they satisfied that this rice is reaching the particular areas in time and is evenly distributed to the people?

Shri K. M. Munshi: I have already said in my statement that the internal movement position there is not satisfactory and hence the difficulty, even in taking the grain to the different districts, and this difficulty will continue for about eight days more.

Shrimati Durgabai: Are these difficulties due only to the internal movements and the wagon position, or are there any other factors contributing to this difficulty?

Shri K. M. Munshi: As I have already said, the difficulty is due to the internal movement.

Mr. Deputy-Speaker: I will now proceed to the next question.

OPEN GENERAL LICENCE

Shri Jhunjhunwala: Will the Minister of Commerce be pleased to state:

(a) what reasons the Government had to extend the scope of Open General Licence;

(b) the provision made regarding the exchange needed to finance these additional imports;

(c) the precise date and time when the notification regarding the revised Open General Licence was issued to the Press; and

(d) what have been the immediate consequences of that publication, with special reference to speculative markets regarding commodities which are now placed on Open General Licence?

The Minister of Commerce (Shri Sri Prakasa): (a) The decision of the Government of India to issue the recent Open General Licence was based on the following considerations:

(i) the present international situation;

(ii) the recent tendency of prices of commodities going up and their availabilities becoming more and more restricted; and

(iii) the need to cut down the licensing procedure to the minimum in the case of commodities which must be imported in order to maintain industrial production.

(b) Imports of these articles were already permitted under licence; and in view of the limited scope of the Open General Licence it is not expected that the expenditure of foreign exchange will be considerable. The amount will be met either from increased exports; or if exports do not improve, by an adjustment in imports later in the exchange year.

(c) The notification regarding the Open General Licence was sent to the Press at 5-39 p. m. on the 5th of August 1950. The time, Sir, I may add, was accidental; no astrologer was consulted.

(d) Government have not received any reliable information as yet about the immediate consequences following the publication of this Open

General Licence and in fact it would appear to be too early to assess the actual results. I may add, however, that in a Press report appearing on the 8th August 1950, it was stated that the effect of the Open General Licence on markets was to lower prices by 10 to 15 per cent., both in goods included in Open General Licence and in others. The prices of goods not included in the Open General Licence were checked, it has been stated, owing to the expectation that the scope of the Open General Licence may be extended.

Shri Jhunjunwala: What was the date?

Shri Sri Prakasa: 5th August, 1950.

Shri Jhunjunwala: Was it at 5 p.m.?

Shri Sri Prakasa: I said 5 hours, 39 minutes and 7 seconds in the afternoon.

Shri Jhunjunwala: Is it a fact that a week after the O. G. L. was issued the prices of the commodities for which the O. G. L. had been issued began to go up in foreign countries and that these commodities are difficult to get in those countries?

Shri Sri Prakasa: That is not our information. In fact the prices in our country have gone down.

Shri Jhunjunwala: I am not talking of the prices in this country. I am talking of the prices in foreign countries.

Shri Sri Prakasa: I said that that is not our information.

Shri Jhunjunwala: What steps are Government going to take to keep our people informed so that if the prices go very high they may not make purchases? What happened last time must be within the knowledge of the Government. When the O. G. L. was allowed so many commodities were imported

worth crores of rupees at very high rates and India suffered a lot on account of that.

Shri Sri Prakasa: There is usually a monetary ceiling and goods will not be allowed to come beyond that.

Shri Jhunjunwala: Is there a monetary ceiling in regard to O. G. L.?

Shri Sri Prakasa: I am not sure, but I believe there is in some cases.

Shri Jhunjunwala: Not in all cases?

Shri Sri Prakasa: No, possibly not in all cases.

Shri Jhunjunwala: Do Government propose to check the articles in which there is no monetary ceiling rate?

Shri Sri Prakasa: Government will take the necessary action.

Shri Kamath: Is it the policy or habit of Government to time all their notifications to the minute and second as was done in this case?

Mr. Deputy-Speaker: The hon. Member ought to know it.

We will proceed to the next question.

CANTONMENT BOARD'S ELECTIONS

Shri Tyagi: (a) Will the Minister of Defence be pleased to state whether it is a fact that Government have issued a directive to the General Officer Commanding-in-Chief, Southern Command, to the effect that in the coming elections of the Cantonment Boards, one seat in each Board shall be filled by "the Scheduled and the Depressed Classes separately and not by the general voters including the Scheduled and Depressed classes jointly" and that the electoral rolls shall be prepared separately for the Depressed and Scheduled classes of the Cantonment?

(b) When are these elections to be held?

The Minister of Defence (Sardar Baldev Singh): (a) No.

(b) About January, 1951.

Shri Tyagi: Have the Ministry received a letter No. 1530/III-MLC, dated 12th May, 1950 from the General Officer Commanding-in-Chief, Southern Command to the effect that he was awaiting instructions with regard to the preparation of electoral rolls and in reply to that is it a fact that the Ministry sent a communication that the electoral rolls of the scheduled caste voters should be separately prepared?

Sardar Baldev Singh: The difficulty seems to be that the hon. Member has been able to get a copy of a letter from the Southern Command dated the 12th May but he has not been able to get the Defence Ministry's letter of the 5th August, 1950. If he gets a copy of that letter from the same source, he will be perfectly satisfied.

Shri Tyagi: Is it a fact that a letter was issued but afterwards it was cancelled or withdrawn?

Sardar Baldev Singh: I do not deny the fact that a lot of correspondence does take place between the Southern Command or other Commands and the Ministry, but the final reply should only be taken into consideration. The present instructions are what I have stated in reply to the question.

Shri Tyagi: The final instructions were not stated. I want to know what the final instructions are.

Sardar Baldev Singh: I said 'No.'.

Shri Tyagi: 'No' means no final instructions were given. Is that the meaning? I want to know what final instructions have been given with regard to the preparation of electoral rolls and whether the scheduled caste electors will be separately enrolled or they will be brought under the joint electoral rolls?

Sardar Baldev Singh: The present instructions are that the Central Government have decided that there should be only one electoral roll for the cantonments, from which candidates both for the general seats as well as for seats reserved for the scheduled castes should be elected and they have suggested that the Boards concerned may be informed accordingly. These are the instructions.

Shri Tyagi: Thank you.

Shri Kamath: On what date, and at what time, to the minute and second?

Mr. Deputy-Speaker: On the 5th August, 1950.

IMPORT OF COCONUT OIL

Shri Alexander: Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that the import of coconut oil is now placed under O.G.L. (O.G.L. No. 20) and the reason therefor;

(b) whether the concerned State Governments and the All-India Coconut Committee were consulted before the announcement was made; if not, why it was not done;

(c) whether Government are aware that any fall in the price of coconut is bound to affect adversely the economic stability of more than 75 per cent. of the population of Travancore-Cochin and Malabar; and

(d) whether any measure is now devised to keep up a steady economic level in the price of coconut oil?

The Minister of Commerce (Shri Sri Prakasa): (a) Yes. This has been done in order to afford opportunities to intending importers to obtain maximum supplies from abroad in the shortest possible time to meet the deficit in our requirements of coconut oil in view of the international situation.

(b) State Governments and the All-India Coconut Committee were not

consulted before the import of Coconut oil was placed on the Open General Licence. There was little time to do so, as it was deemed desirable to make the announcement without any loss of time.

(c) So far as the information of Government goes, the placing of import of coconut oil on the O.G.L. is not likely to affect adversely the economic stability of the people of Travancore-Cochin and Malabar. The following reasons may be mentioned:

(1) Indian production is short of the requirements by something like 9,000 tons per month.

(2) Availabilities are getting short and costs of foreign oils are rising because of the present international situation.

(3) In the matter of import of coconut oil, Government has to consider not only the interests of the producers of coconut oil but also of the consumers of coconut oil.

(d) Latterly on account of the international situation, import prices have risen so high as not to affect materially the indigenous price or production. No special measure is, therefore, called for.

Shri Karunakara Menon: Did the Ministry of Commerce consult the Ministry of Agriculture (under which the Indian Central Coconut Committee is working) regarding this matter of the free import of coconut oil? What was the advice tendered by the Ministry of Agriculture?

Shri Sri Prakasa: The Ministry of Agriculture agreed to this. These notifications are only issued after mutual consultation among all the Ministries concerned.

Shri Karunakara Menon: Is the Ministry of Commerce aware that a resolution was passed in the Indian Central Coconut Committee that no free import of coconut oil should be allowed and that if it is so allowed,

it is likely to affect the stability of the economy of the coconut-growing areas?

Shri Sri Prakasa: Conflicting resolutions have been passed by various bodies interested in the subject and we have to hold the balance somewhere.

Shri Alexander: As a result of the order by how much has the price fallen?

Shri Sri Prakasa: The price per ton of oil produced in India went up to Rs. 2,182 on the 22nd July 1950.

Mr. Deputy-Speaker: The question was by how much has the price fallen after the O.G.L.

Shri Sri Prakasa: There has not been enough time to assess that.

Shri Karunakara Menon: Have Government conducted an enquiry and tried to ascertain the approximate quantity of coconut oil required for our country?

Shri Sri Prakasa: The consumption of coconut oil in India is estimated at 2,33,100 tons per annum and the production at 1,26,000 tons per annum, which shows a deficit of 1,07,100 tons per annum.

Shri Karunakara Menon: When that deficit is made up, will Government stop these free imports?

Shri Sri Prakasa: The figures of the last two years clearly show that our imports can never be enough to meet this deficit.

Shri Lakshmanan: May I know whether any ceiling price has been fixed for imported oil?

Shri Sri Prakasa: There is no price control.

Shri Damodara Menon: How does the price of imported oil compare with the indigenous oil?

Shri Sri Prakasa: I can give the figures of the last two years. The landed cost of imported coconut oil

in 1945-46 was Rs. 921.80 per ton. In 1946-47 it was Rs. 1,073.5 per ton. In 1947-48 it was Rs. 1,574 per ton. That is the price of imported oil. Comparing these figures with the prices of the oil produced in India we find that in 1945-46 our oil was costing Rs. 1,271 per ton, in 1946-47 it was Rs. 1,766 and in 1947-48 Rs. 1,402 per ton. Our oil was really cheaper than the imported oil and there is no unfair competition.

Shri Damodara Menon: But my information is that the price of imported oil is forcing down the price of indigenous oil. Will the Minister consider the advisability of increasing the import duty?

Shri Sri Prakasa: The purpose of this import was to lower the prices in India because they were going up very high.

Shri Hossain Imam: May I know if it is a fact that even today the landed cost of foreign coconut oil would not be substantially lower than the prices in India?

Shri Sri Prakasa: That may be so.

Shri Shankaraiya: As the Mysore State also is affected in this, may I know whether the Mysore Government were consulted, and was the Tariff Board also consulted, before putting coconut oil on the O.G.L.?

Shri Sri Prakasa: I have already said that the matter was of such importance that action had to be taken immediately and we could not consult the Governments concerned.

Shri Lakshmanan: May I know whether the Government are aware of the fact that the Pakistan Government have imposed a 45 per cent. *ad valorem* duty on imports of coconut oil?

Shri Sri Prakasa: I fear I am not in the confidence of the Pakistan Government.

Mr. Deputy-Speaker: How does the question arise?

COLOUR AND AROMA OF VANASPATI

Pandit Thakur Das Bhargava: (a) Will the Minister of **Agriculture** be pleased to state what specific orders in regard to colour and aroma have been passed by him in regard to hydrogenated groundnut oil, popularly known as 'Vanaspati Ghee'?

(b) With what object have these orders been passed?

The Minister of Food and Agriculture (Shri K. M. Munshi): (a) It has been prescribed by a notification issued on 29th July 1950 that vegetable oil product shall not contain any colouring or flavouring matter except with the sanction of the Vegetable Oil Products Controller for India and in no event any colour resembling the colour of ghee. Similarly, if any flavour is used, it shall be distinct from that of ghee in accordance with a list of permissible flavours and in such quantities as may be prescribed by the Vegetable Oil Products Controller. Flavours, distinct from that of ghee, have been prescribed.

(b) This has been done with a view to make vegetable oil product or Vanaspati distinct from ghee in colour and aroma.

WRITTEN ANSWERS TO
QUESTIONS

COMPENSATION TO DISPLACED
PERSONS

***360. Shri Gautam:** (a) Will the Minister of **Rehabilitation** be pleased to state whether it is a fact that he has announced in public speeches that compensation would be paid to displaced persons?

(b) What is the basis on which compensation will be paid?

(c) Have the Government of India got a list of persons who left their property in Pakistan and the amount of property that they left?

(d) Is it a fact that displaced persons have to pay income-tax on the property that they left in Pakistan?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) Work relating to registration and verification of claims of displaced persons has been started. The assessment arrived at as a result of verification will form the basis for compensation:

(c) No.

(d) The income from property in Pakistan so far as Indian taxation is concerned is exempt from the determination of rate at which it should be assessed until such income is actually received in India.

AIRCRAFT IN DISPOSALS DIRECTORATE

***361. Shri Gautam:** (a) Will the Minister of **Industry and Supply** be pleased to state how many Curtis Commandos or other aircraft are there in the Disposals Directorate?

(b) To whom did the department recommend delivery of these aircraft?

(c) Can these aircraft be repaired and overhauled in Hindustan Aircraft Limited, Bangalore?

(d) Was any offer made by anybody to buy these aircraft and if so, by whom and for how much?

The Minister of Industry and Supply (Shri Mahtab): (a) The following Aircraft are available for disposal with the Directorate General of Disposal:

(i) 2 Auster III Aircraft at Jodhpur.

(ii) 4 Auster V Aircraft at Kanpur.

(iii) 70 Curtis Commandos at Panagarh.

(iv) 39 Dakotas at Panagarh and Phaphamau.

(v) 6 L-5s (Sentinels) at Panagarh.

(b) Auster III Aircraft are old, small machines, used for training purposes. Auster V Aircraft are in un-serviceable condition beyond economical repair. Both types are under offer to Flying Clubs.

It was decided to sell these aircraft to a certain Airways Company registered in India, but the sale has not been finalised.

All the available Dakotas are being serviced for (the first flight) transfer to Bangalore where they will be

stored and maintained by M/s. Hindustan Aircraft Ltd., for eventual sale on Government Account.

All the six Sentinels have been allocated to the Madras Flying Club, on the advice of the Directorate General of Civil Aviation.

(c) *H.M.G. Surpluses.*

The Aircraft are in poor condition and there is no possibility of their being made airworthy.

American Surpluses.

The question of the repair and overhaul of Curtis Commandos was considered in 1948 before it was decided to sell them to Airlines, but Hindustan Aircraft Ltd., being fully occupied with the repair and overhaul of Dakotas, were not in a position to handle modifications required.

As regards the Dakotas, M/s. Hindustan Aircraft Ltd., are in a position to repair and overhaul them and it has been decided to fly over to Bangalore, 39 serviceable Dakotas where they can be repaired and raised to Certificate of Airworthiness standard. It has also been decided that the Hindustan Aircraft Ltd., will sell these Dakotas against future Indian demands after overhauling and reconditioning them.

(d) *H.M.G. Surpluses.*

Auster III Aircraft are being sold to Hind Provincial Flying Club, Lucknow.

Auster V Aircraft are under offer to Flying Clubs.

American Surpluses.

Sale of Curtis Commandos and spares is under negotiation.

PURCHASE OF COTTON

*362. **Shri Jhunjunwala:** (a) Will the Minister of **Industry and Supply** be pleased to state whether it is the intention of Government to organize bulk purchase of cotton?

(b) If the answer to part (a) above be in the affirmative what are the advantages which will accrue from this scheme?

(c) Do Government contemplate to set up any special machinery for the purpose of bulk purchase?

The Minister of Industry and Supply (Shri Mahtab): (a), (b) and (c). The whole question is under active consideration of Government and it will help speculation if any public discussion takes place on the question.

REGISTRATION OF DISPLACED PERSONS' CLAIMS

*363. **Sardar Hukam Singh:** (a) Will the Minister of **Rehabilitation** be pleased to state whether the establishment required for the implementation of the Displaced Persons' Claims Registration Act has been organised?

(b) What is the estimated expenditure for this Registration work and what time is this likely to take?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Establishment for the Central Claims Organisation and Registration work has already been engaged. Staff for verification of claims will be engaged when all the claims have been registered.

(b) Estimated expenditure on the Schemes of Registration and Verification of claims is Rs. 35 lakhs. The maximum period provided by the Act to complete the work is two years but efforts will be made to complete it within the shortest possible time.

STORES PURCHASED FOR DISPLACED PERSONS

*364. **Sardar Hukam Singh:** (a) Will the Minister of **Rehabilitation** be pleased to state whether his Ministry ever approached the Ministry of Industry and Supply for the purchase of surplus stores serviceable to the displaced persons?

(b) If so, what kind of stores were purchased and utilised for the benefit of the displaced persons?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) Cloth, garments, jerseys, blankets, tents, wool, soap, milk condensed, trucks, jeeps, textiles, machine tools, and machinery, and general merchandise.

OPENING OF A FAIR PRICE SHOP OR CO-OPERATIVE STORE IN PLACE OF CIVILIAN GROCERY SHOP IN SECRETARIAT

***365. Dr. Deshmukh:** Will the Minister of **Industry and Supply** be pleased to state:

(a) whether there was a proposal by Government in the year 1949 to open a Fair Price Shop or put up a Co-operative Store immediately in place of the existing Civilian Grocery Shop in the North Block of the Secretariat leased to a contractor; and

(b) whether the lease of the contractor was extended by one year or so without affording an opportunity to the Co-operative Store while negotiations were on their way?

The Minister of Industry and Supply (Shri Mahtab): (a) Government contemplated opening a Fair Price Shop or a shop run on a Co-operative basis, after the expiry of the lease of the contractor who is now running the shop.

(b) The lease was extended from time to time on considerations not connected with the opening of a Fair Price Shop or a Co-operative Store. No formal negotiations were at any time being conducted with the Co-operative Store.

APPLICATIONS FOR IMPORT LICENCES

***366. Shri Tyagi:** (a) Will the Minister of **Commerce** be pleased to state as to how many applications for import licences are undisposed of?

(b) How many import licences were issued during the months of April, May and June, 1950 and of what value were they?

The Minister of Commerce (Shri Sri Prakasa): (a) 283 applications

were pending relating to the period prior to 1st January 1950, 27,341 applications relating to the period January-June 1950, and 6,437 applications relating to the period July-December 1950 and January-June 1951.

(b) The number of Import Licences issued monthwise during the three months in question is given below:

<i>Period</i>	<i>No. of Licences</i>	<i>Value</i>
1. April, 1950	3,998	Rs. 25,01,09,821
2. May, 1950	6,330	Rs. 50,38,46,198
3. June, 1950	7,407	Rs. 49,61,38,466

PORTUGUESE POSSESSIONS

***367. { Shri Hanumanthaiya:
Shri Channah:**

(a) Will the **Prime Minister** be pleased to state what steps the Government of India have taken in the matter of the Portuguese Possessions in India?

(b) What is the attitude of the Government of Portugal in this regard?

The Deputy Minister of External Affairs (Dr. Keshkar): (a) Last February the Indian Minister in Portugal conveyed to the Portuguese Government the views of the Government of India that foreign Possessions in India must eventually become part of the Indian Union for historical, political, and economic reasons, and that the Government of India would be glad to enter into negotiations with the Portuguese Government with a view to arriving at an amicable solution of the problem.

(b) The Portuguese Government have now replied that while it is their desire to co-operate with the Government of India and to build up friendship between the two countries, they could not discuss the future of Goa, as it is an integral part of Portugal.

We have conveyed our deep disappointment at the Portuguese Government's reply and have pointed out that we could not possibly accept this as a final disposition of the question, nor could we in any way acquiesce in the continuance of the present unsatisfactory position.

SALE OF U. S. AMMUNITION TO PAKISTAN

*368. { **Shri Hanumanthaiya:**
Shri Channiah:

(a) Will the **Prime Minister** be pleased to state whether the Indian Ambassador in U.S.A. conveyed to the United States' Secretary of State, India's concern over continued large-scale sale of U.S. ammunition to Pakistan?

(b) What was the reply received from the U.S. Secretary of State?

(c) What is the policy of the U.S. Government in the matter of supplies of ammunition to India?

The Deputy Minister of External Affairs (Dr. Keskar): (a) and (b). In this connection certain incorrect statements were made in the American press regarding the export of arms from the United States to India and Pakistan. Our Ambassador in Washington thereupon drew the attention of the State Department of the United States to the fact that wrong and misleading reports had been made.

(c) Since the cease-fire in Kashmir, it has been officially announced in the United States that there is no embargo on the export of munitions to India from the United States of America. No munitions have however been purchased from the United States of America during this period.

PAYMENT OF COMPENSATION TO INDIAN LAND-OWNERS IN BURMA

*369. { **Shri Hanumanthaiya:**
Shri Channiah:

(a) Will the **Prime Minister** be pleased to state whether a Delegation was sent to Burma to negotiate the

payment of compensation to Indian land-owners under the Burma Government's Land Nationalisation Act?

(b) What is the estimated amount of compensation claimed?

(c) What is the market value of the lands owned by Indians in Burma?

(d) What are the terms of settlement that the Indian and Burmese representatives to the negotiations have arrived at?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Yes, Sir.

(b) and (c). It is not possible to estimate the amount of compensation claimed. Under the Burma Land Nationalisation Act, the maximum rate is twelve times the land revenue while the rates suggested by the Delegation from India were 45 times the land revenue for lands settled prior to years 1910-16 and 30 times for lands settled afterwards.

As market values are fluctuating it is difficult to estimate the market value of the lands.

(d) No settlement was arrived at. The Government of Burma promised to consider the proposals of the Indian delegation.

COMPENSATION TO DISPLACED PERSONS

*370. **Sardar B. S. Man:** (a) Will the Minister of **Rehabilitation** be pleased to state whether in the Evacuee Property Conference between the representatives of displaced persons and Government held sometime in the summer of 1949, an assurance was given that compensation would be given to displaced persons for the property left behind by them in Pakistan?

(b) If so, have the Government since then decided as to the manner, form and time of giving compensation to the displaced persons?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) The manner, time and extent of compensation is a matter which is receiving the earnest attention of Government.

IMPORT OF HORSES FROM ENGLAND

***371. Sardar B. S. Man:** (a) Will the Minister of Commerce be pleased to state whether it is a fact that the Government of India or any of the State Governments are importing horses from England?

(b) If so, what is their number, for what purpose and at what cost are they being imported?

The Minister of Commerce (Shri Sri Prakasa): (a) No licence has been granted to any State Government or to any Ministry or Department of the Government of India for the import of horses from the United Kingdom.

(b) Does not arise.

PURCHASE OF GAIETY THEATRE, LONDON

***372. Shri Raj Bahadur:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the building of the Gaiety Theatre in London has been or is to be purchased by the Government of India;

(b) if so, for what amount; and

(c) for what purpose?

The Deputy Minister of External Affairs (Dr. Keskar): (a) and (b). No; but Government have entered into a 99 years lease, with a break clause after 99 years, with a firm for construction of buildings suitable to our requirements on the Gaiety Theatre site in London. The annual rent of the buildings, when ready, would be between £16,000 to £20,000.

(c) To provide accommodation for the High Commissioner's Office and staff. The present rented accommodation is unsuitable, inadequate and expensive for the area occupied.

KONKANI MUSLIM LIBRARY IN NAIROBI

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

(a) whether the attention of Government has been drawn to a news item published in the *Organiser* (a Delhi Weekly) dated the 3rd July 1950 on page 10 thereof regarding the laying of the foundation-stone of the Konkani Muslim Library in Nairobi by India's High Commissioner there;

(b) if so, whether it is a fact; and

(c) whether it was done with the approval of Government?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Yes. The Government have seen the report.

(b) and (c). The report is not correct. The Commissioner for the Government of India did not lay the foundation-stone of the library. He was present as a guest on the occasion. There were no flags at this function. There were some bunting.

COMMERCIAL COUNSELLOR AT INDIAN EMBASSY, ROME

***374. Shri Raj Bahadur:** Will the Minister of Commerce be pleased to state:

(a) the name of the Commercial Counsellor, Embassy of India at Rome; and

(b) his previous experience and other qualifications for the post?

The Minister of Commerce (Shri Sri Prakasa): (a) The name of the Commercial Counsellor at the Indian Embassy, Rome is Shri Sharda Shankar Bajpai.

(b) Shri Bajpai's previous experience and qualifications for the post are that he has to his credit considerable administrative experience as well as commercial background. He was a member of the I.C.S. from 1925 to 1939. He was re-employed

in 1942, firstly, as Assistant Director of Counter Propaganda in the Directorate of Counter Propaganda under the Department of Information and Broadcasting. By 1944 he rose to the position of Deputy Secretary in this Department. Subsequently in 1945 he was transferred to the Commerce Department for an overseas trade appointment, namely, as Indian Government Trade Commissioner (which post was later designated as Commercial Counsellor to the Embassy of India) in Paris, which post he held till the end of May 1949 when he was recalled to India and appointed as Director, Administrative Intelligence Room, under the Ministry of Commerce. Shri Bajpai also possesses special qualifications such as knowledge of European conditions which he acquired as Trade Commissioner at Paris having under his jurisdiction a number of adjacent European countries, including Italy. He speaks French fluently, and has a working knowledge of German and Italian.

SMALL SCALE INDUSTRIES

***375. Shri S. C. Samanta:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether any training centre for small scale industries has been opened for East Bengal displaced persons in West Bengal;

(b) if so, what their names and number are; and

(c) whether small machines imported from Japan for cottage industries are being used in those centres?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) and (b). Four training-cum-work centres at (1) Habra (2) Gayeshpur (3) Chouhatti and (4) Bethuadahari have been sanctioned and are expected to be opened shortly.

(c) These machines will be supplied to the centres when they start working.

TECHNICAL AND VOCATIONAL TRAINING FOR ADULTS

***376. Shri S. C. Samanta:** Will the Minister of **Labour** be pleased to state:

(a) whether the decision of Government to introduce a scheme for the technical and vocational training of adult civilians has been given effect to;

(b) if so, what types of training are proposed to be imparted; and

(c) how many such centres have been or will be started?

The Minister of Labour (Shri Jagjivan Ram): (a) Yes, Sir. The Scheme has been given effect to from April, 1950. Attention of the hon. Member is also invited to the information given in reply to part (a) of Starred Question No. 236 asked by Prof. K. T. Shah in the last Session of Parliament.

(b) and (c). Two Statements are placed on the Table of the House. [See *Appendix IV, annexure No. 24*]

AID TO S. E. ASIAN COUNTRIES

***378. Shri Jnani Ram:** Will the **Prime Minister** be pleased to state:

(a) whether a conference of several nations was held in May last on aid to S. E. Asian Countries;

(b) whether India took part in the conference;

(c) what was the decision of the conference; and

(d) whether India has agreed to implement the terms of the decision arrived at in the conference?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Yes, Sir. A conference of Commonwealth countries was held in May at Sydney, Australia.

(b) Yes, Sir.

(c) The decisions of the Conference relate to:

(i) the preparation of a six-year development programme for the South and South-East Asian countries.

(ii) a Commonwealth Technical Assistance Scheme.

(iii) Emergency relief, and

(iv) Organization.

(d) We have agreed to draw up our own six-year development plan and to attend future meetings of the Conference in the autumn at London where development plans submitted by the other countries will be consolidated.

India is eligible for benefits of the Technical assistance scheme and has agreed to provide technical assistance to other countries, on the basis of bilateral agreements.

We shall consider on merits any request which we might receive from other countries in this region for Emergency Relief.

CONSTRUCTION OF QUARTERS BY TATAS

***379. Shri Jnani Ram:** (a) Will the Minister of Labour be pleased to state whether the Tatas Ltd. at Jamshedpur agreed to construct 200 new quarters every year for labourers and officers?

(b) Are they following this agreement?

(c) If the answer to part (b) above be in negative, what are the reasons therefor?

The Minister of Labour (Shri Jagjivan Ram): (a) The Government of India have no information.

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

MONOZITE SAND

***380. Shri Jnani Ram:** Will the Prime Minister be pleased to state whether plants for processing monozite sand have been installed in India and if so, at what place?

The Prime Minister (Shri Jawaharlal Nehru): A plant for processing monozite sand will be installed shortly at Alwaye, Travancore-Cochin State.

SURGICAL CATGUTS

***381. Shri Lakshmanan:** Will the Minister of Industry and Supply be pleased to state:

(a) the number of factories engaged in the manufacture of sterilised surgical catguts;

(b) the annual requirement of surgical catguts in the country; and

(c) what percentage of the requirement is met by indigenous production?

The Minister of Industry and Supply (Shri Mahtab): (a) Only one.

(b) About 12 lakh tubes.

(c) About 2 per cent.

EXPENDITURE ON REHABILITATION OF DISPLACED PERSONS

***382. Pandit Thakur Das Bhargava:**

(a) Will the Minister of Rehabilitation be pleased to state what is the amount of money which has so far been spent by the Government of India after 1st January, 1950 for the relief and rehabilitation of displaced persons from East Bengal?

(b) How much out of the same has been spent in Assam and Bengal?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The expenditure booked by Accounts Officers of different States in the Eastern Zone from 1st January, 1950 to 31st May, 1950, comes to Rs. 347.96 lakhs. Figures for the subsequent months are not yet available.

(b) Out of this amount Rs. 316.65 lakhs were spent in Assam and West Bengal.

TRAINING INDIANS IN SEAMANSHIP AND MARINE ENGINEERING

***383. Dr. V. Subramaniam:** Will the Minister of Commerce be pleased

to state the action taken by Government to train Indian boys in seamanship and marine engineering?

The Minister of Commerce (Shri Sri Prakasa): As the House is aware, the "Dufferin" was in the past the principal Training Institution for Deck and Engineer Cadets. With a view to increasing the flow of qualified officers, it was decided to confine the "Dufferin" to the Executive Branch only and to increase its capacity from 25 to about 60. At the same time, it was decided to open a separate Directorate of Marine Engineering Training to undertake the training of Engineering Apprentices and both last year and this year, 50 Apprentices have been taken as against 25 per year previously trained on the "Dufferin". There is scope for increasing the intake in both the institutions further, as the Indian Mercantile Marine expands and our requirements increase. A Nautical and Engineering College was also set up in 1948 to give post-sea theoretical instruction to candidates who have completed their apprenticeship (in workshop and at sea) to prepare them for examinations for Certificates of Competency. In order to give facilities to Indian nationals for training as Ratings in the Merchant Navy, a Training Institution has already been set up in Calcutta as a short term measure on the Training Ship, "Lady Fraser". The long term scheme which will provide for better training facilities is under examination.

DIRECTORATE GENERAL OF SHIPPING

*384. **Dr. V. Subramaniam:** Will the Minister of Commerce be pleased to state:

(a) when the Directorate-General of Shipping was created?

(b) What is the improvement now over the supervision of subordinate offices and the old set up?

(c) Has any decision been taken on the question of entrusting the administration of Ports to the Directorate General of Shipping?

The Minister of Commerce (Shri Sri Prakasa): (a) The Directorate General of Shipping was created in June 1949.

(b) The Directorate General was set up mainly for the purpose of making arrangements for and relieving the Secretariat of the increasing volume of Executive work connected with the administration of Merchant Shipping Acts etc., all of which has now come under the unified control of the Directorate General of Shipping. The Engineer-in-Chief, Light-houses, the Principal Officers of the Mercantile Marine Department and their respective Shipping Master, the heads of the 4 training Institutions, the Welfare Officers, the Technical Officers etc., all now work under the control of the Directorate General. This leaves the Ministry free to devote itself more exclusively to questions of Policy and Legislation. The Organisation was also intended to keep in touch with the interests affected and to submit proposals to Government for the developing of Indian Shipping. By virtue of its location in Bombay, where most of the subordinate organisations relating to Shipping and most of the principal Indian Shipping companies are located, the setting up of the Organisation has greatly facilitated the handling of all important problems both general as well as specific problems relating to particular institutions.

(c) No.

REHABILITATION OF EAST BENGAL DISPLACED PERSONS

*385. **Pandit M. B. Bhargava:** (a) Will the Minister of Rehabilitation be pleased to state what has been done by the Government of India towards the establishment of a statutory Autonomous Board of Rehabilitation as proposed by the convention of the Bengal Rehabilitation Organisation?

(b) What amount of expenditure has been incurred by the Government of India on each of these items so far and the amount they intend to spend in future?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The proposal will be considered when received.

(b) A statement showing the expenditure incurred in West Bengal

on Rehabilitation is laid on the Table of the House. It is not possible to give details of expenditure separately for each item, or the estimate of expenditure which may have to be incurred in future.

STATEMENT

Expenditure on the Rehabilitation of Displaced persons in West Bengal upto April 1950.

	1947-48	1948-49	1949-50	1950-51 (Upto April 1950.)
	Rs.	Rs.	Rs.	
Free grants to displaced students.	2,48,072	3,05,298		17
Grant-in-aid	6,70,483	5,30,043		..
Training Scheme.	51,673	6,34,667		1,957
Colonisation Scheme.	..	11,92,089		..
uilding materials.	9,52,549	43,59,694		2,00,000
Census	..	1,02,007		..
Scheme of dispersal of College student from Calcutta.	..	2,18,251		1,05,467
Scheme of primary education	..	6,20,644		4,476
TOTAL (GRANTS)	19,22,777	79,62,639		3,11,917
Loans to displaced agriculturists.	37,100	23,31,101		..
Home Building Loans.	24,07,174	1,10,55,936		1,62,550
Loans to professional men.	78,400	5,45,596		7,525
Loans to artisans and craftsmen.	1,67,637	2,06,750		..
Loans to business men.	5,11,315	34,52,491		6,48,622
Loans to displaced students.	8,00,000	3,10,345		16,299
Loans to colleges.	..	5,16,000		..
TOTAL (LOANS)	40,01,626	1,84,18,219		8,34,996

MEASURES FOR CREATING CONFIDENCE IN MINORITIES

***386. Pandit M. B. Bhargava:** Will the Prime Minister be pleased to state:

(a) the extent and value of stolen and looted property recovered by the Governments of Pakistan and India in their respective territories after the conclusion of Nehru-Liaquat Pact up-to-date;

(b) the number of houses and other property illegally taken possession of

by miscreants during the period of disturbances and which have been restored to their original owners after the Nehru-Liaquat Pact by both the Governments;

(c) the number of reported cases of abduction of women and children and of forcible religious conversion in the disturbed areas of Pakistan and India upto the conclusion of the Nehru-Liaquat Pact and thereafter up to the 15th of July, 1950;

(d) the number of places of worship defiled, damaged or destroyed

by miscreants before and after the conclusion of the Nehru-Liaquat Pact in either countries and the steps taken by both the Governments in their respective areas to restore them to their original conditions;

(e) what measures were adopted by both the Governments in their respective areas to create confidence and to restore the sense of security amongst the minorities after the conclusion of the Nehru-Liaquat Pact; and

(f) how these measures were implemented and with what results?

DISPLACED PERSONS EVICTED FROM EVACUEE PROPERTIES

***387. Pandit M. B. Bhargava:** Will the **Prime Minister** be pleased to state:

(a) the number of non-Muslim displaced persons who migrated to India and were accommodated in Muslim evacuee properties prior to the Nehru-Liaquat Pact and subsequently thereafter;

(b) the number of non-Muslim displaced persons who had to vacate the houses and other Muslim evacuee properties occupied by them since the conclusion of the Nehru-Liaquat Pact;

(c) what arrangements, if any, were made by Government for providing them with alternative accommodation;

(d) the number of Muslim evacuees who migrated to Pakistan and were accommodated in non-Muslim evacuee properties prior to the Nehru-Liaquat Pact and subsequently; and

(e) the number of Muslim displaced persons who had to vacate the houses and other non-Muslim evacuee properties occupied by them since the conclusion of the Nehru-Liaquat Pact?

[Answers to Starred Questions Nos. 386 and 387 covered by note on Indo-Pakistan Agreement of the 24th April, 1950, circulated to hon. Members (See Appendix III, annexure No. 17).]

IMPORT AND EXPORT LICENCES

***388. Sardar Hukam Singh:** Will the Minister of **Commerce** be pleased to state:

(a) the number of applications for Import and Export Licences received during the months of May, June and July 1950 separately; and

(b) the number of applications disposed of during the same months?

The Minister of Commerce (Shri Sri Prakasa): (a) The number of applications for import and export licences received both at Headquarters and at the ports was as follows:

Month.	Number of applications received for Import licences.	Number of applications received for export licences.
May	41,541	12,002
June	25,940	18,428
July	4,712	14,382

(up to 15th July for Import licences and 26th July for export licences.)

(b) The number of applications for import and export licences disposed of both at Headquarters and at ports was as follows:

Month.	Number of applications for import licences disposed of.	Number of applications for export licences disposed of.
May	15,698	11,879
June	33,244	16,291
July	25,974	14,069

(15th July for import licences and 26th July for export licences.)

U. N. FLAG IN KOREAN WAR

***389. Shri P. K. Ramiah:** Will the **Prime Minister** be pleased to state:

(a) whether the Indian Delegate voted for the use of the U. N. Flag in the Korean War; and

(b) whether the Indian Flag is also flying along with the flags of other countries on the Korean front behind the U. N. flag?

The Deputy Minister of External Affairs (Dr. Keskar): (a) No, Sir. The Indian representative on the Security Council abstained from voting on this issue.

(b) No.

FORMATION OF TRUSTEES OF DISPLACED PERSONS' PROPERTY

***390. Shri B. K. Das:** (a) Will the **Prime Minister** be pleased to state whether any committee has been formed in East Bengal, West Bengal, Assam or Tipperah in accordance with the provision of sub-clause (vi) of clause B of the Indo-Pakistan agreement of 8th April, 1950 to act as trustees of migrants' property?

(b) If so, how much property has been placed in charge of each committee and how much rent, if any, has been realised by each?

DISPLACED PERSONS' PROPERTY HELD UP AT CUSTOMS OFFICES

***391. Shri B. K. Das:** Will the **Prime Minister** be pleased to state:

(a) the amount of property belonging to migrants from East Bengal held up at the customs check offices in Pakistan; and

(b) the amount returned to their owners after the Indo-Pakistan agreement?

[Answers to Starred Questions Nos. 390 and 391 covered by note on Indo-Pakistan Agreement of the 8th April, 1950, circulated to hon. Members (See *Appendix III, annexure No. 17.*)]

MACHINE TOOL FACTORY

***392. Shri Satish Chandra:** Will the **Minister of Industry and Supply** be pleased to state what stage the proposal to establish a Machine Tool Factory in India has reached?

The Minister of Industry and Supply (Shri Mahtab): The main factory will be located in Jalahalli and the foundry in Bhadravati in Mysore State. Survey work at the sites selected is in progress and necessary land is being acquired. Details of the manufacturing programme are being worked out.

TREATY WITH NEPAL

***393. Shri A. B. Gurung:** Will the **Prime Minister** be pleased to lay on the Table of the House a copy of the treaty between the Government of India and the Government of Nepal?

The Deputy Minister of External Affairs (Dr. Keskar): A copy each of the Treaty of Peace and Friendship and Trade and Commerce concluded between India and Nepal on the 31st July 1950 is placed on the Table of the House. [See *Appendix IV, annexure No. 25.*]

REHABILITATION OF EAST BENGAL DISPLACED PERSONS

***394. Shri B. K. Das:** Will the **Minister of Rehabilitation** be pleased to state:

(a) the number of East Bengal displaced persons sent to the States of Orissa and Bihar; and

(b) the arrangements for their rehabilitation in those States?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The number of displaced persons sent so far to the States of Bihar and Orissa is 27,265 and 16,496 respectively.

(b) A reference may please be made to the answer furnished to part (c) of Unstarred Question No. 9 on the 1st August, 1950.

MONEY OF NON-MUSLIMS IN IMPERIAL BANK IN PAKISTAN

*395. **Sardar B. S. Man:** (a) Will the Minister of **Rehabilitation** be pleased to state whether any negotiations have taken place for the payment of money belonging to Hindus and Sikhs lying with Imperial Bank in Pakistan as regards (i) pre-emption suits money;

(ii) money of redeemed mortgages deposited with Imperial Banks; and

(iii) money lying in Co-operative Banks?

(b) If so, when will the payments be made to the respective depositors?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) (i) and (ii). Presumably the hon. Member is referring in both cases to money deposited as a part of civil proceedings and entered in registers of civil courts in West Pakistan. If so, the hon. Member's attention is invited to the Indo-Pakistan Evacuee Movable Property Agreement of June 1950, a few copies of which have already been placed in the library of the House, wherein it has been provided that court deposits of evacuees, where both parties to the civil proceedings are non-Muslims, will be transferred en bloc to India.

(iii) In regard to money lying in Co-operative Banks, the attention of the hon. Member is invited to the Banking Agreement of April 1949, wherein an arrangement has been made for verification and transfer of deposits of evacuees in Co-operative Banks a few copies of this Agreement have already been placed in the library of the House.

(b) In the case of court deposits, instructions have been issued to Provincial Governments in Pakistan to move the respective High Courts for listing of transferable court deposits and collection of records pertaining thereto. Meanwhile the Government of Pakistan are examining legislation necessary to enable the transfers to be made. Actual transfers may take a few months.

Payment of Co-operative deposits to evacuees is dependent on verification of deposits in respective agreed areas in the two countries by the Registrars of Punjab (I) and Punjab (P). Partial verification in respect of the two Punjabs has been completed, but verification in regard to other agreed areas has not yet been made. The two Registrars are meeting on the 21st August 1950, for completion of verification and finalization of balance-sheets. Actual payment will be made after completion of verification, the period for which cannot precisely be indicated.

REHABILITATION OF DISPLACED PERSONS IN BIHAR

*396. **Shri Kshudiram Mahata:** (a) Will the Minister of **Rehabilitation** be pleased to state the number of displaced persons' camps with names, started in the State of Bihar; and

(b) the number of displaced persons rehabilitated upto 31st July 1950 in Bihar out of the total number who have come to Bihar State till 31st July, 1950?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) A statement is placed on the Table of the House.

(b) The information is being collected.

STATEMENT,

- (1) Bihta
- (2) Mokamah
- (3) Gaya
- (4) Bhagalpur
- (5) Kodarma
- (6) Chapra
- (7) Hathwa
- (8) Purnea
- (9) Kishanganj
- (10) Tatisilwai
- (11) Ratu
- (12) Pakur
- (13) Rajmahal
- (14) Jamshedpur
- (15) Chandwa
- (16) Daltonganj

IMPORT OF PAINTS

***397. Shri Sanjivayya:** Will the Minister of Commerce be pleased to state:

(a) the quantity and value of paints imported into India during 1949-50; and

(b) the names of countries from which paints are imported?

The Minister of Commerce (Shri Sri Prakasa): (a) and (b). I place on the Table of the House a statement giving the required information [See *Appendix IV, annexure No. 26*].

NATIONAL PLANNING COMMISSION

***398. Prof. K. T. Shah:** (a) Will the Prime Minister be pleased to state the budgetary provision made for and on account of the National Planning Commission for the year 1950-51?

(b) How much of this is on account of the Members of the Commission, how much for their gazetted staff and clerical assistance, how much for travelling allowances, and how much on expert advice?

The Prime Minister (Shri Jawaharlal Nehru): (a) The decision to set up the Planning Commission was taken after the budget estimates for 1950-51 had been finalized. No provision, therefore, exists in the budget. The Standing Finance Committee has approved a proposal for a supplementary demand of Rs. 10,21,000.

(b) The provision made under different heads is as follows:

(i) Members of the Commission.	Rs. 95,700
(ii) Gazetted Officers.	Rs. 2,50,000
(iii) Non-Gazetted establishment.	Rs. 1,72,300
(iv) Travelling Allowance.	Rs. 70,000
(v) Advisory Board and Panels.	Rs. 1,22,000

REHABILITATION LOANS

***399. Prof. K. T. Shah:** (a) Will the Minister of Rehabilitation be pleased to inform the House as to the amount of loans advanced—

(i) by the Central Government to the several States, to aid them in their task of settling and rehabilitating the displaced persons in their respective jurisdiction;

(ii) by the Relief and Rehabilitation Corporation towards starting industry, trade or enterprise by displaced persons in the several States of India; and

(iii) directly to individual displaced persons by the Government of India?

(b) What is the number of borrowers and the nature of security, if any, obtained from them?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) (i) Rs. 31.88 crores upto July, 1950.

(ii) Upto the 20th July, 1950 the Rehabilitation Finance Administration (and not the Relief and Rehabilitation Corporation) sanctioned Rs. 4,45,57,600. Loans actually advanced amount to Rs. 2,02,33,000.

(iii) The policy of the Government of India is to disburse loans through the various State Governments and not directly.

(b) Upto the end of April, 1950, the various State Governments sanctioned loans of amounts not exceeding Rs. 5,000 to 92,220 individuals and 1,570 groups and Co-operative Societies, consisting of 18,244 members.

Regarding the nature of security, in the case of loans advanced by the State Governments, the loanees are asked to produce from two persons, who may themselves be displaced persons, a guarantee of good character and past solvency in Pakistan and the assets purchased out of the loans are hypothecated to the Government.

In respect of loans sanctioned by Rehabilitation Finance Administration the loanee is required to produce one or two guarantors. Moreover, the assets which the borrower

has at the time the loan is sanctioned or may create from the use of funds advanced are hypothecated to the Government.

EMPLOYMENT EXCHANGES FOR DISPLACED PERSONS

*400. **Prof. K. T. Shah:** (a) Will the Minister of Labour be pleased to state the number of Employment Exchanges under the Government of India established for the purpose of securing employment to displaced persons, and the cost of such Employment Exchanges in 1947-48, 1948-49 and 1949-50 and the estimated cost for 1950-51?

(b) How many persons have found employment with the aid of these Exchanges in these four years?

The Minister of Labour (Shri Jagjivan Ram): (a) At the end of June, 1950, there were 64 Employment Exchanges and 56 District Employment Offices functioning under the Government of India, at all of which employment assistance is afforded to displaced persons as well. Of these, 9 Employment Offices in Punjab and 1 in Assam were specially established to deal with the increased work relating to displaced persons.

The expenditure incurred on the Employment Exchanges is as follows:

<i>Year</i>	<i>Exp. in Lakhs</i>
1947-48 (Post-partition)	Rs. 18·59
1948-49	Rs. 41·12
1949-50	Rs. 38·96
1950-51 (estimated)	Rs. 24·60

(b) From October, 1947 to June, 1950, 1,39,166 displaced persons had been placed in employment by the Employment Exchange Organisation.

LIABILITIES OF DISPLACED BUSINESS- MEN INCURRED IN PAKISTAN BEFORE PARTITION

*401. **Master Nand Lal:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact

that displaced businessmen from West Pakistan are liable to pay in India all the financial liabilities incurred by them in Pakistan before partition?

(b) Are Government aware that these liabilities were incurred by the said businessmen against their stocks-in-trade and other fixed assets in the custody of banks which they have left in Pakistan?

(c) Do Government propose to introduce any scheme for the relief of such displaced businessmen regarding payment by them to their creditors?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Subject to the law of limitation and the special provisions of any law for the time being in force, the financial liabilities incurred by displaced businessmen in Pakistan before partition continue and remain enforceable even though those persons have come over to India. They may be sued in Pakistan where the cause of action arose or in India where they are residing or carrying on business. In the latter case, the reliefs provided for in the Displaced Persons (Legal Proceedings) Act, 1949 can be claimed. We have no information as to whether under any law in force in Pakistan similar reliefs can be claimed in suits instituted against the displaced businessmen in Pakistan Courts.

(b) Yes. In certain cases.

(c) Government have received representations, which are receiving attention.

TREATIES OF FRIENDSHIP WITH FOREIGN COUNTRIES

*402. **Prof. S. N. Mishra:** Will the Prime Minister be pleased to state the names of countries with which treaties of friendship and trade and commerce have been concluded this year?

The Deputy Minister of External Affairs (Dr. Keskar): India has this year concluded treaties of friendship and Commerce with Afghanistan and Nepal, and a treaty of friendship with Iran.

KOSI DAM PROJECT

***403. Prof. S. N. Mishra:** Will the **Prime Minister** be pleased to state:

(a) the order of precedence assigned to the Kosi Dam Project by the Planning Commission; and

(b) the factors governing the assignment of such an order of precedence?

The Prime Minister (Shri Jawaharlal Nehru): (a) The Planning Commission has not yet considered the order of priority to be assigned to the Kosi Dam Project. The Project is under investigation in the Ministry of Works, Mines and Power in consultation with the Government of Bihar.

(b) The principles governing priorities are under consideration.

CONVENTIONS *re* SUMMONING OF A FOREIGN AMBASSADOR TO A COURT OF LAW

***404. Prof. S. N. Mishra:** (a) Will the **Prime Minister** be pleased to state whether recently Government's permission was sought by the Court to summon the Ambassador of Argentina to India (Dr. Oscar Tascherl) in connection with a case resulting from a brawl with an Englishman J. K. Edwards?

(b) What are the international diplomatic conventions in this regard?

The Deputy Minister of External Affairs (Dr. Keskar): (a) No.

(b) Under International Law, no Envoy can be obliged or even requested to appear as a witness in a civil or criminal court, nor is an Envoy obliged to give evidence before a Commissioner sent to his house, but if

he chooses himself to appear as a witness, the courts can make use of his evidence.

METALLURGICAL COAL

***405. Shri R. L. Malviya:** (a) Will the Minister of **Industry and Supply** be pleased to state the main recommendations in the Interim Report of the Conservation Committee on Metallurgical coal?

(b) Have Government taken any decision on the recommendations of the Committee, if so, what are they and if not, how long will they take to take a decision?

(c) What is the present annual consumption of metallurgical coal and what are its various uses?

(d) What is the quantity of deposit of the metallurgical coal in the country and how long is it likely to last at the present rate of consumption?

(e) What steps do Government propose to take for the conservation of metallurgical coal?

The Minister of Industry and Supply (Shri Mahtab): (a) The main recommendation in the Interim Report related to the restriction in the output of metallurgical coal to the extent of 2.8 million tons during the next two years; 1.4 million tons in the first year and a further 1.4 million tons in the second year and the replacement of this quantity by increasing the production of non-metallurgical coal.

(b) It was found possible to effect an immediate replacement of 30,000 tons a month and this has been done. Further replacement will require a re-organization of rail movement in the various coal fields and this is being examined.

(c) About 11 million tons; mainly used in Iron and Steel factories, railways locomotives and for bunkering and export.

(d) According to the Final Report of the Committee, the total quantity in deposit is 2,000 million tons, which according to the present rate of consumption will last for about 200 years. The Committee has, however, emphasised that the above figure may well be halved unless precautions are taken in mining, and unless steps are taken to use blends containing weekly Coking Coals, and to wash the inferior grades of Coking coal.

(e) The recommendations made in the Final Report of the Committee are under consideration.

PRICES PRINTED ON CLOTH

***406. Shri R. L. Malviya:** (a) Will the Minister of **Industry and Supply** be pleased to state whether it has been brought to the notice of the Government that the prices printed on cloth like Saris, Dhotis, Shirting and Coating etc., are in many cases higher than those fixed for such quality of cloth and higher quality is also marked on it?

(b) If so, what steps have Government taken or propose to take to stop this practice?

(c) What is the machinery of Government for checking cloth at the mills and printing the prices on it?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). The hon. Member himself and certain other Associations reported to Government cases of over-stamping of prices on cloth by certain mills. On investigation by the Textile Commissioner, the stamped prices were found to be in accordance with the statutory prices based on the recommendations of the Tariff Board.

(c) The Textile Commissioner has got Regional Directors of Production at Ahmedabad, Bombay, Calcutta, Coimbatore, Kanpur and Indore whose duty is *inter alia* to check the production of cloth in the mills and also stamping of prices thereon.

RECOMMENDATIONS OF RAILWAY COLLIERIES ENQUIRY COMMITTEE

***407. Shri R. L. Malviya:** Will the Minister of **Industry and Supply** be pleased to state:

(a) the main recommendations of the Government Railway Collieries Enquiry Committee;

(b) whether Government have taken any decision on their recommendations; and

(c) if so, what are they and if not, how long will it take to take a decision and implement the same?

The Minister of Industry and Supply (Shri Mahtab): (a), (b) and (c). A statement giving the required information is laid on the Table of the House. [See *Appendix IV, annexure No. 27.*]

SURVEY STATION FOR ASSAM COALFIELDS

***408. Shri Buragohain:** Will the **Prime Minister** be pleased to state:

(a) whether there is any proposal to set up a regional coal survey station for Assam coalfields with a laboratory at Dibrugarh to work under the National Fuel Research Institute; and

(b) if so, whether any steps have been taken by Government towards its implementation?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes.

(b) Negotiations are going on with the Government of Assam for acquiring suitable building and land at Dibrugarh for this purpose.

TRAINING IN TEA MARKETING

***409. Shri Buragohain:** Will the Minister of **Commerce** be pleased to state whether there are any facilities available for Indians to receive training in the specialised work of marketing tea as apprentices in Tea Brokers' firms in Calcutta?

The Minister of Commerce (Shri Sri Prakasa): Yes, Sir. The scheme for training of Indians as apprentices in the four firms of tea brokers in Calcutta envisages the selection by each firm of 2 Indian nationals in 1950 and 1 in 1951 for apprenticeship course of three years before confirmation as members of the firms' staff.

IMPORT OF BICYCLES

***410. Shri Buragohain:** Will the Minister of Commerce be pleased to state:

(a) the number of units of bicycles imported into the country during the six months, January to June, 1950; and

(b) the number of units of bicycles manufactured in the country during the above period?

The Minister of Commerce (Shri Sri Prakasa): (a) From January 1950 to May 1950, 1,956 bicycles (entire or in sections) were imported from abroad to the value of Rupees one lakh eighty six thousand. Figures for the month of June 1950 are not available.

A statement giving the quantity and value of cycles imported entire or in sections and the value of parts and accessories of cycles imported during each of the five months is placed on the Table of the House. [See *Appendix IV, annexure No. 28.*]

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

EXPORT OF CHILLIES

***411. Kaka Bhagwant Roy:** (a) Will the Minister of Commerce be pleased to state what is the total quantity of chillies exported in each of the years 1948 and 1949?

(b) To which countries are chillies exported from India?

The Minister of Commerce (Shri Sri Prakasa): (a) The statistics of exports on calendar year basis are not readily available. The total quantities of chillies exported to foreign countries including Pakistan during 1948-49 and 1949-50 are given below:

1948-49	103,268 Cwt.
1949-50	183,932 Cwt.

(b) Two statements showing the quantities and values of chillies exported to various destinations by sea, air and land during the years 1948-49 and 1949-50 are placed on the Table of the House. [See *Appendix IV, annexure No. 29.*]

DISPLACED PERSONS LIVING ON PAVEMENTS IN DELHI

***412. Kaka Bhagwant Roy:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact that a large number of displaced persons are living on the pavements on the roads of Delhi and New Delhi?

(b) If so, what steps are being taken to provide them with accommodation?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) If they are registered within the prescribed dates and gainfully employed, they will be considered for allotment in one of the housing schemes of the Ministry. For those who are not registered within the prescribed dates but are gainfully employed some sites near Delhi have been found where they will put up their own houses. Government will provide certain amenities at these sites and Rs. 7.5 lakhs have been placed at the disposal of the Chief Commissioner, Delhi, for giving grants to deserving families for the purpose of building their houses. This plan is now being implemented sectorwise.

RESIDENTS OF PORTUGUESE INDIAN TERRITORIES IN INDIAN UNION

*413. **Shri Deogirikar:** (a) Will the **Prime Minister** be pleased to state whether the residents of Portuguese Indian territories who are in the Indian Union are classed as foreigners by the Indian Union?

(b) Have Government taken any steps to ask such people to register themselves as such?

(c) Are there any persons of Portuguese nationality in the service of the Indian Union and if so, what is their approximate number?

(d) Is there any restriction on Indian nationals for being taken in the service of the Portuguese Government in India?

(e) Are the Indian and Portuguese Indian nationals allowed to enter Portuguese territories in India and Indian Union territories respectively without passports?

The Deputy Minister of External Affairs (Dr. Kesar): (a) Yes.

(b) The matter is under consideration.

(c) There are some persons of Portuguese nationality in the service of the Government of India. Information as to the exact number is being collected.

(d) We have at present no information on the subject but enquiries are being made in the matter.

(e) Indians entering the Portuguese Establishments in India and Portuguese Indians entering India from Portuguese Establishments in India are not at present required to be in possession of passport.

IRON AND STEEL QUOTAS IN DELHI

*414. **Ch. Ranbir Singh:** Will the **Minister of Industry and Supply** be pleased to state:

(a) whether it is a fact that for granting iron and steel quotas in Delhi State to un-registered factories one of the main conditions was that the applicant should have been a quota-holder before the 1st January, 1946;

(b) whether it is a fact that several *bonafide* manufacturers who were quota-holders prior to that date were not granted quota, while others who were not quota-holders, and in some cases were not even *bonafide* manufacturers, were granted quota for iron and steel in Delhi State by the Director of Civil Supplies prior to the date of the waiving of this restriction; and

(c) if the answers to parts (a) and (b) above be in the affirmative, what steps do Government propose to take in the matter, and if none, why?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b).. The reply is in the affirmative.

(c) The Chief Commissioner, Delhi, has been asked to distribute the State non-agricultural quota amongst all eligible quota-holders on an equitable basis.

COTTON PRICES IN INDIA AND ABROAD

*415. **Ch. Ranbir Singh:** Will the **Minister of Industry and Supply** be pleased to state:

(a) What is the disparity in prices of cotton of similar counts prevailing in foreign markets and in India;

(b) the subsidy granted so far on imports of cotton;

(c) the subsidy given per candy or per maund on imported cotton;

(d) the difference between the prices of short staple cotton prevailing in India and America; and

(e) whether it is advantageous to the country to export short staple cotton and import long staple cotton?

The Minister of Industry and Supply (Shri Mahtab): (a) A statement showing the prices of fairly comparable cottons produced in Pakistan and U.S.A. is placed on the Table of the House.

(b) A total subsidy of Rs. 11½ crores has been sanctioned during the year 1950-51 for the import of 66,222 Indian bales (400 lbs. gross) of U.S.A. cotton stapling 7/8" and 15/16" by purely spinning mills.

(c) Rs. 475/- per candy in respect of 8,000 bales (American) and Rs. 450/- per candy in respect of the balance.

(d) The difference between the comparable varieties of Indian and American cotton of 15' 16" length is given in the statement referred to in answer to part (a) of the question.

(e) It would be advantageous to export short staple cotton in so far as it is not used by our own mills. Our own textile mills consume 60 per cent. to 70 per cent. of normal total of short staple cotton. The balance after taking into consideration the extra-factory consumption of short staple cotton is exported to foreign countries for the purpose of earning exchange with which we buy cotton or other essential commodities.

STATEMENT

Average price from September 1949 to July 1 1950

<i>Indian Cotton</i>	<i>Price in Bombay per candy of 784 lbs.</i>
Surat—Basic staple 7/8" and above class 'fine'	Rs. 840/- I.R.
<i>Pakistan Cotton</i>	<i>Price in Karachi per candy of 784 lbs.</i>
Sind N. T.—Basic staple 7/8" and above class 'fine'.	Rs. 1028/- I.R. Rs. 714/- P.R.

February 1950

<i>Indian Cotton</i>	<i>Price in Bombay per candy of 784 lbs.</i>
Punjab/American 289F saw-ginned good 15/16".	Rs. 870/-
<i>U.S.A. Cotton</i>	<i>Price in U.S.A.</i>
Strict low middling 15/16"	Rs. 1120/-

AREA OF TEA ESTATES

*416. **Shri Chalhha:** (a) Will the Minister of Commerce be pleased to state whether it is a fact that newcomers have been allowed to open tea estates in Northern India without any limit of area?

(b) Are Government aware that the organisations representing tea have been insisting that the economic limit for the proprietary estates should be raised to 300 acres and company-owned estates to 500 acres?

(c) What are the reasons for disallowing the limit as suggested by the Tea Associations?

The Minister of Commerce (Shri Shri Prakasa): (a) No, Sir, but it has been decided in principle to allow the

opening of new estates under rules which are now under consideration.

(b) Yes; there have been representations to raise the economic limit of both proprietary and company-owned tea estates.

(c) No decision has yet been taken in the matter, which has been referred to the Indian Tea Licensing Committee for its opinion.

MOTOR PARTS (PRICES)

*417. **Shri Alagesan:** Will the Minister of Industry and Supply be pleased to state what steps have been taken by Government to implement the assurance given by Government on the floor of the House that Government would ensure that the prices of motor vehicles and

motor spare parts are not unduly increased as a result of the increase in import duties?

The Minister of Industry and Supply (Shri Mahtab): Almost all the leading automobile firms in India have agreed to restrict their dealers' margin of profit to the amount allowed before the import duties were revised. Further, the Government are allowing the import of spare parts on a very liberal basis. These measures should prevent undue rise in prices.

ABDUCTED WOMEN

***418. Dr. Tek Chand:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that last year a list of Hindu and Sikh abducted women, who are believed to be in the possession of Government Officers in West Pakistan, was supplied by the Government of India to the Pakistan authorities;

(b) if so, what was the number of such women as given in the list; and

(c) how many of them have since been recovered and sent back to India and restored to their relations?

The Minister of Transport and Railways (Shri Gopaldaswami): (a) Yes.

(b) 1,323.

(c) 50.

ABDUCTED WOMEN RECOVERED

***419. Dr. Tek Chand:** Will the Prime Minister be pleased to state:

(a) the number of abducted women recovered in Western Pakistan and restored to India (i) from 1st January, 1950 to 31st March, 1950; and (ii) from 1st April, 1950 to 30th June, 1950; and

(b) the number of abducted women recovered in India and restored to Pakistan during the same periods?

The Minister of Transport and Railways (Shri Gopaldaswami): (a) (i) 66.

(ii) 79

(b) (i) 367.

(ii) 225

CLAIMS FOR DISPLACED PERSONS

***420. Shri Kshudiram Mahata:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of claims for movable and immovable property received from East Bengal displaced persons up till 30th June, 1950;

(b) the valuation of the properties involved; and

(c) the *modus operandi* for the disposal of the applications?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a), (b) and (c). The question of claims does not arise as evacuee property law does not apply to the Eastern Provinces.

MAINTENANCE ALLOWANCE

***421. Dr. Tek Chand:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of applications for temporary maintenance allowance received from November 1949 up-to-date from indigent widows and aged displaced persons living in Delhi;

(b) the number of applications granted;

(c) the maximum allowance given to an individual displaced person per month and also the minimum;

(d) the number of applications which are still pending; and

(e) whether this system of granting temporary maintenance to widows and aged displaced persons has been extended to other places?

in India and if so, whether Government propose to give similar information regarding the States other than Delhi?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) 12,895.
(b) 3,222.

(c) Maximum Rs. 50/-P. M. and the Minimum Re. 1 P.M.

(d) 4,013.

(e) Yes. A statement giving the information including that for Delhi State is laid on the Table.

STATEMENT

Name of State	No. of applications received	No. of applications granted	No. of applications pending
Delhi	12,895	3,222	4,013
Punjab	2,338	1,113	406
Bombay	3,664	448	1,687
Madras	74	5	39
Bihar	73	..	53
Uttar Pradesh	3,602	600	1,988
Madhya Pradesh	758	285	236
West Bengal	480	..	13
Assam	2	..	2
Pepsu	123	..	36
Kutch	2
Sirohi	62	..	19
Vindhya Pradesh	18	3	15
Ajmer	630	150	103
Saurashtra	468	26	440
Rajasthan	453	124	225
Madhya Bharat	431	367	11
Himachal Pradesh	16	..	2
Sikkim	1		1
Mysore	81	..	81
TOTAL	26,171	6,343	9,370

MIGRANTS FROM SIND

*422. **Lala Achint Ram:** Will the Prime Minister be pleased to state:

(a) the number of displaced persons who have come from Sind after the Nehru-Liaquat Pact;

(b) the total number of those who have gone back under the terms of agreement;

(c) the circumstances under which they had to leave their hearths and homes; and

(d) whether any effort was made by the Pakistan Government to create conditions for their return?

The Deputy Minister of External Affairs (Dr. Keskar): (a) The exact figure is not available, but 3,340 non-Muslims were issued permanent permits during the period from the 1st

April 1950, to the 31st July, 1950, and may be expected to have come to India.

(b) The Agreement does not in terms apply to West Pakistan.

(c) Stray cases of stabbing and murders in Karachi, a riot in Jacobabad in May last, a disturbance at Tandu Adam, and the prevalence of vague fears including a feeling of insecurity in places were probably the reasons for the migration.

(d) Efforts are said to have been made by local authorities, but we have no information as to the results of such efforts.

CLAIMS FOR PROPERTY

*423. **Lala Achint Ram:** Will the Minister of **Rehabilitation** be pleased to state the number of claims submitted by displaced persons for their immovable properties left in West Pakistan upto the 23rd July 1950?

The Minister of State for Rehabilitation (Shri A. P. Jain): Number of claims registered upto the 15th July, 1950, throughout the country was 2291. Information regarding claims registered between the 15th and 23rd July, is still awaited from the registering centres.

DISPLACED PERSONS IN HIMACHAL PRADESH

*424. **Dr. Farmer:** Will the Minister of **Rehabilitation** be pleased to state the total number of displaced persons from West Pakistan in Himachal Pradesh and how long it will take to rehabilitate them?

The Minister of State for Rehabilitation (Shri A. P. Jain): The number of displaced persons from West Pakistan in Himachal Pradesh, as enumerated in Displaced Persons' Census held in October, 1948, was 5,200.

Information regarding the number of those who have been rehabilitated and those who have yet to be rehabilitated is being collected and will be laid on the Table of the House in due course.

REGISTRATION OF ACCOUNTANTS

*425. **Pandit Thakur Das Bhargava:** (a) Will the Minister of **Commerce** be pleased to state whether Government have specified any conditions for persons practising Accountancy in the acceding states which they should fulfil for being entitled to get their names registered in the register of the Institute of Registered Accountants in accordance with Section 4(iv) of the Chartered Accountants Act?

(b) If the answer to part (a) above be in the negative by what time do Government propose to specify these conditions to enable the practising accountants in acceding states to qualify themselves for being registered?

The Minister of Commerce (Shri Sri Prakasa): (a) No, Sir.

(b) The conditions to be laid down by Government under Section 4(1) (iv) of the Chartered Accountants Act are under consideration and it is hoped to make an announcement soon.

ARMS FROM U.S.A.

*426. **Shri Kamath:** Will the **Prime Minister** be pleased to state whether any embargo exists on the export of warlike material from the U.S.A. to India and Pakistan?

The Deputy Minister of External Affairs (Dr. Keskar): No, Sir.

EXPORT DUTY ON PEPPER

*428. **Shri Alexander:** (a) Will the Minister of **Commerce** be pleased to state whether the export duty on pepper was formerly assessed on the tariff rate and if so, what was the rate?

(b) Is it a fact that export duty is now levied on the market price and what is the average market price for the current month?

(c) What is the reason for this change from Tariff rate to market rate?

(d) Has there been any increase in the price of pepper in foreign markets after this change?

The Minister of Commerce (Shri Sri Prakasa): (a) Yes. From the 20th November, 1949 to 20th June, 1950 black pepper was assessed to export duty on a tariff value of Rs. 200 per cwt.

(b) Yes, with effect from the 21st June, 1950. No information regarding the *average* market price for the month of July is yet available but on 22nd July in the Cochin market the price of black pepper was Rs. 650 and in the Bombay market in July it was Rs. 669 per cwt.

(c) The tariff value of any article represents the best estimate of the average value expected to prevail during the period for which it is fixed in advance, and for this reason, it cannot be fixed, with any accuracy for commodities which show rapid fluctuations in prices. As black pepper was subject to rapid and wide fluctuations in prices and as the prices of pepper ever since the levy of the duty have always been ruling above Rs. 400 per cwt., the tariff value of Rs. 200 was totally unrelated to facts and had to be given up.

(d) As the change-over in the method of assessment has been effected only with effect from the 21st June 1950 it is too early to say whether this has had any effect on the price of pepper in the foreign market.

SILK

*429. **Shri Shankaraya:** Will the Minister of Industry and Supply be pleased to state:

(a) the total quantity of silk yarn that is required for consumption in India;

(b) the quantity of silk and silk yarn that was imported during the years 1948, 1949 and 1950;

(c) the quantity of silk yarn imported from outside which has been consumed by

(i) Mills;

(ii) Handlooms; and

(iii) for Government purposes, during each year?

The Minister of Industry and Supply (Shri Mahtab): (a) Presumably the hon. Member means raw silk by silk yarn and silk fabrics by silk. The total estimated annual consumption of raw silk is about 40 lakh lbs.

(b) *Silk Piecegoods*

1947-48	1948-49	1949-50
1,271,452 Yds.	459,002 Yds	1,125,043 Yds.

Figures for calendar years not readily available.

Raw Silk

1948	1949	1950
18,53,730 lbs	2,60,987 lbs.	1,49,983 lbs.
		(upto 30.6.50)

(c) The information is not readily available.

PAYMENT OF WAGES ACT

*431. **Ch. Ranbir Singh:** Will the Minister of Labour be pleased to state the number of officers appointed under Section 15(1) of the Payment of Wages Act within the Centrally Administered Areas?

The Minister of Labour (Shri Jagiwan Ram): The number of such officers is 6.

भारत तिब्बत सीमा

*४३२ श्री बी० ऐस० चार्ज : क्या

प्रधान मंत्री यह बतलाने की कृपा करेंगे कि :

(अ) क्या यह सत्य है कि सरकार ने भारत तिब्बत सीमा पर बसे भारतीयों को आत्म रक्षा के लिये बन्दूकें वितरण की हैं और खास खास घाटियों पर पुलिस चौकियां स्थापित की हैं ?

(आ) यदि यह सत्य है तो किस भाग में यह बन्दूकें वितरित की गई हैं और कितनी की गई हैं, तथा किन स्थानों पर पुलिस चौकियां स्थापित की गई हैं ?

INDIAN-TIBETAN BORDER

*432. **Shri B. S. Arya:** (a) Will the **Prime Minister** be pleased to state whether it is a fact that the Government have distributed guns among the Indians living on the Indo-Tibet border for purposes of self-defence and also have established police posts at certain passes?

(b) If so, how many such guns have been distributed and in which of the areas and how many police posts have been established and in what places?

The Deputy Minister of External Affairs (Dr. Keskar): (a) and (b). No Sir. But the Uttar Pradesh Government distributed some arms among Indian traders going to Tibet for protection from robbers.

कार्बन पेपर

*४३३ श्री बी० एस० आर्य : क्या उद्योग मंत्री यह बतलाने की कृपा करेंगे कि :

(अ) भारत में कार्बन पेपर बनाने के कितने कारखाने हैं और उन में प्रतिवर्ष कितना कार्बन पेपर तैयार होता है ?

(आ) भारत में कार्बन पेपर की कितनी खपत है और उसकी पूर्ति इन कारखानों से हो जाती है अथवा नहीं ?

(इ) यदि नहीं, तो कितना कार्बन पेपर बाहर से मंगाना पड़ता है तथा भारत में कार्बन पेपर की कितनी वार्षिक खपत है ?

CARBON PAPER

*433. **Shri B. S. Arya:** Will the Minister of **Industry and Supply** be pleased to state:

(a) the number of carbon paper factories in India and their annual outturn;

(b) whether or not the total requirements of India in respect of carbon paper can be met by these factories; and

(c) if not, what is the quantity of carbon paper which has to be imported from outside and what is India's annual consumption?

The Minister of Industry and Supply (Shri Mahtab): (a) Number of factories—5.

Annual outturn About 10,70,000 boxes of 100 sheets each.

(b) The answer is in the affirmative.

(c) Does not arise.

COMMONWEALTH DEFENCE

*434. **Shri J. N. Hazarika:** (a) Will the **Prime Minister** be pleased to state whether any proposal from the United Kingdom or any other Commonwealth has been received for joint defence of the Commonwealth countries including Pakistan?

(b) If so, what measures have so far been adopted in furtherance thereto?

The Prime Minister (Shri Jawaharlal Nehru): (a) No.

(b) Does not arise.

PRICE LEVELS

*435. **Shri Balmiki:** (a) Will the Minister of **Industry and Supply** be pleased to state whether it is a

fact that prices of certain commodities have been rising since the Korean War began?

(b) How far are the following commodities affected:

- (i) Cotton Textiles;
- (ii) Coal and derivatives of coal;
- (iii) Iron and Steel;
- (iv) Cement;
- (v) Paper and Newsprint;
- (vi) Salt;
- (vii) Rubber;
- (viii) Coffee;
- (ix) Gold and Silver; and
- (x) Tea?

The Minister of Industry and Supply (Shri Mahtab): (a) The reply is in the affirmative.

(b) Cotton textiles, Coal and Coke, Iron and Steel, Cement and Rubber are controlled by Government and there has been no increase in their prices. Nor are Government aware of any rise in the prices of Coal Tar, Paper and Newsprint.

There has been no increase in the price of salt except in Calcutta and Delhi.

The price of certain grades of Coffee has risen by about 10 per cent.

There has been no significant rise in the prices of Gold and Silver since the Korean war began.

The price of tea has risen slightly.

EXCHANGE OF PRISONERS

***436. Shri Balmiki:** (a) Will the Minister of **Rehabilitation** be pleased to state the number of prisoners so far exchanged with Pakistan?

(b) How many non-Muslim are still left in Pakistan?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) The number of Hindu and Sikh prisoners who were transferred to India

is 4,084. Against this 3,763 Muslim prisoners were transferred to Pakistan.

(b) The exact number of Hindu and Sikh transferable prisoners still left in Pakistan is not known. Supplementary lists of transferable prisoners are under preparation in both the countries.

TECHNICAL TRAINING

***437. Shri Balmiki:** Will the Minister of **Labour** be pleased to state:

(a) the number of the civilians sent abroad for Technical and Vocational training during 1948-49;

(b) of them how many were Harijans; and

(c) what was the amount spent on each person?

The Minister of Labour (Shri Jagjivan Ram): (a) Ten of which 5 were sponsored by private employers, and 5 by various State Governments.

(b) None.

(c) Nil. (The entire expenditure is incurred by the sponsoring authority or the candidate himself).

COTTAGE INDUSTRIES BOARD

***438. Shri B. R. Bhagat:** Will the Minister of **Industry and Supply** be pleased to state:

(a) whether the All India Cottage Industries Board has been re-constituted;

(b) if so, how and with what purpose;

(c) what will be the main functions and powers of the Board; and

(d) whether the Board has been entrusted with the work of standardization of Cottage Products and their economic marketing?

The Minister of Industry and Supply (Shri Mahtab): (a) The answer is in the affirmative.

(b) A copy of the Gazette of India Extraordinary dated the 6th July, 1950 containing Resolution No. I(7)-5(49)/50, dated the 6th July, 1950, reconstituting the Cottage Industries Board and the Notification No. I(7)-5(49)/50, dated the 6th July, 1950, giving the names of the Members of the Board, is laid on the Table of the House. [See *Appendix IV, annexure No. 30*].

(c) The functions of the Board are defined in the Resolution mentioned above.

(d) The answer is in the negative.

SALT (DECONTROL)

***439. Shri B. R. Bhagat:** Will the Minister of Industry and Supply be pleased to state:

(a) how far the progressive relaxation of restriction on salt trade has proceeded;

(b) whether the State Governments have been consulted over the policy of salt decontrol;

(c) if so, whether all of them have agreed;

(d) whether Government are assured that there will be no failure of supply of adequate quantities of salt after complete decontrol; and

(e) whether steps for prevention of hoarding and consequent rise in the price of salt have been taken?

The Minister of Industry and Supply (Shri Mahtab): (a) We have recently abolished the system of registered salt dealers at the Government salt works at Sambhar, Didwana, Pachbadra and Kharaghoda. The distribution of salt from these sources has been made free and individual buyers or District nominees can take delivery of salt direct or through any of their agents.

(b) Yes.

(c) The answer is in the negative.

(d) and (e). The matter is still under the consideration of Government.

PLANNING (CO-ORDINATION)

***440. Shri B. R. Bhagat:** Will the Prime Minister be pleased to state:

(a) whether the Planning Commission have set up a consultative machinery and a procedure for co-ordination, if not, whether they propose to do so now;

(b) what form of planning machinery has been established in different States so far; and

(c) whether these institutions ensure co-operation and association of the people with the work of planning and if so, how far?

The Prime Minister (Shri Jawaharlal Nehru): (a) The Planning Commission has set up an Advisory Board. The Board consists for the greater part of persons nominated by associations connected with commerce, industry and labour, and other associations in the technological and socio-economic fields. In addition, the Planning Commission proposes to constitute a number of panels comprising officials and non-officials who have specialised knowledge and experience of the subjects of study allotted to the panels. The composition of the Planning Commission Advisory Board has been completed. Panels on Industry, Transport, Commerce and Cottage Industries and the panel of technical consultants have been constituted, while the composition of the remaining panels is under consideration. A statement showing the personnel of the Advisory Board and the Panels so far constituted is laid on the Table of the House. [See *Appendix IV, annexure No. 31*].

(b) At the suggestion of the Planning Commission, States Governments have established inter-departmental committees of Secretaries on Planning. One of the Secretaries has

been appointed as Secretary for Planning, while the inter-departmental committee works as a rule under the direction of the Chief Minister.

(c) Yes, to a considerable extent.

LOANS TO DISPLACED STUDENTS.

***440-A. Dr. R. S. Singh:** (a) Will the Minister of **Rehabilitation** be pleased to state whether the Government of India make any grant of loans to displaced students and trainees abroad?

(b) If so, do the students who went abroad after their parents or guardians migrated to India also get such grants?

(c) If not, what are the reasons therefor?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) No.

(c) The purpose of the scheme is to help those students who are stranded abroad on account of the migration of their parents/guardians as displaced persons and who for lack of funds cannot continue their studies of training. Students who went abroad after migration of their parents/guardians could only do so on the strength of their own financial resources. Such students are, therefore, not given any loans for prosecuting their studies abroad.

ALL INDIA LABOUR INQUIRY COMMITTEE.

***440-B. Maulvi Haneef:** (a) Will the Minister of **Labour** be pleased to state whether it is a fact that a Committee known as "The All India Labour Inquiry Committee" has been appointed by the Government of India?

(b) If so, when was this committee appointed?

(c) What are the terms of reference of the committee?

The Minister of Labour (Shri Jagjivan Ram): (a) No Committee known as the "All India Labour Enquiry Committee" has been appointed, but the Government of India

in the Ministry of Labour have undertaken, in close collaboration with the State Governments, an all-India enquiry into the conditions of agricultural workers.

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

BORDER RAID IN JAISALMER.

***440-C. Shri Kshudiram Mahata:** Will the **Prime Minister** be pleased to state:

(a) whether there was any border raid by Pakistan Nationals on or about the 17th May, 1950 in Jaisalmer State;

(b) if the reply to part (a) above be in the affirmative, the number of casualties of Indian Nationals and the value of the property taken away; and

(c) whether any protest was made to the Pakistan Government and if so, with what result?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Yes.

(b) 8 persons are reported to have been killed and 13 wounded and property worth about Rs. 21,000 looted by the raiders during the raid.

(c) Yes. A reply from the Government of Pakistan is awaited.

STATE TRADING CORPORATIONS

***440-D. Shri M. L. Gupta:** Will the Minister of **Commerce** be pleased to state whether any State Trading Corporations are proposed to be started?

The Minister of Commerce (Shri Sri Prakasa): A Committee was set up in October last to investigate whether having regard to present lay conditions and future trends of India's international trade, it would be of advantage to set up a State-owned or State-sponsored organisation for handling any sector of the foreign trade of the country. If so, what should be the structure of the organisation as also the field and scope of its activities. The Committee has just submitted its report and it is being studied by Government. It is

difficult to say at the moment when it will be possible for the Government to announce their decision on the conclusions arrived at by that Committee which will be expeditiously examined.

BONUS TO COALMINERS

56. Shri R. L. Malviya: (a) Will the Minister of **Labour** be pleased to state the percentage of miners in the Coalfields who have qualified themselves for Bonus during the various quarters from the beginning of Bonus Scheme up to date?

(b) Has any representation been made to Government in the matter and if so, what steps have they taken so far?

The Minister of Labour (Shri Jagjivan Ram): (a) The information is being collected and will be placed on the Table of the House in due course.

(b) A representation was received from the Chhattisgarh Collieries Workers' Federation requesting that the existing attendance qualifications of a prescribed number of days in a quarter should be liberalised by providing that an employee who put in the prescribed number of days of attendance over any three consecutive months, irrespective of any particular quarter, should be made eligible for bonus. The Federation was informed that the object of prescribing the existing quarterly attendance qualification was to create a stable mining force and to reduce absenteeism and that the suggested qualification would not enable that object to be achieved.

EXPORTS OF TEA

57. Shri Buragohain: Will the Minister of **Commerce** be pleased to state the figures of exports of tea to U. S. A. Australia and Eire during the years 1948-49 and 1949-50?

The Minister of Commerce (Shri Sri Prakasa): The following quantities of tea were exported to United States of America, Australia and Eire

during the years 1948-1949 and 1949-50.

	U.S.A. lbs.	AUSTRALIA lbs.	EIRE lbs.
1948-49	23,219,468	6,991,857	21,380,330
1949-50	37,036,775	16,678,158	12,870,493

TEA CHESTS

58. Shri Guragohain: Will the Minister of **Industry and Supply** be pleased to state:

(a) whether Government are aware of any target fixed by the Plywood Industry of the country for production of tea chests in the year 1950; and

(b) what has been the progress in production so far achieved by the Industry?

The Minister of Industry and Supply (Shri Mahtab): (a) The Target Committee for tea chest plywood, appointed by the Ministry of Industry and Supply, have fixed a target of 3.5 million tea chests equivalent to 63 million sq. ft. of plywood for the year 1950.

(b) Production during the first six months of 1950 was 1.10 million tea chests equivalent to 19.5 million square feet of plywood.

EMPLOYEES STATE INSURANCE CORPORATION

59. Shri Kamath: Will the Minister of **Labour** be pleased to refer to the answer to starred question No. 905 asked on 16th March, 1950 and state whether there is any proposal for purchase of buildings in other parts of the country with a view to housing the provincial offices of the Employees State Insurance Corporation?

The Minister of Labour (Shri Jagjivan Ram): Not at present.

**INTERNATIONAL CONFERENCES
(RESOLUTIONS)**

60. Shri Kamath: Will the **Prime Minister** be pleased to lay on the Table of the House copies of resolutions adopted at the South East Asia and

Commonwealth Conferences held in Colombo, Canberra, London and elsewhere, since 1st January, 1950?

The Deputy Minister of External Affairs (Dr. Keskar): Copies of Press Communiques which were issued at the conclusion of the Commonwealth Conferences held at Colombo in January, 1950 and at Sydney in May 1950 are placed on the Table of the House. [See *Appendix IV, annexure No. 32*]. The meeting had no fixed agenda. There was an exchange of views between the various countries concerned, and no resolutions were adopted. Agreed conclusions are published in the communiques.

MONKEYS (EXPORT)

61. Shri Kamath: Will the Minister of Commerce be pleased to state:

(a) how many monkeys have been exported from India since 1st January, 1950; and

(b) to which countries and for what purpose they have been exported?

The Minister of Commerce (Shri Sri Prakasa): (a) 13,002 Monkeys were exported to foreign countries since 1st January, 1950.

(b) The number of monkeys exported to various countries is given below:

U.S.A.	11,603
U.K.	635
Netherlands	186
Denmark	144
W. Pakistan	6
Argentine	3
Italy	375
Total	13,002

The monkeys are usually imported by foreign countries for scientific research purposes. The specific purpose for which these particular consignments were imported by the above countries is, however, not known.

WOOL

62. Pandit M. B. Bhargava: Will the Minister of Commerce be pleased to lay on the Table of the House a statement showing:

(a) the total quantity and value of raw wool produced in India during the years 1948-49 and 1949-50;

(b) the total quantity and value of indigenous raw wool exported out of India during the said two years;

(c) the total value and quantity of the said commodity consumed in India during the above period;

(d) which parts of the Indian Union are the premier producers of raw wool both in respect of quantity and quality;

(e) whether the Government of India have taken any steps so far to increase the quantity and improve the quality of indigenous wool and if so, in what manner and with what results;

(f) the quantity and value of raw wool imported into India during the said two years and in which proportion from the hard and soft currency areas;

(g) the quantity and value of woollen yarn and cloth produced from indigenous sources in India during these two years and also the quantity and value of woollen cloth and yarn imported from outside the country;

(h) whether the Government of India recently imposed a ban on the export of raw wool from the country; and

(i) if so, the grounds on which such a step has been taken?

The Minister of Commerce (Shri Sri Prakasa): (a) Actual quantity and value of raw wool produced during the years 1948-49 and 1949-50 are not available. From the census carried out in 1945 the production was estimated at 54.5 million lbs. estimated value comes to Rs. 54 crores.

(b) The total quantity and value of the commodity exported during 1948-49 and 1949-50 is as follows:

Year	Quantity	Value
	Lbs.	Rs.
1948-49	8,657,793	1,08,82,979
1949-50	27,362,771	3,71,47,342

(c) Up-to-date information is not available. It is, however, estimated that about 50 per cent. of the production is consumed in India.

(d) The important areas of wool production are:

Area	Approximate production	Fineness
Rajasthan	17,374,419	Fine and medium
Uttar Pradesh	5,274,516	Medium
Madras	4,503,180	Coarse
Punjab (I)	4,300,025	Medium
Hyderabad	4,246,177	Medium
Bombay and Baroda	4,607,895	Medium and Coarse
Saurashtra	2,673,431	Medium

(e) The Government of India through the Indian Council of Agricultural Research has financed sheep breeding research in various parts of the country *viz.*—Madras, Bombay, Punjab, Bihar, Orissa, Kashmir, Mysore, and Rajasthan, since 1936, with the object of improving the quality and increasing the quantity of wool produced by selective breeding and by cross breeding indigenous sheep with the imported rams. Besides the breeding work, a chain of wool analysis laboratories were established to determine the quality of wool of the breeding stock and a Central Laboratory is located at the Bombay University. These Laboratories thus help in the grading of the clip on scientific lines. The results achieved have shown that better quality wool with an increase in quantity can be produced in the country by proper breeding, feeding, management and disease control. The Council upto the year 1947-48 had spent Rs. 6,30,000 for research on sheep and wool.

A scheme is now under the consideration of the Council with the object of making this country self-sufficient in all its wool requirements

and particularly produce more better quality wool to cut imports. A regional Plan of effecting this development to achieve the object in view is being worked out with the three best suited regions for the purpose *viz.*, (i) Temperate Himalayan Region, (ii) Dry Northern Region plains, and (iii) Southern region and the Deccan Plateau. At these regions all aspects of sheep breeding and wool biology will be tackled.

(f) I place on the Table of the House statements giving the required information. [See Appendix IV, annexure No. 33].

(g) I place on the Table of the House statements giving the required information. [See Appendix IV, annexure No. 34].

(h) Yes.

(i) The ban on the export of raw wool has been imposed with a view to conserving it for the indigenous woollen industry and carpet and drugget industries.

INDO-PAKISTAN TRADE PACTS

63. Shri Kamath: Will the Minister of Commerce be pleased to state what action has so far been taken by the Government of Pakistan towards the implementation of the Trade Pacts concluded between India and Pakistan subsequent to the Indo-Pakistan Agreement of the 8th April, 1950?

The Minister of Commerce (Shri Sri Prakasa): The Indo-Pakistan Trade Agreement of 21st April 1950 is the only trade pact concluded between India and Pakistan subsequent to the Indo-Pakistan Agreement of 8th April 1950. The Government of Pakistan have taken steps such as arming the Pakistan Jute Board with powers to requisition jute to ensure the implementation of this Agreement. The attention of the hon. Member is invited in this connection to the answer given to unstarred Question No. 45 by Sri Basanta Kumar Das on the 4th August 1950.

KOLIWADA DISPLACED PERSONS CAMP, BOMBAY

64. Shri Sidhva: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether the Koliwada Displaced Persons Camp (Bombay) is managed by the Government of India or the Government of Bombay;

(b) whether it is a fact that the Minister of Rehabilitation visited this camp in April, 1950; and

(c) if so, what action to improve the conditions of the Camp has been taken after his visit to the Camp?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) It is not a camp, but a private colony run by the Punjab Frontier Co-operative Housing Society Ltd., Koliwada Bombay.

(b) Yes.

(c) He was not satisfied with the management of the colony and of the *bona fides* of the agency running it, and he had, therefore, directed the Rehabilitation Department Government of Bombay either to take it over or to have it closed.

AHMED SILK MILLS AND AHMED OIL AND LEATHER CLOTH FACTORY, AMBARNATH, BOMBAY

65. Shri Sidhva: Will the Minister of **Rehabilitation** be pleased to state:

(a) whether Ahmed Silk Mills and Ahmed Oil & Leather Cloth Factory at Ambarnath (Bombay) have been declared as Evacuee Property;

(b) if so, whether these mills are being run at present and if so, by whom; and

(c) what is the realisation from these mills since it was declared Evacuee Property?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a), (b) and (c). The attention of the hon. Member is invited to my reply to the Starred Question No. 351 answered this morning.

SALE OF COTTAGE INDUSTRY PRODUCT IN FOREIGN COUNTRIES

66. Shri Sidhva: Will the Minister of **Commerce** be pleased to state:

(a) what efforts have been made by the various Trade Commissioners to encourage the sale of Indian Cottage Industry products in foreign countries; and

(b) what quantity of Indian Cottage Industry goods have been actually sold in various foreign countries during the years 1948, 1949 and 1950 up-to-date?

The Minister of Commerce (Shri Sri Prakasa): (a) I would invite a reference to the reply given by my predecessor on the 25th February 1950 to the hon. Member's Starred Question No. 312.

The main function of Indian Trade Representatives abroad is to explore the possibilities of the development of India's export trade and take such measures in that direction as may be necessary. Cottage Industry products figure prominently in their efforts. A note describing the efforts in that direction by our Trade Representatives abroad is laid on the Table of the House. [See *Appendix IV, annexure No. 35*].

(b) Products of Cottage Industry, as such, are not at present separately classified in our foreign trade accounts. A statement showing the exports of certain commodities, which are known broadly as Cottage Industry products, during the years 1948-49, 1949-50 and 1950-51, as far as available, is, however, laid on the Table. [See *Appendix IV, annexure No. 36*].

LEGISLATION FOR LABOUR PROVIDENT FUND

67. Shri Sidhva: Will the Minister of **Labour** be pleased to state:

(a) whether Government propose to bring in a Bill for Labour Provident Fund as promised in the December Session of 1949; and

(b) what the reasons for the delay are and when it is likely to be put for consideration?

The Minister of Labour (Shri Jagjivan Ram): (a) and (b). I draw attention to the assurance given by me on the floor of the House on the 16th of December last. The matter has been taken in hand and is under the consideration of Government. My friend will, however, appreciate that there is considerable preparatory work to be done in connection with any measure of this kind. To mention one item of our preparation: all parties concerned in the measure are to be consulted before any decision can be taken in the matter. The preparatory work is taking time. I might repeat, the Government will try their best to finalise the matter as early as possible.

ASSAM TEA GARDENS

68. Shri Kesava Rao: (a) Will the Minister of Labour be pleased to state whether a Committee has been appointed to enquire into the conditions of tea gardens in Assam?

(b) What are the terms of reference of the Committee?

(c) Has the Committee submitted any report?

The Minister of Labour (Shri Jagjivan Ram): (a) Yes. A Committee, viz., the Cachar Plantations Committee has been appointed by the Government of India to enquire into the conditions of tea gardens in the Cachar District of Assam only.

(b) The terms of reference of the Committee are:

(i) to enquire into the cost structure and financial conditions of the tea gardens in the Cachar District of Assam;

(ii) to enquire into the cost of the present uneconomical working of certain gardens;

(iii) to make recommendations regarding the measures to place uneconomic gardens on a sound basis; and

(iv) to report in particular,

A. whether the concessional supply of food-grains to labour should be discontinued in any estate and if so, in what circumstances and to what extent; and

B. what arrangements should be made for the supply of food-grains to workers in these estates.

(c) Not yet. The report is likely to be received by the end of October, 1950.

PLANNING COMMISSION (MEMBERS)

**69. { Shri Hanumanthaiya:
Shri Channiah:**

(a) Will the Prime Minister be pleased to state what are the salaries of the Vice-Chairman and other Members of the Planning Commission?

(b) What are the other amenities and other allowances that are being given to the Members of the Planning Commission?

(c) Is their status equal to that of a Cabinet Minister?

The Prime Minister (Shri Jawaharlal Nehru): (a) and (b). A statement is placed on the Table of the House. [See Appendix IV, annexure No. 37].

(c) No.

CENTRAL SILK BOARD

**70. { Shri Hanumanthaiya.
Shri Channiah:**

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

(a) when was the Central Silk Board constituted;

(b) what steps it has taken for the development of sericulture industry in India;

(c) what is the amount it has spent on development schemes; and

(d) what is the amount it has spent on establishment, travelling and other allowances?

The Minister of Industry and Supply (Shri Mahtab): (a) On 9-4-49.

(b) A statement is placed on the Table of the House. [See *Appendix IV, annexure No. 38*].

(c) Rupees two lakhs sixty-three thousand during the year 1949-50.

(d) The total expenditure during 1949-50 was Rs. 70,688.

IMPORT OF GLASS

71. Pandit M. B. Bhargava: Will the Minister of **Industry and Supply** be pleased to state what is the total value and quantity of each type of glass imported into India, every year, from hard and soft currency areas?

The Minister of Industry and Supply (Shri Mahtab): A statement is laid on the Table. [See *Appendix IV, annexure No. 39*].

RATIFICATION OF HAVANA CHARTER

72. Pandit M. B. Bhargava: (a) Will the Minister of **Commerce** be pleased to state whether the Government of India have taken any decision on the majority recommendations of the Fiscal Commission for the ratification of the Havana Charter?

(b) When is this matter likely to be placed before Parliament for discussion?

The Minister of Commerce (Shri Sri Prakasa): (a) and (b). The Fiscal Commission's Report was received by Government only on the 8th July 1950 and Government are carefully examining the same. It is still too early for Government to arrive at a decision on the Commission's recommendations. I am unable to state at present when they would be in a position to place the recommendations before Parliament.

MEMBERS OF MINORITY COMMUNITIES ARRESTED IN PAKISTAN

73. Sardar Hukam Singh: (a) Will the **Prime Minister** be pleased to state whether any leaders of the minority

community in East Bengal were arrested during the last communal trouble in February and March, 1950?

(b) If so, what was the total number of arrests made of members of minority communities?

(c) What is the number still in prison?

[Answer covered by note on Indo-Pakistan Agreement of the 8th April, 1950, Circulated to hon. Members (See *Appendix III, annexure No. 17*)].

PRE-FABRICATED STALLS ON QUEENSWAY, NEW DELHI

74. Sardar Hukam Singh: Will the Minister of **Rehabilitation** be pleased to state the amount now spent subsequently for providing corrugated iron sheet roof on each pre-fabricated stall put upon Queensway, New Delhi?

The Minister of State for Rehabilitation (Shri A. P. Jain): Rs. 109/4/- per stall.

EAST BENGAL DISPLACED PERSONS IN CAMPS

75. Shri B. K. Das: Will the Minister of **Rehabilitation** be pleased to state:

(a) the total camp population of East Bengal displaced persons in West Bengal and outlying States;

(b) the total number of deaths in these camps up to the present time;

(c) the causes of such deaths;

(d) the diseases generally prevalent in the camps; and

(e) the steps taken for the prevention of diseases and removal of other causes of death?

The Minister of State for Rehabilitation (Shri A. P. Jain):

(a)	
(1) West Bengal	... 1,53,576
(2) Bihar	... 22,114
(3) Orissa	... 15,739
(4) Assam	... 5,020
(5) Cachar	... 7,470
(6) Tripura	... 30,249

2,34,168

(b) 3302. Figures from Tripura and Cachar have not been received.

(c) and (d). Deaths are due to mainly Cholera, dysentery, diarrhoea, small-pox, measles and malarial fever.

(e) A hospital for indoor and out door patients is provided in each camp. Preventive measures like vaccination, inoculation, sanitation and disinfection are taken.

JUTE HELD UP IN PAKISTAN

76. **Shri B. K. Das:** (a) Will the Minister of **Commerce** be pleased to state what quantities of the held-up jute in Pakistan have been received so far?

(b) What is the position regarding the rest of the jute?

The Minister of Commerce (Shri Sri Prakasa): (a) The quantities of jute held up in Pakistan that have been received upto 1st August 1950 are 5,45,203½ maunds of Assam jute and 13,30,804 maunds of Pakistan.

(b) Efforts are being made to secure the early release of the rest.

MACHINE TOOL FACTORY

77. **Shri S. N. Mishra:** Will the Minister of **Industry and Supply** be pleased to state whether machine tool industry is being developed with the co-operation of a firm and if so, the name of the firm and the terms of co-operation?

The Minister of Industry and Supply (Shri Mahtab): Yes. In this connection I would invite the attention of the hon. Member to parts (a) and (b) of the reply given by my predecessor to Starred Question No. 160 on 1st December 1949. A statement showing the terms of the agreement with Messrs. Oerlikon Machine Tool Works of Switzerland is laid on the Table of the House. [See *Appendix IV, annexure No. 40.*]

IMPORT OF CAPITAL GOODS

78. **S. N. Mishra:** Will the Minister of **Commerce** be pleased to state:

(a) the total cost of capital goods imported in 1949; and

(b) the countries from which they are imported?

The Minister of Commerce (Shri Sri Prakasa): (a) and (b). I place on the Table of the House a statement giving the required information.

STATEMENT

*Imports into India of Capital Goods
During 1949.*

Country.	Imports (value in lakhs of rupees).
U.S.A.	24,30
Canada	3,66
Portugal & Colonies	20
Belgium & Colonies	1,05
Bizonia	92
Japan	5,69
Switzerland	1,55
Pakistan	12
U. K.	60,28
Other Countries	5,11
TOTAL	1,02,70

STEEL FACTORIES (ESTABLISHMENT)

79. **Prof. S. N. Mishra:** Will the Minister of **Industry and Supply** be pleased to state the reasons for delaying the establishment of steel factories in Madhya Pradesh and elsewhere as recommended by foreign experts?

The Minister of Industry and Supply (Shri Mahtab): The main obstacle is finance.

KAMIN KALYAN CENTRES

80. **Shri R. L. Malviya:** Will the Minister of **Labour** be pleased to state:

(a) how many Kamin Kalyan Centres have been established in the coal fields in India and at what places;

(b) what is the non-recurring and annual recurring expenditure of running each of these centres, as also of the central administrative organisation at Patherdip or elsewhere, from their inception up-to-date;

(c) the number of Kamins trained annually in each centre and the industries or handicrafts taught;

(d) the capital investment in machines, tools and raw material, etc., and the amount recovered by sale of finished product annually, at each of these centres; and

(e) the total annual financial gain accrued to or loss incurred by Government in running each of these centres?

The Minister of Labour (Shri Jagjivan Ram): (a), (b), (c) and (d). Four statements giving the required information are placed on the Table of the house. [See *Appendix IV, annexure No. 41.*]

(e) The centres are not being run for profit but with the object of improving the general standard of living of women workers and make their children school-minded and to inculcate in them the habits of cleanliness etc.

CLOTH DISTRIBUTION

81. Shri R. L. Malviya: (a) Will the Minister of **Industry and Supply** be pleased to state whether Government are aware that the distribution of cloth in many parts of the country is not made according to the requirements of the people of the locality?

(b) If so, what steps have Government taken so far or do they propose to take for preventing this mal-distribution?

The Minister of Industry and Supply (Shri Mahtab): (a) Under the existing distribution scheme mills are permitted to sell one-third of their production to buyers of their own choice. The remaining two-thirds production is distributed by the Textile Commissioner to State Governments according to the quotas fixed on the basis of population in each State. The Textile Commissioner, issues monthly purchase authorities for the quantity allocated to a State, and it is open to the State nominees to buy cloth from the mills

according to the requirements of the people of the State. Further, two-thirds production of 52 selected mills in Bombay and Ahmedabad which produce popular varieties of cloth is distributed bale by bale by the Textile Commissioner, Bombay, on a *pro rata* basis taking into consideration individual requirements of each State.

As regards one-third production which the mills are free to sell to buyers of their own choice, it will be in the interest of State buyers to purchase such varieties of cloth only which are easily saleable in their State.

(b) Does not arise.

BONUS TO MINERS

82. Shri R. L. Malviya: Will the Minister of **Industry and Supply** be pleased to state:

(a) the strength of the miners and staff in each of the Government Railway Collieries during the years 1947 to 1950 (June);

(b) the amount paid to the miners and staff towards their Bonus in each quarter up-to-date in each of the Railway Collieries and, more particularly, in the Kurasia and Pondi Hill Collieries;

(c) the percentage of miners and staff who have received Bonus in each quarter in each colliery;

(d) the amount which remained unpaid during each quarter in each colliery and the reasons therefor; and

(e) whether it is a fact that bonus to contractors' staff remains unpaid and if so, why it has not been paid and when it will be paid?

The Minister of Industry and Supply (Shri Mahtab): (a), (b), (c), (d) and (e). The information is being collected and will be placed on the Table of the House as soon as possible.

COAL COMMISSIONER

83. Shri R. L. Malviya: (a) Will the Minister of **Industry and Supply**

be pleased to state when and why the office of the Coal Commissioner was created and what was the duration fixed for its existence?

(b) From which year are annual extensions being granted for continuance of this office?

The Minister of Industry and Supply (Shri Mahtab): (a) and (b). The office of the Coal Commissioner was first created in December 1948 to co-ordinate the functions relating to production, distribution and transport of coal. The post was initially sanctioned for a period of one year and has since been extended from time to time.

HOUSING FACTORY FOR DELHI

84. Shri Sidhva: (a) Will the Minister of Rehabilitation be pleased to state whether any Swedish firm has sent in proposals to Government for a second housing factory for Delhi?

(b) If so, what are the proposals and to what extent are Government committed to the establishment of this factory?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) A proposal has been received from M/S C. A. Wallenborg and Son, Stockholm, to start a factory in India and not specifically in Delhi.

(b) The proposal relates to the setting up of a factory for timber prefabricated houses in India. The Government of India have entered into no commitments.

SHORT SUPPLY OF DRUGS

85. Prof. K. T. Shah: (a) Will the Minister of Industry and Supply be pleased to state which of the essential drugs like penicillin are, or have been, in short supply since the beginning of this year?

(b) What steps have been taken to regulate and distribute the available supply?

(c) Have any cases of profiteering or black marketing come to the notice of Government?

(d) If so, what steps have been taken in the matter?

The Minister of Industry and Supply (Shri Mahtab): (a) Penicillin was the main drug reported to be in short supply in the beginning of this year. Other items reported to be in short supply were Para-aminosalicylic acid and Insulin.

(b) The distribution of the drugs is being done through normal trade channels but powers are available to State Governments under the Drugs Control Acts enacted by them to control the distribution of drugs if necessary.

(c) and (d). Enforcement of the drugs control is the responsibility of the States. No cases of profiteering and black marketing have been specifically referred to the Central Government.

VISIT OF HON. MAULANA ABUL KALAM AZAD TO MIDDLE EAST COUNTRIES

**86. { Shri Hanumanthaiya:
Shri Channah:**

(a) Will the Prime Minister be pleased to state whether it is a fact that the hon. Maulana Abul Kalam Azad, Education Minister to the Government of India, intended to go on a Good-Will Mission to the Middle East countries?

(b) Are Government of India sponsoring such a mission and if so, what is its purpose?

(c) What are the countries which the hon. Maulana Abul Kalam Azad would be visiting and for how long will the visit last?

(d) What is the expenditure involved?

(e) Who are accompanying him?

The Deputy Minister of External Affairs (Dr. Keskar): (a), (b) and (c). There have been longstanding invitations from various countries of Western Asia for hon. Maulana Abul Kalam Azad to pay a visit of goodwill and friendship. Government

have been anxious that he should pay such a visit at the earliest convenience. It was proposed that he should visit Iran and Turkey last July. Owing, however, to the unfortunate accident early last month from which hon. Maulana Abul Kalam Azad has not yet recovered, the visit has been postponed.

(d) and (e). Government is unable to indicate the approximate expenditure or the composition of the Delegation until plans have been finalised for the next date of his visit.

BORDER RAIDS

86-A. Shri Kshudiram Mahata:
Will the **Prime Minister** be pleased to state:

(a) the number of border raids by Pakistan nationals in Indian territory during the period 8th April, 1950 to 31st July, 1950;

(b) the total number of casualties during this period; and

(c) the approximate value of the property looted?

The Deputy Minister of External Affairs (Dr. Keskar): (a), (b) and (c). Detailed information called for from the State Governments concerned has not yet been received in full. The information asked will be laid on the Table of the House as soon as it is received.

Monday, 14th 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



CONTENTS

Volume V—21st July, 1950 to 14th August, 1950

CONTENTS

MONDAY, 31ST JULY, 1950—

President's Address to Parliament	1—16
---	------

TUESDAY, 1ST AUGUST, 1950—

Business of the House	17
Death of Shri A. B. Lathe	18
Resignations of Dr. John Matthai and Shri Motilal Pandit	18
Leave of absence from the House	18—19
The President's Assent to Bills	20

Papers laid on the Table—

Documents on Korean Affairs	20—21
Treaty of friendship between the Government of India and the Imperial Government of Iran	20—21
Report of the Indian Delegation to the Ninth Session of the United Nations Economic and Social Council	20—21

WEDNESDAY, 2ND AUGUST, 1950—

Death of Mr. Bhaskarrao V. Jadhav	107—108
Leave of absence from the House	108

Papers laid on the Table—

Delhi Road Transport Authority (Motor Vehicles Insurance Fund) Rules, 1950	108
Report on Fourth Session of Transport and Communications Commission	108—109
Delhi Road Transport Authority (Members Allowances and Fees) Rules, 1950	109
Railway Accidents (Compensation) Rules, 1950	109
Report of the Indian Delegation to Second Session of International Rice Commission, February, 1950	109
Report on Second meeting of F. A. O. Nutrition Committee for South East Asia	110
Report on Fifth Annual Conference of Food and Agriculture Organisation	110
Supplementary statement showing the action taken on assurances, promises and undertakings given during November-December Session, 1949	110
Minimum Wages (Amendment) Bill—Introduced	110—111
Motion on Address by the President— <i>Concluded</i>	111—141, 141—214
Member Sworn	141

THURSDAY, 3RD AUGUST, 1950—

Papers laid on the Table—

Amendments to Federal Public Service Commission (Consultation by the Governor-General) Regulations and Union Public Service Commission (Consultation) Regulations	215—216
Revised Regulation 54 of General Regulations of the Industrial Finance Corporation of India	216
Central Excises and Salt Notifications	216
Motion <i>re</i> : Korean Situation— <i>not concluded</i>	217—290

	Columns
FRIDAY, 4TH AUGUST, 1950—	
Message from the President	291
Cooch-Bihar (Assimilation of Laws) Bill—Introduced	291—292
Dentists (Amendment) Bill—Introduced	292
Naval Forces (Miscellaneous Provisions) Bill—Introduced	292—293
Motion <i>re</i> : Korean Situation—Adopted	293—299
MONDAY, 7TH AUGUST, 1950—	
Deaths of Shri Akhil Chandra Datta and Shri Gopinath Bardoloi	391—393
Motions for Adjournment—	
Strike by Delhi Tongawalas	393—395
Papers laid on the Table—	
Notifications making certain further amendments to the Indian Aircraft Rules, 1920 and 1937	395—396
Coal Mines Provident Fund and Bonus Schemes (Amendment) Bill—Introduced	396
Ajmer Rural Boards and Municipalities (Amendment) Bill—Introduced	396—397
Allianz Und Stuttgarter Life Insurance Bank (Transfer) Bill—Introduced	397
Contingency Fund of India Bill—Introduced	397
Business of the House	398
Motion <i>re</i> : Bengal Situation— <i>not concluded</i>	398—482
TUESDAY, 8TH AUGUST, 1950—	
Sugar Crisis Enquiring Authority Bill—Introduced	483
Motion <i>re</i> : Bengal Situation— <i>not concluded</i>	483—52
	528—596
Business of the House	526—528
WEDNESDAY, 9TH AUGUST, 1950—	
Members Sworn	597
Motion <i>re</i> : Bengal Situation— <i>concluded</i>	597—623
Census (Amendment) Bill—Introduced	623
Salaries of Ministers (Amendment) Bill—Introduced	623
Preventive Detention (Amendment) Bill—Passed	624—639
Demands for Supplementary Grants for 1950-51	639—706
Demand No. 8—Indian Posts and Telegraphs Department (including Working Expenses)	640—665
Demand No. 9—Cabinet	665—704
Demand No. 11—Ministry of Home Affairs	704—705
Demand No. 13—Ministry of Law	705—706
THURSDAY, 10TH AUGUST, 1950—	
Papers laid on the Table—	
Forty Second Annual Report of the Chief Inspector of Explosives in India	707
Business of the House	708—712
Fair Wages Bill—Introduced	712
Motion <i>re</i> : Treaty of Friendship with Iran	712—736
Voluntary Surrender of Salaries (Exemption from Taxation) Bill—Passed	737—742
Cantonment Laws (Extension and Amendment) Bill—Passed, as amended	742—765
Naval Forces (Miscellaneous Provisions) Bill—Passed	765—789
Minimum Wages (Amendment) Bill—Passed	789—796
Discussion on Government Housing Factory at Delhi— <i>concluded</i>	796—808

FRIDAY, 11TH AUGUST, 1950—

Papers laid on the Table—

Declarations of Exemption under the Registration of Foreigners Act, 1939	809—810
Annual Report of the Central Electricity Commission for 1948-49	810
Report of the Rural Banking Enquiry Committee	810—811
The Constitution (Removal of Difficulties) Order, No. II (Second Amendment) Order	895—897
Motion <i>re</i> : Report of the Rural Banking Enquiry Committee—Adopted	811—812
Influx from Pakistan (Control) Amendment Bill—Introduced	812
Ajmer Tenancy and Land Records (Amendment) Bill—Introduced	812—813
Salaries of Ministers (Amendment) Bill—Passed	813—839
Census (Amendment) Bill—Passed	840—841
Dentists (Amendment) Bill—Passed	841—871
Contingency Fund of India Bill—Passed	871—891
Demand for Supplementary Grant for 1950-51	892
Demand No. 19-A.—Transfer to the Contingency Fund of India	892
Financial Laws (Amendment) Bill—Motion to consider— <i>not concluded</i>	892—895
Closing of Post Offices on Sundays	898—910

SATURDAY, 12TH AUGUST, 1950—

Appropriation (No. 3) Bill—Introduced	911
Essential Supplies (Temporary Powers) Amendment Bill—Introduced	911—913
Delhi Premises (Requisition and Eviction) Amendment Bill—Introduced	913
Resolution <i>re</i> : making of laws by Parliament with respect to certain matters in State List for one year—Adopted	913—995
Finance Laws (Amendment) Bill—Passed as amended	995—1008

MONDAY, 14TH AUGUST, 1950—

Motion for Adjournment <i>re</i> : Toofan Express Accident.	1009—1012, 1112—1123
Business of the House	1012
Paper laid on the Table—	
Report of the Indian Delegation to the Fourth Session of the General Assembly of the United Nations, 1949	1013
Essential Supplies (Temporary Powers) Amendment Bill—Passed, as amended	1013—1112
Influx from Pakistan (Control) Amendment Bill—Passed	1123—1127
Appropriation (No. 3) Bill—Passed	1127—1128

THE
PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)
OFFICIAL REPORT

1009

PARLIAMENT OF INDIA

Monday, 14th August, 1950

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

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

QUESTIONS AND ANSWERS

(See Part I)

12-31 P.M.

MOTION FOR ADJOURNMENT

TOOFAN EXPRESS ACCIDENT

Shri Joachim Alva (Bombay): Sir, in view of the railway disaster that took place yesterday near Moghalsarai, we would like to know whether the hon. Minister will make a statement in view of the seriousness of the situation.

Mr. Deputy-Speaker: Yes, I have received notice of an adjournment motion. It reads:

“That the business of the House be suspended today to discuss the serious Railway accident of the 7 Up Toofan Express that took place near Karmanasa on the E.I.R. about 20 miles east of Moghalsarai on the early morning of the 13th August.”

I have also received six short notice questions relating to the same matter.

1010

Before I dispose of these questions or the adjournment motion, I would like to know if the hon. Minister has got anything to say, whether he has got any information now.

The Minister of Transport and Railways (Shri Gopalaswami): So far as the short notice questions are concerned, I am willing to accept all of them and give whatever information has come into my possession or will come into my possession before I give the answers. I have not seen any of those short notice questions yet.

So far as the adjournment motion is concerned, it is for you, Sir, to rule whether it is a matter which could be discussed on a motion for adjournment. After all, what is attempted by the adjournment motion, I take it, is to elicit the fullest possible information of the accident, the tragic accident, that took place in the early hours of yesterday. I have a certain amount of information in my possession, but it is necessarily very incomplete and we shall be able to get fuller information in the course of the day. I can make a statement on it at the end of the day's proceedings if hon. Members wish to have that information. If, however, it so happens that this House is going to have a sitting the day after tomorrow, I can give you even fuller information because one of the members of the Railway Board has been sent there. He must have reached the place this morning and he will be able to give us as full

[Shri Gopaldaswami]

information as possible by this evening or perhaps if he returns tomorrow, we shall have a very full report from him. So, I am entirely in the hands of the House as to giving the information.

Mr. Deputy-Speaker: I think I shall direct that copies of the short notice questions be handed over to the hon. Minister immediately. As regards the statement, he will be in a better position to make it before the House rises today, or if it should adjourn till the 16th, certainly this may stand over till the 16th. But we are not certain as to whether the business of the House will require another sitting on the 16th. Now, if the hon. Minister will find it convenient to place before the House whatever material is available at five o'clock, I would like to know from the hon. Member who has tabled this adjournment motion whether he wants me to consider that motion now.

Shri B. E. Bhagat (Bihar): I have no objection whether it is discussed now or in the evening. But this matter of railway accidents has assumed such serious proportions that I want that we should discuss it.

The Minister of State for Transport and Railways (Shri Santhanam): On a point of order, Sir. Tomorrow the Government Inspector is going to hold an enquiry and therefore I think any discussion in this House will prejudice the enquiry. I think the adjournment motion is out of order altogether.

Mr. Deputy-Speaker: I am not able to agree with the point of order raised. But I think that this is not a matter which can be discussed without sufficient material before us. Very often, in answer to questions the hon. Minister has replied that steps have been taken to avoid these accidents. Therefore, if the House waits till the evening, it will be in a position to know what exactly the situation is in view of the details

which the hon. Minister promises to place before it. After the details are given, at five o'clock we shall consider whether the Government must be censured and whether there is any default on the part of Government. We shall therefore wait to hear the details and what the hon. Minister has to say. For the present, the matter will stand over till five o'clock.

BUSINESS OF THE HOUSE

Shri Hossain Imam (Bihar): May I suggest that the hon. the Deputy Prime Minister should make a statement regarding the course of business? It is now 12-30 P.M. and we should have some indication as to whether we should sit on Wednesday or not. It is about time that Government made up its mind.

Mr. Deputy-Speaker: As at present advised, Government have set out their business in the order of importance. The House will sit today till it gets tired and then for whatever remains, it is for Government to consider whether they should request the House to sit for one more day. If they are satisfied with the work done till the end of this evening, then the House will adjourn *sine die*. (Interruption.) In any case, the House expects the hon. the Prime Minister or the Deputy Prime Minister to make a statement soon after we re-assemble after Lunch. Hon. Members are anxious to know the exact position. The first Bill relating to Essential Supplies must be passed today. There are other Bills too. Having regard to the volume of the work set out on the Order Paper, it might be necessary to sit for one more day, but it is left to Government. If they are satisfied with whatever work is done by this evening, then the House will adjourn today; otherwise, the Leader of the House may make a statement after Lunch. We shall now proceed with the further business.

PAPER LAID ON THE TABLE

REPORT OF THE INDIA DELEGATION TO THE FOURTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, 1949

The Minister of Home Affairs and the States (Sardar Patel): I beg to lay on the Table a copy of the Report of the India Delegation to the Fourth Session of the General Assembly of the United Nations, 1949. [*Placed in Library. See No. II C. I(d)(3)/50*].

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

Shri Tyagi (Uttar Pradesh): Before the hon. Minister moves for the consideration of the Bill, I wish to raise a point of procedure. This Bill was supplied to us yesterday, but there are sections of the old Essential Supplies Act which are sought to be amended by this Bill. It is very difficult for us to lay our hands on the old Act. This difficulty arises in the case of every amending Bill. My suggestion therefore is that you might be pleased to order the Parliament Secretariat to re-print the old Acts or at least to reproduce such sections of the old Acts as are sought to be amended by amending Bills, so that we might know what exactly the original sections were and how the new amendment that is sought to be introduced is necessary. I hope you will give suitable instructions. This will facilitate the work of all hon. Members and we need not bother about searching for the old Acts.

Mr. Deputy-Speaker: I agree with the hon. Member, but I think the Parliament Secretariat may not be quite competent to do what he suggests. On the other hand, I would expect the hon. Ministers to make these Bills a little more complete. Whenever an amending Bill is introduced, a schedule should be attached giving the sections of the

original Act which are being amended, so that it will facilitate the work of hon. Members. There are only a few copies of the Acts in the Library, and if each hon. Member wants a copy, he would not be able to have it, however alert he may be. Therefore, I expect in future that whenever amending Bills are presented to amend original Acts or ratify Ordinances, a schedule of the relevant sections from the original Acts and Ordinances should be given in the Bill itself. Not only that; I also expect notes on clauses. It is not enough merely to give a Statement of Objects and Reasons. We should wherever necessary be provided with notes on particular clauses which are intricate, and these should be attached to the amending Bills.

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

“That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946, be taken into consideration.”

This Bill purports to amend the Essential Supplies Act, 1946 in four material respects and I shall shortly refer to them. So far as clause 3 is concerned, it only extends the Essential Supplies (Temporary Powers) Act to Part B States except Jammu and Kashmir. The old Act was passed under the Government of India Act, 1935, and extended only to British India. As a matter of fact, today in Part B States there are several notifications in respect of essential commodities, but they are not being controlled or co-ordinated with the notifications in the other parts of the country. Therefore, now that Part B States have come into the Union, it is necessary that this Act should extend to them also.

In clause 3 (b), it is intended to extend the Essential Supplies (Temporary Powers) Act from 31st March 1951 to 1954. As you, Sir, will remember, under article 369 of the Constitution, the power of the

[Shri K. M. Munshi]

Centre to legislate for essential commodities—the concurrent power—is maintained up to 1955. It was therefore thought that within the coming three years, it will be necessary to stabilise the economic life of the country by continuing the Act, but there is no desire on the part of Government to keep it any longer than necessary and I am quite willing to accept the amendment of my hon. friend Shri Prabhudayal Himatsingka that this should stand extended only up to December, 1952. I am mentioning this at this stage, so that we may not take up time unnecessarily in discussing amendments which I am not going to accept.

Then as regards clause 4, the Bill is intended to include cattle fodder among the essential commodities. In the Act, as it stands today, cattle fodder is excluded, but under Article 369 of the Constitution, cattle fodder is one of the essential commodities in respect of which the Centre has concurrent power of legislation. Therefore, it is desired to bring this into line with the Constitution. That is why fodder has been added. Of course, no notification has been issued so far and no legislation is contemplated.

Then, clause 5 deals with the Penal Code, the Criminal Procedure Code and the Evidence Act which are prevalent in Part B States. Now, in several of Part B States the Penal Code, the Criminal Procedure Code and the Evidence Act, as applied to British India, are not applicable. What applies there is the adaptation of these Acts made by the old States. Therefore, in order to attract the applicability of those pieces of legislation for the purpose of this Essential Supplies Act, it is necessary to have this clause.

Clause 6 has to be enacted for this reason. The existing sub-section (3) of section 3 of the Act runs as follows:

“(3) An order made under sub-section (1) may confer powers

and impose duties upon the Central Government or officers and authorities of the Central Government, notwithstanding that it relates to a matter in respect of which the (State) Legislature also has power to make laws.”

The second clause here is redundant. A difficulty has arisen because there is power of delegation to the States under the Act. One of the High Courts held that once a delegation has been made to a State that State has no power to delegate its authority to its officers, or any other authority. Therefore, power must be taken in order to enlarge the powers of the Centre; otherwise, unnecessary technical difficulties will arise in respect of the Essential Supplies Act.

With regard to the next clause (amendment to section 7) the whole of section 7 of the original Act has been set out *in extenso* and the provisions with regard to textiles are left untouched, except for one or two verbal corrections. They have been reproduced only for the sake of coherence.

The only new element is the proviso. The proviso creates a new offence—if I may say so—of excessive hoarding. That has become necessary as an emergent measure for several reasons. We have recently seen how the Korean war and the scare in the country has enabled people to raise prices not merely on account of scarcity, but also by intensive hoarding. By experience we have found that in the same area while there are people who have hoarded grain, other people have no grain whatever and it becomes difficult to get this grain out of their hoards. At the present moment, there are only three sources from which we can supply foodgrains. One is imports. That is limited today by two factors—our shortage of exchange and the recent phenomenon of shortage of supplies in foreign

countries. The other is exports from surplus States. That is of course a matter between the States and the Government which is covered by the Essential Supplies Act. The powers exercised by the States are the delegated powers from the Centre and it is competent for the Centre to take away those powers in surplus States. Then comes the question of internal procurement. Internal procurement largely depends upon hoarding by the people. Each State has made its own notification prescribing the quantity for the consumer, the trader and the producer. In most cases the producer is exempt in non-rationed areas and statutorily rationed areas. But what has happened is, that by reason of excessive hoarding, the amount of food-grains which ought to come out for purposes of procurement is not coming out and in view of this scarcity of supplies it has become really essential that we must discourage hoarding as far as possible.

This proviso introduces two elements. It defines what is excessive hoarding. Excessive hoarding is defined here as twice the maximum quantity prescribed by any notification. So far as that is concerned, the producer has to merely report. So far as the dealer is concerned, in all cases he has got a large stock which he can keep for himself. If he reports, there is no difficulty. It is only when he does not report that he comes to be in unlawful possession of additional stock. For instance, if a dealer who has a right to keep 50 maunds not only gets another 50 maunds, but does not report about it, naturally, he is in unlawful possession of the stock.

Similarly, with regard to the consumer. In non-rationed areas the consumer and the dealer are entitled to keep the same quantity—there is no difference. In statutorily rationed areas like Bombay, Delhi or Calcutta, there is a very small quantity prescribed. For instance, in West Bengal it is 16 seers. Therefore, a person will be held guilty of contravention

only if he is in possession of more than 16 seers. That is the present law. What the proviso intends to do is to lay down that if he has got over 32 seers, then only he will be guilty of excessive hoarding. But I realise that in the case of individual consumer, it would not be right to impose such a penalty unless the quantity is such as to be considered as a deliberate act of hoarding.

Pandit Thakur Das Bhargava (Punjab): If he has got 17 seers with him, he will be liable.

Shri K. M. Munshi: That is the present law, which we are seeking to amend. Under the amended law if he keeps 33 seers he will be guilty of hoarding. I do realise the difficulty of the consumer and I am willing to accept the amendment of my hon. friend Mr. Himatsingka that the minimum quantity which a consumer can keep should be five maunds.

Shri Tyagi: Even if it is not for sale, then also?

Shri K. M. Munshi: Today all over India the consumer cannot have with him more than a quantity which is prescribed by law. If that is so, if he keeps twice the quantity he is as much guilty of hoarding as anybody else. I would ask my hon. friend if he would accept this explanation after sub-clause (3) which would be much better than the amendment moved by him.

“Explanation: A person in possession of foodgrains which does not exceed five maunds of the maximum quantity so prescribed shall not be deemed to be guilty of an offence punishable under the proviso to sub-section (2).”

An Hon. Member: All the same he can be convicted for three years, not seven years.

Shri K. M. Munshi: The law stands like that today. I am not seeking

[Shri K. M. Munshi]

to amend it. If my learned friend wants to amend that, he can move an amending Bill. This law has been in existence for two years and at this stage you cannot enlarge the quantity which can be kept by a consumer, because such a move would multiply the mischief which is now in the country. (An Hon. Member: What about the producer?) I have told the House, not once, but twice that a producer is allowed to keep any quantity he likes—there is no restriction on it except in Bihar where to my knowledge the restriction does not apply only if a producer has got more than 25 acres of land. But it is for each State to decide for itself how to deal with the producer. If they do not deal with the producer this Act will not apply. If they do then nobody will be able to keep more than a prescribed quantity.

The next part relates to sentence. The sentence is that it may extend to seven years' imprisonment and to a fine not less than twenty times the value of the foodgrains found in his possession, the whole of such foodgrains being forfeited to the Government. It is pointed out by my hon. friend Pandit Thakur Das Bhargava that at any rate the prescribed quantity should be allowed to remain with him so that he will not be deprived of whatever food he wants. I think there is some justice in it and I shall be quite prepared to meet that point about the forfeiture of the quantity.

This disposes of all the points except one and that is this. Today in most of these cases the trial drags on not for days but for months together. Every advantage is taken of the provisions of the Criminal Procedure Code to lengthen out a trial, to tire out the prosecution and ultimately to secure in some form or the other acquittal. These are really emergency measures and there is no reason why the procedure should not be curtailed and made more effective.

The first is with regard to the bail. The section which is mentioned here, namely 13A, is really the section which found place in the Defence of India Rules between the years 1942 and 1946. That is, bail cannot be given unless the prosecutor is heard and the Magistrate is satisfied that there are reasonable grounds for believing that he is not guilty. This puts the burden on the other side naturally. Being an emergency legislation of such an importance we want to deter people from committing the offence and it is necessary that the latitude which the ordinary law gives to them, of being discharged on bail should not be given to a person who has got more than double the permissible quantity in his possession. It is only when he has got an excessive quantity in possession that the question arises. Unless the man proves that this was foisted on him or that in some way or the other he was not guilty, he need not be released on bail.

The other is the question of day-to-day trial. In a case like this where the stuff has been found in his possession naturally the trial should proceed from day to day. The amendment of my hon. friend Mr. Jaspat Roy Kapoor is that after the charge is framed and the accused is asked to explain, he should not be asked to come on the same day and that some time must be given to him to engage a lawyer or to consider the charge or whether the charge is legally framed or not. I also admit the validity of the objection and I am quite willing to meet it by substituting in part (a) of 13B for the words "at the commencement of the next hearing of the case" the words "at the commencement of the hearing of the case which shall in no case be later than four days from the date on which the charge has been laid and explained to the accused". It gives four days' time for him.

I submit this is a very essential Bill and we feel that it will have a very good effect on those who are

trying to hoard food at the cost of other people's lives.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946, be taken into consideration."

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. DEPUTY-SPEAKER in the Chair.]

Shri Sidhva (Madhya Pradesh): I welcome the measure that has been moved by my hon. friend, Mr. Munshi. It is not only important, but it is very essential under the existing conditions, which he has very ably narrated before this House. Measures such as these on the paper are generally very good. We have often seen that there are many measures on the statute-book, but it is the operation of the Act that counts considerably and I have laid stress on this point many times whenever such measures have come before this House that the operation should be complete and in consonance with the spirit in which the law is made. I do not know what will be the position of this Act, but I am quite sure that when the hon. Minister is so keen and is inclined to take powers to himself even from the States, he will not lag behind for one moment to see that the culprits are punished and the main and the real object for which this Bill has been brought is fulfilled. What is the object? The object is to see that there should be no hoarding, that there should not be an increase in prices and black-marketing. These are very commonly used in many Acts that have been brought in this House. So the principles are very noble and the principles being noble, I am sure that a stray case here or there of punishing a small man will not be considered

as a sufficient measure. I feel that persons who are really responsible for this hoarding and black-marketing and putting up prices should be punished. I was very glad that one of the features of this Bill is the one relating to the expeditious disposal of cases, namely Clause 9, proposed Section 13B. That is the whole key of this Bill. We know what the law means. Only the other day I put a question to the hon. the Deputy Prime Minister regarding the Law Committee that was appointed for the purpose of disposing of the cases in the law courts which were in arrears for a number of years. When I was reading the recommendations, the judges who have been conducting the cases, they themselves felt that the delay in the disposal of cases means denial of justice to the litigants and the parties concerned. This matter is not a new one. I remember Lord Reading, when he was a Viceroy, thought that this kind of justice that was being administered in India required a revolutionary change and he appointed a Committee, but nothing was done. Well, the same conditions exist and we know how cases are postponed from time to time by both the contending parties for reasons best known to them and thus circumventing the main object and the purpose for which the accused person is hauled up in the court. I do not know what is the procedure in the Criminal Procedure Code. But as regards the cases tried in the sessions court, I know when an accused person is committed to a sessions court from the lower court the sessions court sits from day to day and disposes of the case. The jury is summoned and the assessors are summoned, I do know that under the provisions of the Criminal Procedure Code that practice prevails. At present when a case comes to the Sessions Judge, he does not get out from his seat until that case is disposed of. It may take one day or one month or two months. I know they have been taking cases which have gone on for three months and yet the Judges have been sitting till those cases are disposed of. If there is a law, that is a different matter. then

[Shri Sidhva]

instead of this legislation an amendment was sufficient. But if there is no law, I see no reason why these Judges, who send out certain instructions to the lower courts and who are very anxious to see the judicial and executive functions to be separated, should not even by an executive order instruct that such important cases should be disposed of. I do not know what will be the position in the lower courts. Therefore, I say the provision in this Act for this purpose is certainly wholesome and very welcome. We do not know what will be the effect if the lower court says that it has too much work. The Act says "from day to day".

Shri J. R. Kapoor (Uttar Pradesh): Five minutes every day.

Shri Sidhva: I was just going to say that. I would request my hon. friend, Mr. Munshi, to let us know what is the meaning of 'day to day'. We know that such things do happen before the magistrates also; they are not all above board, although we have great respect for the judiciary. Supposing a magistrate takes a case for five minutes and postpones every day on the ground that he has too much work or suppose he sits late for a day just for the purpose of fulfilling the conditions of the Act or circumvents by other process, what happens, I would like to know. This matter has to be cleared up because when we provide a certain good measure it should not be circumvented by the parties concerned. This is my doubt about this clause.

Mr. Munshi stated that he had accepted my friend, Mr. Kapoor's amendment that when the charge is framed and if an accused person wants to have legal assistance, he may be given four days' time. I have no objection to this if it is a *bona fide* request. I would request my friend, Mr. Munshi, not to be very liberal in accepting such amendments and thus frustrate the very object of the Bill. I mean, he should have given one or two days. A pleader can be made ready in one hour. The pleaders know

law, they are very efficient, very intelligent and they can understand any law immediately. There should be no time given for the purpose of engaging a lawyer. Even within four days they move heaven and earth and bring all sorts of influences on everybody to win the case. This is what we have noticed and therefore while he is accepting this amendment, I would request him to see the great emergency in which the nation's interest is concerned, when food supply is not available, and the situation is very dangerous in certain parts, as he himself stated. I do not agree that there is shortage of food. I maintain that and I only feel that the movement is bad, the system is bad and this is all due to the elections that are coming.

My hon. friend, Mr. Munshi, has shown that out of the 93 persons reported to have died, some did not even exist in India, some had died of cholera. Whatever it may, one person had died of malnutrition. Death of even one person for want of food is condemnable. I do not like even one person to die of starvation. I would like to see that every member of the community is properly fed. The supply is there; it is only a question of distribution. The point is that movement is bad. The system is defective. I do not know if he is taking power under clause 6 for all purposes, for the purposes of procurement, etc. Let him be bold enough. Let him not feel that the State Governments are trying to come into clash with him. There is no question of clash. The State Governments generally look to the interests of their people. It is but right that the State Ministers should look after the comforts of their people. They have not got the breadth of vision to see what is happening beyond their province. We in Parliament take a longer view, the welfare of the whole of the country, and it is for us to see that on account of the actions of one province, the other province should not suffer. We shall not blame against the State Ministers when they are so conserva-

tive in releasing the surplus stocks because they want to feed their own people as well as possible and would not like to get into the bad books of their own people. When a national emergency has arisen, it is necessary that the Centre should take the power and I would request you to take power for all purposes, procurement, distribution, etc. Distribution even within the State is defective. I maintain there is sufficient food in the country; there may not be a surplus. One single man cannot die for want of food; the quantity is there. I have come to the definite conclusion that there is no fault, except the defect in the distribution and defect in movement. While I therefore welcome the measure, I hope the hon. Minister will see—he is very keen without my having to tell—that the provisions of this Bill are fully enforced so that he may not come and tell us: "I am helpless, I am merely an agency for distribution, and so on". We do not want to hear from him all this kind of explanation. We want to give him the fullest power. According to him, one man has died of starvation: I shall not tolerate even that. Why was not food supplied to him? If food was not there, I can understand. The State Ministers may be indifferent: some of them may be callous, as he said the other day that the Revenue Minister of Bihar, from where all this clamour is coming, would not visit the place after returning from Geneva.

Shri K. M. Munshi: No, no; I did not say that.

Shri Sidhva: It was said that nobody visited that part. After all, the blame comes upon the Centre. I wish therefore that he should take courage in both hands: we are ready to support him and give him as much power as he wants. The portfolio which he has taken up, we know, is a thankless one. He will be as popular as he was when he was a Minister in Bombay. Let us hope that with the powers that we are giving him under this measure, he will see that the food problem—which is not one of short-

age, but one of movement—will be immediately solved.

Mr. Deputy-Speaker: Hon. Members wanted to know from Government what they proposed to do, having regard to the lengthy agenda that has been placed before the House, if they would like to sit on Wednesday the 16th also.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): Government have decided to postpone all the Bills which were put on the agenda the other day. If the House would dispose of the present Bill of Mr. Munshi, Government would require 30 or 45 minutes to dispose of the two Bills, namely, Appropriation Bill and the Influx from Pakistan (Control) Amendment Bill. By the latter Bill, an Ordinance is going to be converted into an Act. These two may not take more than 45 minutes. If we could dispose of this Bill by five o'clock and if the House would agree to sit for an hour more, all these three Bills could be disposed of. I understand it would be inconvenient for many Members to sit on Wednesday. So far as Government is concerned, Government has decided to postpone all the Bills put on the agenda except these two which will be taken up immediately after Mr. Munshi's Bill is disposed of.

Shri Kamath (Madhya Pradesh): The Appropriation Bill and the Pakistan Influx (Control) Amendment Bill would take longer than 45 minutes..

Shri Satya Narayan Sinha: The Appropriation Bill is an absolutely formal thing. We have passed the supplementary demands and also the Contingency Fund Bill. There is nothing more to say.

Shri Hossain Imam (Bihar): This Bill is of very great importance. If we have to discuss it thoroughly, and if the amendments have to be discussed, I think two hours will not be sufficient. It is therefore proper that we should sit on Wednesday as well.

Shri Sidhva: No, Sir. We can finish this Bill today.

Mr. Deputy-Speaker: The present Bill is only an amendment to the existing Bill. The powers are already granted. They want to extend them for one or two years. With regard to the stringency of punishment, the hon. Minister is very reasonable and he has said, that he will accept some of the amendments that have been tabled. I do not see what enormous difficulty there is. Am I to understand the hon. Minister of State for Parliamentary Affairs to say that the first three Bills on the agenda paper may be taken up?

Shri Satya Narayan Sinha: Yes, Sir.

Mr. Deputy-Speaker: The rest will be taken up in the next session.

Mr. Braja Kishore Prasad Sinha.

Shri D. D. Pant (Uttar Pradesh): Have you got the names, Sir?

Mr. Deputy-Speaker: I am new to some of the hon. Members; I am trying to note down the names. The hon. Member may also give his name.

Shri Tyagi: Shall we pass on slips?

Mr. Deputy-Speaker: Oh yes; Mr. Tyagi is too well known to me to need a chit.

Shri B. K. P. Sinha (Bihar): The hon. Mover of this Bill has raised...

Mr. Deputy-Speaker: The hon. Member would have noticed that a number of hon. Members are anxious to speak. He will therefore confine his remarks to ten minutes.

Shri B. K. P. Sinha: Ten minutes is too small a time. So much has been said about my State that I have to be somewhat elaborate.

Mr. Deputy-Speaker: Members from Bihar will have 15 minutes and from other States ten minutes.

Oh. Ranbir Singh (Punjab): Why this discrimination, Sir?

Mr. Deputy-Speaker: It is not discrimination because Bihar is the affected State.

Shri B. K. P. Sinha: This measure is absolutely essential. Moreover, it has already had a salutary effect on the trend of prices as it has been reported today or yesterday in the *Statesmen* that:

“The recent buoyancy of India's stock exchanges received a check yesterday after the Prime Minister had told Parliament on Thursday that the Government was seeking special powers to curb this rise in prices”.

I am sure if we pass this Bill, the rise in prices shall be checked. Rather, the tendency will be reversed. Therefore, I support this measure.

Before scanning the provisions of this measure, I would like to say something with regard to the remark that has fallen from the lips of my hon. friend Mr. Sidhva. He just now referred that the prices in Bihar are rising and the conditions there have been created because the Ministers of that State were not up and doing and he referred in this connection to some Minister. I can assure him that the conditions in Bihar were not such as he thinks. I can assure him that the Ministers were not sleeping. But, there is a certain machinery on which they have to rely. They cannot act on newspaper reports; they cannot rely on the pamphlets that are issued and broadcast in the country. They have to rely on the official machinery. The officials will report on the abnormal conditions or cases of starvation deaths if they occur in any area. The Ministers were waiting for the reports of their official machinery, the District Magistrate or the Divisional Commissioner. As soon as they received the report, as our hon. Minister has said, our Ministers moved and are doing everything in their power to bring conditions to normal. I feel that this

is indeed a good measure. At the same time I must add that it is not enough if we pass a measure of this nature and put in on the Statute Book. It is bad strategy if one's attention is directed only to the front. If one is to gain victory, one has to pay equal attention to the flanks as well, and if one neglects the flanks, one is faced with, shall I say, economic and social bankruptcy, a veritable debacle. In this case, we have to pay more attention to implementing of the provisions of this Act. Something in the nature of this Act has already been on the Statute Book, but in spite of that, conditions we have seen, have been going from bad to worse. What is required is a strict implementation of this measure, and that is not possible unless, as was pointed out by the hon. Minister in charge of Industries, the other day, the social conscience of the people is awakened. And it takes some time for their social conscience to be roused. It takes some propaganda and time before the people can realise what their responsibilities in this respect are. But we cannot wait till that social conscience is roused. In the meantime we have to get along with measures of this nature; otherwise, if we wait, we might have to wait till the crack of doom. It shall be a long process and as was said by a great man, in the long run we are all dead. We have to take measures here and now. I would like to emphasise this point that if we have to make this measure a success, we must rouse the social conscience of the people, and I would also impress upon the hon. Minister that to make this measure a success, he has to tone up the machinery, the official machinery also. This can easily be done by keeping a strict watch on the officials and taking other appropriate steps. While on this point, I would like to point out to the hon. Minister that while framing policies and laying down the general lines of work, the co-operation and assistance of representatives of non-official organisations can be taken. These non-officials representatives can be associated while laying

down general lines of policy. This is necessary, because oftentimes I find that the officials are not sufficiently in touch with the actual realities of the situation and because of this, they are apt to pursue lines of action which are not conducive to the attainment of their objectives. Therefore, I would request that in laying down policies the non-official agencies' help and co-operation may be sought. But I would like to make it quite plain that when it comes to matters of details, of the day to day implementation or working of those policies, there should be no division of responsibility between the officials and non-officials. The non-officials should not be associated with the administration. I say this because if you do that, the administration tends to deteriorate, and it is difficult to fasten responsibility on the officials. Therefore I would stress that in laying down policies, in framing general rules, and general outlines of policy, the non-officials should be associated, but the practical implementation of those policies, should be left entirely in the hands of officials, because if you associate non-officials in the implementing of those policies, it is my experience, the administration is bound to deteriorate. In this connection I might cite a small experience I had. Two years ago there was acute scarcity in certain areas in my state and the Government of India sent a small quantity of maize and some other cereals for distribution in those areas. The officials there, when trying to decide to which shop-keepers those grains should be allotted for sale associated certain non-official organisations with them; rather they left that matter in the hands of non-official organisations. The result was that more than 80 per cent. of the stock never reached those centres where they were meant to be sold. It was all sold in the District Headquarters, and only 20 per cent. of it reached the centres, and of this 20 per cent., only about ten per cent. actually reached the people who were in need of those materials. Therefore, in spite of so much talk about getting the assistance of non-official organisations

[Shri B. K. P. Sinha]

in this sort of thing, I am rather wary of associating such organisations in the actual implementation of the policy, in the actual day to day working of these measures. Laying down of general policy is a question apart, is quite a different matter.

The next point I would like to emphasise is this. It is not sufficient to prescribe coercive measures. It is not sufficient putting such measures like this one on the Statute Book, for compulsion does not work. That is a bad instrument and in a democracy a bad master. In a democracy we have to persuade the people to part with their hoarded commodities, with their hoarded grains. Rather we have to tempt them to do so. What do we find to-day? Prices have been rising and if we look at the figures we find that the prices of not only agricultural products, but also of other commodities have gone up. I find, for instance that while the Economic Adviser's index of wholesale prices in respect of food articles is 417, that of miscellaneous articles is as much as 706. It is also my experience that while the prices of foodgrains go up, that of the implements of the agriculturists, bullocks and the like which the peasant needs, shoot up very much higher. Therefore I would suggest to the hon. Mover of this Bill that he should try to establish on the basis of the 1939 prices something like a parity between the prices of agricultural commodities and the prices of commodities which the peasant cannot produce, and after that he should try and provide the peasantry with those commodities at the established parity prices. It is no use trying to put pressure on one sector of the people alone and letting other sectors go scot-free. If you will be strict with one sector, you have to be strict with all. You cannot treat the agriculturists as a class apart. And if you try and provide the agriculturists with the things they need and at reasonable prices, food shall be forthcoming and in ample quantities. In this connection I may be permitted to give a little of my own experience.

I would finish in a few minutes. In my state Bihar, which has been so much criticised inside and outside this House, a few months ago they established something like exchange shops and in those rural areas they laid it down that if a person brings in so much grain, he will get so much of sugar, so much cloth and so on; and then a large quantity of grain which was outside the purview of the officials was soon forthcoming. I would humbly suggest that this sort of experiment in which my Province took the lead may be adopted throughout the whole country. If you establish such exchange shops, grains shall be forthcoming. In a democratic State you cannot rely on repressive and oppressive measures. Moreover, I would like to point out to the Mover of the Bill the peculiar conditions in my state. He comes from a *ryotwari* area, whereas in my area there is no *ryotwari* system. In the *ryotwari* area Government is in full possession of village statistics. They have complete land records. There is a *patwari* in every village who knows the acreage of each cultivator, the quality of his land and the grains grown on it. On the basis of those statistics they can very easily give figures to Government. In my State you will find a complete absence of such statistics on which Government can base their calculations or their levy policy. It is a *zamindari* area. Government only know who are the *zamindars* and what amount of revenue Government are entitled to get. Government do not know who are the tenants, what is the acreage of each individual tenant and therefore they do not know what in fairness the tenant can be asked to give to the Government. That is the whole difference between my State and the States where the *ryotwari* system prevails. There has been insufficient appreciation of this difference in this House. If there had been greater appreciation of the fact, instead of putting emphasis on coercive measures, people would have put more emphasis on measures which would induce the peasants to part with their grain.

This Bill is not very comprehensive. If you want to make price control of foodgrains successful there must be control all along the line. This Bill seeks to control only a few commodities. If you want to make procurement a success you should extend the scope of control. Unless you extend the scope of control to cover the price of many other commodities as well, the control of foodgrains would be unsuccessful. In the absence of such control of the prices of those other things I am afraid these measures are to some extent foredoomed to failure.

After all the problem of prices is the problem of production. Unless you increase production you cannot control prices or succeed in bringing them down.

There are certain multi-purpose projects which are very essential to my state. If they fructify, they will not only solve the problem of food but also the problem of health and amenities for people. Unfortunately they have been put in cold storage. The Kosi scheme is an absolute necessity for my state. If you carry out the scheme, the problem of food and many other problems in my area will become a question of the past. Unless we put our whole energy in carrying through the multi-purpose projects, I am sure these measures will not be able to produce much results.

Shri Rathnaswamy (Madras): I thank you for the opportunity you have given me to speak a few words on this Bill. While wholeheartedly supporting the Bill, I should like to say a few words about the anti-social activities of the vested interests in our country. This tendency has been prominent particularly after the war and people feel that they must adopt any means, more foul than fair, to become rich as quickly as possible. People in general have thrown all the traditions of our land to the winds. They have forgotten the glorious examples of Karna and Emperor Sipi who

thought that nothing was more sacred to them than the welfare and happiness of their fellow human beings.

In recent newspapers we came across instances where, because of the scarcity of rice which is the staple food, particularly of people in the Southern districts, and because of their impoverished conditions people felt that they had not the wherewithal to purchase rice to keep their body and soul together and such people were driven to the necessity of selling even their own beloved children. The situation has become very difficult and even dangerous and it is very appalling to find that the richer classes, the rich landlords and *zamindars*, are not caring for the happiness or the welfare of their fellow beings but care for their own personal interest and personal happiness.

I remember that our revered leader, Pandit Jawaharlal Nehru, said some time ago that every hoarder and black-marketeer must be hung on the nearest lamp post. I feel that our Government is not very serious in handling the situation. What I find, particularly in the South, is that things are being done with the connivance of the procurement officers. They go to the poor peasants and agriculturists and even use unscrupulous means to extract out of them what little they keep for their needs of the morrow, whereas they know for certain that the rich landlords and *zamindars* have enough with them but somehow either they do not have the guts or they lack a sense of duty to approach these *zamindars* and use all the means and power at their disposal to get rice they have hoarded. These vested interests create an artificial scarcity, so that they can have an easy means by which they can become rich. They feel that the calamity of the people is a golden opportunity for them. With this idea they make hay while the sun

[Shri Rathnaswamy]

shines. They resort to unscrupulous means by hoarding rice and they do not have fellow feeling enough to part with the hoarded rice, so that hundreds of thousands of people have to go without enough food and starve for days together. It is this tendency and anti-social activity that our Government must be prepared to tackle.

I find that the measures envisaged in this Bill are not enough to tackle the situation. I feel that the Government should go a little further and impose even heavier penalties than are contained in the Bill. Even a severe punishment like transportation for life for these anti-social elements should be resorted to, so that these people will feel that it is their duty to come to the aid of the Government in saving the lives of millions of our countrymen.

I also feel that the administrative machinery should be thoroughly overhauled. Many things are being done at the connivance of these administrative officials. There must be a radical and revolutionary change in the outlook of the administrative officials. Without the active aid and co-operation of the administrative officials no Government can function satisfactorily. What we find today is that the standard of efficiency and a good system do not go together as we found during the days of the Britishers. If only the officials can gird their loins to assist the Government in seeing that stringent measures are taken to punish these anti-social elements, I have no doubt whatever that our Government would very soon be able to tackle the situation which is deteriorating day by day. It is very heart-rending to hear newspaper reports that the people have even resorted to eat things which are not normally considered edible. But they have been driven to such a plight that they find no other means

than eating things which would be injurious to their health. All these things are happening and I am afraid that very soon a situation may arise which may be very difficult for Government to tackle. I even see seeds of revolution being sown in certain parts of the country, and I find that anti-Governmental forces are taking the fullest advantage of the difficulties of the Government. This is a situation which cries for immediate attention and serious action on the part of the Government. But whatever powers the Government may have, however strong a Government may be, unless a sound and stable public opinion is created no Government can function successfully. It is said, that eternal vigilance is the price of liberty. Unless the people wholeheartedly co-operate with the Government and a sound and strong public opinion is created in our country, it would not be possible for our Government to tackle this situation which is deteriorating to a very serious limit.

Shri Satish Chandra (Uttar Pradesh): I rise to extend my half-hearted support to this Bill. The Bill seeks to amend the Essential Supplies (Temporary Powers) Act of 1946. The objects of the Bill are two-fold. Firstly, it is a step to prevent the hoarding of foodgrains and other essential articles of daily need by anti-social elements, and secondly, it tries to bring about uniformity throughout the country by extending the scope of the original Act to Part B States.

My first grievance against the Bill is that it does not go far enough. Secondly, whatever powers the Government possessed under the original Act have not been properly exercised by them and they have not taken full advantage of the authority vested in them. This House would have been glad if the hon. Minister while making his opening speech had told us as to how many persons were apprehended

for anti-social acts under the old Act which was passed by the Central Legislature as early as 1946. He has not given any such figures. I would have been glad to know from him as to how many convictions actually took place and how many persons, if any at all, were jailed for the maximum period of three years up to which the courts had power to punish under the old Act.

Under normal conditions prices adjust themselves according to the economic law of demand and supply. Fairness to the producer demands that the cost of production and a reasonable profit should be taken into consideration. Similarly, fairness to the consumer demands that his requirements should be available to him at a price which he can afford to pay and at which the life of the community can go on smoothly. Between these two factors the normal interplay of demand and supply results in the equilibrium of prices, provided there are no barriers and artificial restrictions on free movement of various commodities. But, under scarcity conditions created by the last world war, imposition of controls on movement and prices of essential commodities became absolutely necessary. We might have committed many mistakes which was quite natural due to our inexperience in the field of controlled economy. The only point that we must examine today is whether we have benefited as a result of the experiences gained during these several years. I feel we are certainly in a better position now to frame our policy in a more rational and integrated manner. Unfortunately, there still persists lack of co-ordination between the Centre and the states and between states and states in the administration of the machinery of controls. I would only give one or two instances here in regard to foodgrains. I do so because this Bill has been moved by the hon. Food Minister though it relates to many other articles like cement, coal, petroleum,

etc. The present complex international situation, with the clouds of another world war hanging overhead—though I hope they will soon clear away—is exercising our minds. The tendency to hoard up foodgrains is visible once again among the profiteers and black-marketeers, who never fail to exploit a difficult situation for their selfish ends.

I would like here to examine the pricing policy of the Government of India, who possess ample powers to fix prices of different foodgrains. If I am correct, the procurement prices all over the country today are fixed by the Central Government. Mr. Munshi may reiterate that he does not possess enough powers to dictate his terms. But I hold that the Central Food Ministry has been able to persuade the State Governments to fall in line with its policy by granting subsidy and procurement bonus or by putting pressure on the latter at the time of allocation of quotas out of imported food-grains. Prices of foodgrains are fixed by the hon. Food Minister after holding conference at which the Food Ministers of all the States are present.

These procurement prices vary from place to place regardless of the general price level or the cost of production, and unmindful of the actual surplus or deficit in a particular State. All the same, the procurement prices are sanctioned by the Central Government before foodgrains are procured by the States. Similarly, the issue price for each State is also fixed by the Central Government after consulting the State Governments. From the little personal knowledge that I possess, I can say that there has been no inter-relation or co-ordination in the pricing policy of Government. I have myself seen wheat selling at about Rs. 11 per maund at the ration shops in the city of Ahmedabad. Again, I have seen on the same day—wheat selling at about Rs. 21 a maund at the ration shops four miles outside the city limits

[Shri Satish Chandra]

At the same shop and on the same day in that city, I found *jwar* and *bajra* being issued at prices much higher than that of wheat. Such is the pricing policy of the Bombay Government. When I enquired from the State officials the reason of such unnatural prices, I was told that wheat that was being issued in the city was imported by the Government of India who subsidise it, whereas *jwar* and *bajra* were locally procured. Wheat that was being issued outside the city in the rural areas was also procured locally. The local procurement price of wheat was about Rs. 20 a maund, that of *jwar* about Rs. 11 and that of *jwar* about Rs. 12 and for the latter too could not be issued to the consumer at cheaper rates after adding up the administrative charges and the incidental expenses. Such is the present pricing policy of the Government. A commodity which is procured locally, sells at a higher rate, and the same commodity if it is imported from abroad and is subsidised out of the funds of Central Government sells at a much cheaper rate. I have merely given the House one instance. It is really funny that the same State of Bombay which procures wheat at about Rs. 20 a maund and sells it at Rs. 21 a maund or more in the rural areas complains bitterly when good quality rice, sent to it from U. P., can sell at Rs. 23 a maund on a 'no profit no loss basis'. They cry that they have been robbed and cannot pay so much.

Shri Sondhi (Punjab): They don't cry; they shout.

Shri Satish Chandra: Whatever it may be, that is the situation today. What I wish to emphasise is this. Government have exercised the powers that they possess at present in a reckless manner. They have not tried to give due weight to the

State Governments view-point regarding local requirements and conditions. They have not appreciated the difficulties of many State Governments while they have been generous to some of them. This House does not wish to deny to the Government the powers with which they wish to arm themselves through this Bill, but I have a right to expect that these powers will be exercised with greater care in the formulation of the food policy, and with greater vigilance in apprehending the profiteers.

I only wish to add one more word. This Bill empowers Government to imprison hoarders up to a period of seven years. Personally, I would like the Government to possess powers to inflict some quick punishment after a short trial. It is not necessary at all to put a person in jail for seven years. It does not make much difference to the society if a man is put in jail for seven years or three years. If a person commits such an offence, he should be punished quickly. According to the present system, the law will take its own course. The case may even go to the Supreme Court—and with lapse of time the ultimate conviction will not have a deterrent effect. I would prefer a man being tried summarily and whipped in the market place.—not in camera or behind closed doors—but in the market place. This may appear to be a barbarous suggestion; this may be repugnant to decent taste, but I submit that drastic situations require drastic remedies, and until Government shed their false notions about civilized behaviours and keep apart the aesthetic or ethical considerations for the time being, they will not be able to crush the enemies of society in a period of emergency.

Shri Deshbandhu Gupta (Delhi): I do not wish to take much time of the House. I rise to support this Bill, but at the same time I wish to

impress upon the hon. Minister that the penal powers alone which Government are taking will not help much unless there is a positive side to Government's achievements. My grievance is that, whereas we have been arming Government with fresh powers, past experience shows that they have not made much use of the existing legislations, which have remained more or less a dead letter. That is one point. My second point is that these legislations and the manner in which they are being sought to be passed are likely to add to the existing panic. The other day, the hon. Minister of Food, took strong exception to a news paper report about starvation deaths in Bihar on the ground that such reports create panic and further complicate the situation. My fear is that this kind of legislation brought at the last-minute, on the last day of the session, might also have a similar effect. By all means, punish the hoarder. No one in this House will sympathise with a black-marketeer. But at the same time, unless we are able to show that our policy is a sound one and that it leaves sufficient room for economic factors to come into play, and unless we put our own house in order and see that States (Governments co-operate with the Centre and also unless we take the necessary steps to ensure against failure of food supplies and fodder etc., the situation will not ease. We have before us a living instance which is only one week old. You are aware that the tonga drivers of Delhi had been representing to Government that there was no gram supply available in Delhi, whereas there was, to their knowledge, plenty of it in PEPSU, Punjab and W. Pakistan. In spite of their representations nothing happened and they had to go on strike. The price of gram a week back in black-market was round about Rs. 40 per maund. The hon. Minister of Food did what he could to persuade the Punjab and PEPSU Governments to dole

out some amount of gram to Delhi, but he did not succeed. The obvious measure which was in his power to take was to lift the ban on the movement of gram between Delhi and Punjab. But he did not do that. I do not know why. After the strike, he took that step half-heartedly, that is to say, gram and other non-rationed cereals like *jowar* and *bajra* were allowed to come from the villages of Delhi into the city of Delhi.

That was the only barrier which he lifted and that too in a half-hearted manner. And what has been the result? As if by magic the prices came down from Rs. 40 per maund to Rs. 20, and I am told that today it is Rs. 17 per maund. One will naturally ask the question "Why was it not possible for the hon. Minister to take this step earlier?" The reply, perhaps, would be that Punjab was resisting and PEPSU stood in the way. A place like Delhi which is the capital of India has got only 350 villages round about it, what justification could there be to the produce of these villages reaching Delhi? The explanation perhaps is that these villages are contiguous with Punjab and Punjab is afraid that its surplus produce might not infiltrate through these villages. I want to ask the hon. Minister whether that could be a valid objection and whether we have not already shown a good deal of concession to Punjab and PEPSU in this matter.

Last year, in this very House my hon. friend Pandit Thakurdas Bhargava who comes from Punjab and represents Haryana district made repeated efforts to have these barriers removed. According to him lakhs and lakhs of maunds of grams were simply rotting in Hissar and other places and the people of these places were agitating for getting necessary permission to export them to Madras and other deficit areas. So, what I want to tell the hon. Minister is that it is

[Shri Deshbandhu Gupta]

all right to have these powers—but all means have more powers, if you like—but unless we are able to impress upon the common man that Government is doing all that is possible for them to ease the situation, we will not have the backing of the public opinion.

A similar situation arose in Bombay and Madras. But immediately the restrictions were removed and supplies were allowed to come from Karachi, prices came down. It is a very strange thing—perhaps hon. Members will find it hard to believe—that supplies could come from Pakistan without the aid of Government, but people who live in Delhi could not get supplies from Lahore. These are things which one finds difficult to explain to the common folk. So, unless we do away with such artificial barriers for which there is no justification mere legislative measures will not ease the situation.

I would like my hon. friend the Minister of Food to realise that in a place like Delhi at least which is a Centrally administered area, we should be able to impress the people that the Centre is working efficiently. We find fault with the Bihar, U.P. and Madras Governments. But what about Delhi, I want to know, which is directly under the hon. Minister? I want to know whether he is satisfied with the working of the control and the administration of rationing rules in Delhi? If not, the question naturally arises as to what is he doing to improve matters. The other day I asked a question about the rationing system in Delhi. Here almost a monopoly has been given to a particular firm for handling the distribution of all the cereals and you will be surprised to learn that during the last six years more than one crore of rupees have been paid to this firm just for handling the distribution of rationed cereals.

Shri Hossain Imam: What is the name of the firm?

Shri Deshbandhu Gupta: The name of the firm is Delhi Grain Syndicate. It is a misnomer to call it a syndicate. It is a private firm consisting of three or four persons. They were not in the trade in Delhi. (An Hon. Member: Who is the Chairman of the Syndicate?) I don't know his name. There are no directors. It is a private firm like any other business firm. There is a merchant from Rawalpindi who has a major share in it. They have been handling the distribution of entire rationed grains during the last six years and more than one crore of rupees have been paid to this firm by Government just for handling the distribution. The investment is also made by Government. They have not to sink any money in the business. Besides the godowns are requisitioned for them and a liberal quota of petrol is given for their lorries and all sorts of other facilities are given. The serious allegation made by the traders of gram of Delhi is that it is through this firm that a big quantity of grains find their way into the black-market in Delhi. Just one firm handling the entire food-grain distribution of Delhi was unheard of before. Distribution of textiles for instance, is entrusted to a Syndicate in which all the trade people are represented. But in regard to articles of food the entire distribution is left in the hands of one firm—I do not know for what reasons. I tried to impress upon the hon. predecessor of the Food Minister and I have also brought it to the notice of the present Minister. But so far nothing seems to have happened. The question was raised in the Chief Commissioner's Advisory Council also pointing out that this was a most unsatisfactory state of affairs but there the matter ended. So as long as such things continue, it will be difficult to get the moral support of the bulk of public for such legislation and things will not improve.

Before concluding I would just like to point out one thing more; U. P. is a surplus province, and so are Punjab and PEPSU.

There is no earthly reason why Delhi, a small tiny State, should be kept aloof and artificial barriers on movements of grams etc. should be erected. These barriers must go and Delhi, for purposes of rationing, should be treated as one unit with U.P. and Punjab. This will eliminate so many administrative difficulties and along with them the prices will come down which are causing great hardships to the people. But it has taken the Central Government years to come to a decision on a matter like this. If they have not got the strength to persuade or force the neighbouring provinces to agree to this simple proposition, I do not know what else they can do.

With these words, I support the Bill and I hope that they will also take some positive action and be not content with the mere passage of this Bill.

Shrimati Renuka Ray (West Bengal): For two and a half years Government have followed a policy of drift in regard to economic matters. Inasmuch as this amendment to the Essential Supplies Act shows an indication of a different approach I for one am fully in favour of it.

During these two and a half years the only panacea suggested for all the ills was 'Production, and yet more production'. It is quite true that we must have greater production. But the means employed for that do not appear to have yielded results. Government have all the time hoped—and in vain—that the speculator-capitalist to whom we have made concession after concession, would come forward. And today, I am glad that Government is at last coming to a realisation, a realisation which many Members of this House did come to long before, that there are not the people on whom you can count to bring about the industrial growth of our country.

As an hon. Member has just now pointed out the Essential Supplies Act has remained a dead letter on the Statute Book so long. I hope that with these amendments it will become somewhat more effective. Black-marketing, hoarding and speculation in prices have continued unchecked in spite of the fact that we have had his Act. I hope this amending Bill will make the Act effective. In this country the food problem is naturally the most important of all. Even before the war years, which we now look back upon as normal times, Sir John Megaw, the famous dietician said that the people of this country live on a diet which is not even fit for rats to live on for more than a few weeks. Since that time we have seen much deterioration, and although we may not consider that we are facing actual starvation or famine, still people live under conditions of malnutrition which in other countries would be considered to be below any minimum level. Today we hear the very distressing tales from Madras and Bihar, and from other parts of the country too which have made immediate action a necessity. I am glad that the hon. Minister is alive to the situation and is moving this amending Bill.

But at the same time I would like to point out to him that while I am glad that he has brought in two effective clauses, one, that offences against hoarding will be non-bailable, and the other, that offenders will be jailed, and cannot escape with fines in money. At the same time I would also like respectfully to point out to him that even so, it is very difficult to bring offenders to book which he and his Department and those who work in the enforcement branches must know. There are of course two types of hoarders, the hoarder who becomes a hoarder because he is panic-stricken and thinks that all his neighbours are buying more food-stuffs and hoarding them and he better do the same thing as otherwise he will face difficulties later and there is the deliberate hoarder, the

[Shrimati Renuka Ray]

anti-social one who profits by the misery of others. It is against the latter, of course, that this Bill is mainly aimed. I hope that so far as those who are panic-stricken are concerned it will be possible for Members of this House, and also for the public outside to prevail upon such panic-stricken people not to go in for hoarding and that it will not be necessary for this Act to be applied to such people. But so far as the anti-social elements in the country are concerned, this Act I hope will not any longer remain a dead letter and that these more effective provisions will be applied. I am sure that if in a few cases even some exemplary punishments are given it will have a very deterrent effect on all others.

Shrimati Durgabai (Madras): I would like to make. I feel very strongly that the hon. Minister should introduce another clause in this Bill. I think that if a clause is included in this Bill to the effect that wherever there is very strong suspicion, there will be detention of offenders then it is likely to be more effective. Political detention is of a different nature. Whether desirable or not, these are in regard to ideals and objectives and therefore there is naturally an atmosphere of martyrdom about it. But the whole position will be very different if detention is brought in for the anti-social elements in this country, because in that case there will be no question of their having any kind of moral justification behind their action. It will be a punishment which will be effective even if the detention is for a few weeks only. It will perhaps act as a greater deterrent than the Act even with these amendments. I would therefore ask the hon. Minister if he does not wish to include it now, that if after a few months' working he feels that this Bill still falls short of requirements, he may bring in a clause of this nature.

There are many speakers and I do not want to take up more time of the House. I only want to assure the hon. Minister and the Government

that not only this House but the whole country is behind this move that they have taken. I hope that they will be able to implement this time the clauses of the Bill and that we shall be able to check hoarding and the speculative rise in prices which have already brought about so much deterioration in our economy.

Shrimati Durgabai (Madras): I have great pleasure in giving my support to this measure.

As has already been explained, the main objects of this Bill are two-fold. One is to provide for more drastic punishment in cases of excessive hoarding and the other is to provide for the expeditious disposal of the cases of hoarding. The objects are very laudable. But very often questions are asked and some people would ask "So you are passing this Bill. All right. But are there any cases where the offenders are punished?" The question is also asked whether it is not the small hoarder that is punished and the big offenders are being left off. A question was rightly asked by an hon. Member of this House. The hon. Minister would have done well in giving the list of the cases—in how many cases actually prosecutions have been launched and how many cases of convictions have taken place—and why he found the provisions of the existing Act inadequate. There are some Members of this House who thought that the existing powers, namely, punishment for three years, are enough. On the other hand there are other Members who found that even seven years' punishment is not drastic enough. There are, on the other hand, some Members who thought that whipping should have been made a form of punishment. I would like to say that whipping, which is suggested by some hon. Members as a form of punishment, is really barbarous. I do not think we as a civilized people should give our encouragement to that sort of punishment. Even hanging would have been better in case of excessive

hoarding but not certainly the form of punishment suggested, namely, whipping.

I want to say that if the provisions of this Bill have to work successfully, success depends upon the way in which the Bill is actually worked. I congratulate the hon. Minister for the steps that he has taken and is taking to enlist public co-operation. I should say that public co-operation and public consciousness must be forthcoming in abundance and everything should not be done only on governmental level. He has recently taken up in his hands to constitute a Council of Women to be in charge of Food matters. Really he has got more imagination perhaps in the capacity of women and therefore he sought to enlist the co-operation of women. Much depends upon the propaganda and the machinery that we have to set up for these purposes. We have got to go into the villages and actually propagate that hoarding would certainly bring ruin and revolution in this country. The hon. Minister has been pleased to constitute this Women's Council recently. I hope there will be co-operation from Governments of the States and that if and when they are constituted they will come forward to give all co-operation to these Councils. I also wish to remind the hon. Minister that he must also take adequate steps to get the co-operation of the non-official organisations that are existing, and specially women's organisations, in the various States. They would undertake this work simply for the love of service. He should not depend more on the officials and officers. These provisions have got to be carefully used. I also wish to remind Government that in their anxiety to make their scheme successful there may not be misuse of these powers. People who have got some experience of the courts know how often false police cases are instituted and unnecessarily the innocent people suffer. Therefore he has got to see how cases are being disposed of expeditiously. There are many speakers and I only wish to draw attention to the misery

that is being felt on account of this excessive hoarding and the food crisis that is threatening this country and especially my part of the country and the State from which I have come. Only this morning there was a short notice question and many questions were put in that connection also and I hope that the hon. the Food Minister would take adequate steps to see that offenders are properly punished and thus avert the crisis.

श्री पी० जी० गेल : यह दुःख की बात है कि हमारा मुल्क आज अनाज की कमी से त्राहि त्राहि कर रहा है। मैं जिस प्रान्त से आता हूँ, उस प्रान्त के बारे में अनाज की कमी का हाल बताया गया है और इस चीज को मानना पड़ता है कि वहाँ खाद्यान्न की कमी है। मैं पुर्णिया से आता हूँ और पुर्णिया दरभंगा और नेपाल से बहुत कुछ मिला जुला है, इस लिये एक ही बौर्डर (border) है। मैं माननीय मंत्री जी की दृष्टि इस ओर दिलाना चाहता हूँ जो लोग अनाज और गल्ला इकट्ठा करके रख लेते हैं, तथा जिन को हम लोग होर्डर्स (hoarders) कहते हैं, उन लोगों ने कानून बनाने से पहले नेपाल और दरभंगा एवं पुर्णिया के बीच जो पचास गज की नो मैन लैंड (no man's land) है उससे बाधा नेपाल को भेज दिया है। मैंने बिहार के माननीय मंत्री जी के वक्तव्य में देखा कि उन्होंने करीब करीब ६७,००० मन अनाज समाहार कर लिया है मगर मेरा अन्दाजा है कि इस से ज्यादा अनाज नेपाल के बौर्डर पर रखा हुआ है।

हम देखते हैं कि बिहार के खाद्य के बारे में जो बातचीत हुई है उसमें बिहार को डेफिसिट (deficit) या सरप्लस (surplus) कह कर कमी या अधिकता बताई है। बिहार डेफिसिट है लेकिन मुँक भाषा तक नेपाल से खाद्यान्न आयात करना सब ठीक समझा जाता है इस लिये हमें कानून नहीं बनाना है कि वह डेफिसिट है।

[श्री पी० जी० सेन]

मगर दर हकीकत देखा जाये तो बिहार डेफि-
सिट है। मैं जानता हूँ, और पुर्णिया में भी
देखता हूँ कि काफ़ी अनाज नेपाल से आता है
और उसका आना जाना बहुत मुश्किल नहीं है
क्योंकि जिसे नो मैन्स लैंड कहते हैं वह सिर्फ़
पचास गज का फ़ासला है और इधर से उधर
जाना कोई कठिन नहीं है।

माननीय मंत्री जी ने जो बिल पेश किया है
उस से मुझे हर्ष ज़रूर है, मगर जैसा कि मेरा
अनुभव है और दूसरे और सदस्य भी बोले हैं,
उसके लागू होने में दिक्कत है। या यह कहिये
कि उस में भी दिक्कत होती है। मैं इसे साफ़
साफ़ शब्दों में कह देना चाहता हूँ कि मुझे ऐसे
क़ानूनों के लागू होने में जो तज़ुर्बा हुआ है वह
यह है कि जब भी असेसमेन्ट (assessment)
किया जाता है, या क़ानून प्रोक्योरमेन्ट
(procurement) को लागू किया जाता है तो
बड़े लोगों को और उन लोगों को जिन के पास
अनाज ज्यादा होता है कम असेस (assess)
किया जाता है और इस से जनता में बड़ा
असन्तोष रहता है। तो यह सारी दिक्कतें
हैं। इस के बाद मशीनरी का सवाल
है। हमें ठीक से प्रोक्योरमेन्ट लागू होने में
इन तमाम दिक्कतों का मुक़ाबला करना
पड़ेगा।

बिहार की खाद्य समस्या के बारे में मैं माननीय
मंत्री जी से कहूँगा कि वहाँ खाद्य की कमी की
बजह से जो मृत्यु हुई है, उस में कोई झूठ बात
नहीं है, चाहे जय प्रकाश नारायण ७७ कहें,
लेकिन ११ में तो कोई मुश्किल नहीं होगी।
और प्रान्तों में ऐसी बात मने नहीं सुनी।
इतना ही सुनता हूँ कि वहाँ के लोग पत्ते खाते
हैं। लेकिन वह मेरे प्रान्त की हालत तक
नहीं पहुँचे ह। अगर मैं इस में कोई ग़लती
कह रहा हूँ तो मुझ को सुधारा जा सकता है।
हमारे बिहार में मृत्यु हुई है और अनाज की

कमी की वजह से लोग मरे भी हैं। जैसा कि
हमारे माननीय मंत्री जी की रिपोर्ट या वक्तव्य
से पता लगा, वहाँ अपयीप्त पोषण से आठ
आदमियों की मृत्यु हुई और एक आदमी की
सही मानों में भुखमरी से मृत्यु हुई है। तो
इस प्रकार भी संख्या ९ हो जाती है, मैं ११
कहता हूँ, तो कोई ज्यादा नहीं कहा है, मैंने
तो कम ही कहा है। हम इस नतीजे पर
पहुँचते हैं कि वहाँ खाद्यान्न की कमी है और
हमें इस से ज्यादा खाद्यान्न वहाँ पहुँचाना
है। मैं उम्मीद करूँगा कि हमारे माननीय
मंत्री जी इस ओर ध्यान देंगे। बिहार में यह
सवाल नहीं है कि चावल ही चाहिये, अगर
चावल नहीं है तो गेहूँ ही सही, जो भी मिल
सके वही सही। मैं उम्मीद करता हूँ कि हमारे
माननीय मंत्री इस बारे में सचेष्ट होंगे
और इस के बाद हम लोग नहीं सुनना चाहते
है कि बिहार में एक भी मृत्यु अनाज की
कमी से हुई है।

मुझे एक बात और कहनी है क्योंकि मैं हाउस
का ज्यादा समय नहीं लेना चाहता। मैं
जानता हूँ कि और लोग भी बोलन वाले हैं।

मैं क़ानूनों के लागू करने के बारे में कह रहा
था। इस सम्बन्ध में मैं देखता हूँ, हमारे
और भी माननीय सदस्य बोले हैं, कि वह इस
में मदद करना चाहते हैं, मगर हमारा तज़ुर्बा
यह बताता है कि जो कोई भी आदमी इस में
मदद करने जाये वह ५, ७, १० दफ़ा
पहले कचहरी तक दौड़ने के लिये तैयार रहे।
आज एस० डी० ओ० दौरे पर गये ह, या आज
मुक़दमा नहीं लिया जा सकता। तारीख़
पर तारीख़ पड़ती हैं। जो आदमी या संस्था
इस में सरकार की मदद करना चाहते हैं वह
परेशान हो जाते हैं और समझते हैं कि कहां से
बला में फंस गये। अगर यह सब होता रहा
तो इस तरह का क़ानून बनने के बाद भी

इसका लागू करना बहुत मुश्किल है। इसलिये इस के तो समरी ट्रायल (summary trial) जहाँ तक जल्दी हो सकें किये जायें और इस के लिये खास आदमी मुक़रर किये जायें। तभी मैं समझूंगा कि यहाँ पर एक अच्छा कानून पास किया गया है।

(English translation of the above speech)

Shri P. G. Sen (Bihar): It is distressing today to find our country suffering extreme hardship on account of shortage of foodgrains. Much has been said here with reference to the province from where I come and it has been conceded that there is a shortage of foodgrains there. I come from Purnea. Purnea is situated adjacent to Darbhanga and Nepal and has a common border with them. I wish to draw the attention of the hon. Minister to the fact that the people who accumulate stocks of foodgrains, whom we call hoarders, have sent foodgrains over to Nepal, across the fifty feet wide no man's land bordering on Nepal, Darbhanga and Purnea. I saw a statement by an hon. Minister of Bihar wherein he says that 67,000 maunds of foodgrains have been procured. My own estimate, however, is that foodgrains far exceeding that quantity are lying on the Nepal border.

We find that there has been a lot of discussion wherein Bihar has either been declared a surplus area or has been stated to be a deficit one. Bihar is a deficit State, but since we have till now been getting a large part of our rice from Nepal we have failed to perceive that it is a deficit area. If, however, we make a closer study we would find that Bihar is a deficit area. I know and have also seen in the case of Purnea that a good deal of foodgrains are imported from Nepal. Moreover, it is not very difficult to bring it over from there as the area known as the no man's land is barely fifty feet wide. I am of course happy about the Bill that has been introduced by the hon.

Minister, but my experience is—and it is supported by other hon. Members who have spoken—that there would be difficulties in the way of its enforcement. I wish to state in clear words that my own experience of the enforcement of such laws is that, whenever an assessment is made or the law relating to procurement is enforced the big people and those who possess huge quantities of foodgrains are always under-assessed, with the result that people generally have a feeling of acute discontent over it. These are some of the snags. Then comes the question of machinery. We shall have to overcome all these handicaps.

In connection with the food crisis in Bihar I would tell the hon. Minister that there is no untruth in the news of deaths being caused there as a result of food scarcity. Jai Prakash Narain may have put the figure at 77 but it would not at all be difficult to prove the figure of eleven. I have not heard any such thing in the case of other provinces. All that I have heard is that people there have taken to eating leaves. But surely they have not been reduced to such straits as people in my province. If I am making a misstatement I am liable to correction. There have been deaths in Bihar, people have died as a result of food scarcity. As is disclosed in the report or statement made by the hon. Minister eight persons have died there as a result of malnutrition and there was at least one man who died of actual starvation. Even on that basis the number comes to nine whereas I have put it at eleven. Surely I have not made an overstatement. We have come to the conclusion that scarcity of foodgrains exists there and that we have to make large quantities of foodgrains available to them. I hope our hon. Minister will attend to that side of the affair. There is no such problem in Bihar that they must have rice alone. If no rice be available they can do with wheat, or whatever else may be made available. I

[Shri P. G. Sen]

am sure the hon. Minister will be doing his best so that we should not hear of any more starvation deaths hereafter.

One thing more. I was referring to the enforcement of laws. Now, in that connection, I have noticed from experience and so have other hon. Members who have spoken and offered to help in this respect, that whosoever thinks of offering help in this respect must be prepared. In the first instance, for making 5,7 or 10 rounds of the courts. The usual story is, 'the S.D.O. is out on tour today' or 'the case cannot be taken up today'. Postponement follows postponement. Those men or organizations who want to help the Government in this matter find themselves on tenterhooks and wonder why at all they courted all that botheration. If things go on as they are at present, you will find that even after the enactment of this measure great difficulties would have to be faced in its implementation. Recourse should therefore be had by having quick and summary trials and a special type of officers should be deputed for the purpose. Then alone would I feel that a really effective piece of legislation has been enacted.

Shri Tyagi: I am sorry that I am not inclined to support this Bill and I want to bring on record my comments about it. My feeling is that the powers which Government had here and State Governments had in their own areas were quite enough to do what our hon. friend, Mr. Munshi, wants to do. Some of my friends in the House have pointed out that according to the previous law practically no convictions were made and this goes to show that the law, howsoever less deterrent it was, was not put to action. It is no use your having a gun if you are not going to make use of it. When my child was very young, I used always to threaten her and say that I would pull her ears. But I never pulled her ears. The result was that when my wife said to her "If you are going to do

that again, I will report to your Papa", the child replied, "Do tell him; I know Papa will never pull my ears. He never means it." So, I say if you do not use your law, what is the good of making it. Everybody knows that hoarders are never arrested; they are never punished and in Calcutta and in other places, they are let off, even before they are arrested. So in my opinion the powers were already enough. Do you mean to say that only by making a law that instead of three years the punishment will be five or seven years, these additional four years will bring fear in the minds of the people?

4 P. M.

This punishment of seven years or even of three years will not stop hoarding. It is, in fact, your own courage and resolution that would bring the desired relief with regard to these commodities. In fact, what has been happening is this. We had no guts to enforce the law. The law was there. We had really not the strength to exercise those powers. That is the difficulty. And, wherever the administrators enforced the law, the machinery was so corrupt that they would not allow the law to be properly enforced. Why do you complain of the delay in cases and wish that justice should be done quickly? Justice is being done quicker and quickest. Immediately a case is taken up, it is compounded. The policeman does not even bring it to the notice of the court. Things are being done so; everybody knows that. Now, I throw a challenge. Since we took up the administration of the country in our hands, our administration has gone more and more corrupt. Why do you not face this challenge? Please temper your own tools first, and tune up your own machinery. I am sure, then, even with the softest law, you can make the people respect law. In the British days, law was more respected than it is today. Why? Democracy has brought some sort of weakness in us. We are not strong

enough to make our people feel that a democratic law deserves more respect from them. In the British days, it was the prestige of the British Government that really maintained peace and order. It is not the police man who stops the robber from committing robbery. It is not the fear of the police that checks the man from killing another. It is the prestige of the law. In the absence of the police and army there is the prestige of the Government on the minds of the people that stops them from committing offences. If that feeling is lost, no strong law is going to help you. What we need is this. Once a law is made, it must be enforced at all costs, even at the cost of unpopularity of the Government. If that feeling is created, I can assure you, all crime will stop. We can do that only when our machinery is pure. Why don't you see immediately under your nose? Why don't you look to the administration first? Therefore, my submission is that we should first of all see that our machine is not corrupt; that our machinery is above suspicion; that the personnel who execute our laws are very reliable. It is only thus that you can achieve your object.

Already there is a heavy incidence of taxation. Every province is adding to it and loading the people with taxation. But, even more than the regular taxes which go to the State coffers, money goes to the private coffers of the State-craft people, the servicemen. If the total bribes given to the service men are to be pooled together, I am afraid that pool will be bigger than the total pool of taxation in the country. Legal taxes and illegal taxes are going on. Your law will only add to the amount of illegal taxes. Because, now the punishment being heavier, the man caught will pay more bribes. That would be the result. Perhaps, after this law is passed, the police people may not demand any increment in their pay; they will arrange otherwise. My submission therefore is, that if respect for law has to be

created, it cannot be created by making a strong law, but by your own strength. I appeal to Mr. Munshi to be strong enough and see to it. If there was even this little law that whatever essential commodity is hoarded, it will be forfeited to the Republic, and if that law was rightly enforced—no imprisonment or whipping would be necessary—I can assure you the whole trouble would be over. No man need be sent to the jail. Therefore my submission is, that it is your own strength that would help you. Be active and practical. It is no use to threaten the people. Threats won't help. They know our weaknesses. We have betrayed it all over. Don't you know the instance of sugar? Its price shot up high. Don't you remember that the price of gur went high? Immediately you claim to control a certain commodity, the price goes up. You are now out to control fodder as well: grass and *bhoosa*. Up till now, the cows in towns were getting some *bhoosa* in some way or other. After this control law, I am afraid *bhoosa* also will be hoarded and it will not be possible even to get *bhoosa*, let alone other commodities.

I am not in favour of controls. I really strongly feel that controls are the bane of our society. I submit, without these controls, if we had really the boldness of Gandhiji, if we had abided by what he had said, we should have resolved all these troubles. No law would be necessary. The level of prices in the markets, the flow of commodities to a market, is just like the flow of water in a river or a pond. The level must always be one. If you create zones, if you build up barriers in between, then, of course, the level is high in one place and low in another. My submission is, as some of our friends have already pointed out, if you just lift these zonal controls, and if these barriers are lifted, the level of prices in the whole country will be uniform just as water level is the same throughout.

[Shri Tyagi]

You must give freedom of movement. That is the only thing that you have to guarantee. Wherever there is a question of essential commodities going from one corner of the country to another, the man who carries the goods will have free access to the territory and will have all facilities of transport. Wherever there is talk of any famine, things from other parts of the country will automatically rush to that place and famine will be immediately controlled. Those people who run our trade are always after profit. Even if there is a profit of two annas per maund, merchants will carry the commodities to that place. Price, like water, must find its own uniform level. Do away with these artificial barriers. Everyone will be uniformly benefited and the suffering will also be shared equally by all.

This is a very important law that we are passing and the whole country is affected. All hoarders, even a man who has got two seers of *atta* in surplus, will be punished for three years' imprisonment. It is not an ordinary law that we are enacting. Therefore, I must have the indulgence of saying a few more.....

Mr. Deputy-Speaker: The minimum is five maunds; people with more than ten maunds will be affected.

Shri Tyagi: I shall discuss the various provisions of the Bill when we come to the amendments. But even from the point of view of general principle, the Bill is defective. For instance, clause 7 lays it down that any person, who contravenes an order that is issued either by the Government or officials duly authorised to do so by this law, in regard to the rate of price or the quantity of grains kept by him, or in regard to the declaration of the quantity of grains with him, will be liable to be punished with three years' rigorous imprisonment—rigorous or simple I do not know—and also a fine, "unless for reasons to be recorded the court is of opinion that a sentence of fine

only will meet the ends of justice." This means that a person dealing in thousands and thousands of maunds of grain and getting double the price of what Mr. Munshi may fix need pay only a fine. Only the gunny bags, as it were, would be forfeited. He will be let off with a fine if the court so desires. That has been left to the court. He is a grain merchant and so he is lightly dealt with. But if there is a consumer who keeps more than five maunds of grain, the position is different. If he has a large family and he keeps more than five maunds, suppose he has ten maunds, you cannot say he is really a hoarder. He is not keeping it for deriving any profit. He is keeping it only for his own use, for the consumption of his children and wife. I would say that it is not hoarding, but he has only translated his love for his kith and kin into the rice he has kept for them. But then he is liable to be punished by seven years imprisonment. That is what he gets for loving his wife and children. Mr. Munshi, I want to tell you that everybody loves his wife and if you have.....

An Hon. Member: His own wife?

Shri Tyagi: Of course, his own wife.

Mr. Deputy-Speaker: The hon. Member must address the Chair.

Shri Tyagi: Yes, Sir, you have your own personal experience also. So I submit that such a person is not hoarding at all, but he is keeping some food for his own consumption and the consumption of his own family. He is not keeping it for the purpose of making a profit. He does it on account of the dictates of his natural instinct, he is afraid that rice may not be available for feeding his own kith and kin, and so for his own domestic security he is keeping it, I may say due to his fear complex, and not due to or with any mal-intentions. And that man, according to this measure will be sent off for seven years. I cannot be a party to such a

law, because millions of families will be adversely affected, many innocent persons will be affected, while merchants selling thousands and thousands of bags of the grains will be liable only to the payment of a fine.

Whipping has been rejected and some of the ladies have said that it is callous and barbarous. But in the name of the State, a murderer is hanged by the neck, a rope is put round his neck and he is suffocated and murdered and that is not called barbarous, probably because it is done by the British and other so-called civilised people and so that practice also is civilised. If lynching is prescribed here, probably some of our ladies would not protest, because it is being done in America. But if whipping is resorted to it is termed callous and barbarous. I think if whipping is resorted to, all hoarding and black-marketing will stop, but for whipping you require strength. I, therefore, am in favour of whipping as a punishment.

Dr. Pattabhi (Madras): May I know the interval between the first bell and the final bell?

Mr. Deputy-Speaker: It tends to progressively decrease, from nine to eight, seven, six and so on.

Shri Jhunjunwala (Bihar): This Bill which has been brought forward as a measure for stopping prices from going up, to keep them down, I don't know how far it will be successful. I am surprised that of all persons the hon. Munshi, one of the most competent and successful lawyers, has thought of stopping the rise in prices by increasing the sentence of punishment from three to seven years. As has been stated by many friends here, this will apply only to the poorer classes of the people and not to the real hoarders, and unless we get hold of the real hoarders, the prices will not come down.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

An army of lawyers are sitting here. Instead of bringing a measure to enhance the punishment, I should

have thought that they should have brought forward a measure which could result in getting hold of the real hoarders, even if it be necessary to change the principle of jurisprudence.

The hon. Minister says that by this measure we will bring down the prices and punish the anti-social activities of people. As has been said by Shri Deshbāndhu Gupta, it is not measures such as these that will bring down the prices but the supply of food. The hon. Shri Munshi when he was on his tour in Purnea District he himself has seen that when there was no rice, the price of rice was Rs. 40 per maund and the moment about 20,000 maunds of rice were supplied to the area, the price came down to something like Rs. 27 per maund within a week. It is not as if there is not adequate food in the country but it is improper regulation and transport which stand in the way of proper distribution.

Much has been said against control and I do not know why it does not appeal to those in authority that unless control is removed all these evils are bound to continue. All this legislation instead of doing good will only create panic in the minds of people and add to the disrespect for our Government in the sense that these laws result simply in adding to the number of legislations and not for stopping the evil for which they are meant.

I shall revert to the question of Bihar. When I asked a supplementary question from the hon. Minister as to what was the quota given to Bihar from the Central food stock last year, when times were normal, he said that he did not know. What I was going to make out was that last year 1,30,000 tons were given to Bihar and this year it has been reduced. In normal times the quota was more, whereas when there is scarcity, due to crops being destroyed, instead of the quota being increased, it has been reduced. The hon. Minister has said in his statement that the food position which he is trying to bring about will be sufficient for the whole

[*Shri Jaunhantwala*]

of Bihar. I think he has not properly studied the question. It will not be sufficient for the whole of Bihar. Perhaps it might be somewhat in excess of what will be sufficient for meeting the demands of the affected areas but it will not be sufficient for the whole of Bihar.

There is one point which will take a long time to dilate upon but I shall not take up the time of the House with it. In fact I would not have touched upon it but for the statement of my hon. friend Mr. B. K. P. Sinha. He said that unless the Kosi and other schemes are given effect to, there is no chance of food sufficiency in Bihar nor for the whole of India. I would tell my friend that he has not studied the condition of cultivation. The Prime Minister said, I do not remember where, that he had got wheat planted in his own compound and that one acre gave him 38 maunds of wheat. But he also said that those conditions will not be available to the poor cultivators in the villages. I agree with him. My friend Mr. Jagjivan Ram in a talk two days ago said that he cultivated wheat in his own compound. He neither applied chemical manures nor anything else, although agricultural experts were advising him to use this or that manure. He simply followed the village methods. He had good ploughs and good bullocks and got good seeds. He got a production of 18 maunds per acre in his compound. It may be that the land in his compound was virgin soil. Even allowing for that I should think that if the poor cultivators in the villages were given good bullocks, proper ploughs and good seeds they could produce at least 12 maunds per acre. The district agricultural officers should be made responsible to see that every villager is supplied with all these things. I have personal experience that the outturn can easily be increased by 25 per cent. and I would ask my friend to think what that 25 per cent. will mean to us.

In the end I would submit to the authorities concerned that these anti-

social activities should first be attempted to be stopped by inducement or persuasion as suggested by hon. Mr. Mahtab, who said that we should mobilise all the people to help us. But if inducement and persuasion fail, such measures should be brought which will be effective in putting a stop to all such anti-social activities.

Prof. S. L. Saksena (Uttar Pradesh): I agree with my friends that this Bill is of a vital character and the way in which it is rushed through is not perhaps worthy of Parliament. Probably we could not help it. I am one of those who want a socialist structure of society, where every thing is properly controlled. I have been an enthusiast for socialisation and controls. But unfortunately our Government is completely incapable of either socialisation or control. We have seen the nationalization of the D.T.S. and as the whole public knows it has become a scandal and has put nationalization in disgrace. Controls are all right in an educated and disciplined society. In the other countries of the world where controls are well-managed, as in England, nobody disobeys the laws of control. But here raids are made for collecting "ghost" cards, and yet the "ghost" cards remain. Either you have controls and enforce them, or don't have them at all. If you want to have controls then have them scientifically and with real heart in the matter. Then you must give really severe punishment to those who are guilty and you must see that the laws are obeyed. But unfortunately the experience of all of us is that if a big fish is caught we let it go. Controls are meant only for poor villagers to obey; poor villagers who carry three or four seers of rice in defiance of the laws of control are caught and sentenced. If a big man is detected, nothing happens. Not only that. I even know District Magistrates who are themselves guilty of this black-marketing in so many commodities. I came across cases where District

Magistrates had knowingly permitted black-marketing. They have got very skilful methods of doing it. Even now they are doing it. Unfortunately the Sugar Enquiry Committee has not got any powers.

If you really want to have controls, then you must enforce the laws on all and sundry alike—whether he is a millionaire or a poor merchant, whether he is a villager or a district magistrate. Whosoever is guilty of disobeying laws must be brought to book. My hon. friend Shri Satish Chandra asked whether any convictions under this Act have taken place during the last three years. I know the scandalous cases which have been let off whereas small people are harassed in innumerable ways. It is therefore that I protest against controls. If you really want to see the fair name of Congress saved, then either abolish controls if you can't enforce them, or enforce them with full rigour and see that culprits are caught and sentenced. What is the use of laying down a seven years' sentence if you are not going to take action? I would rather wish that you abolish all controls because then at least the natural law of supply and demand would operate. Only recently there was a strike of tongawallas in Delhi because their horses were starving. Then there was a relaxation of laws of import from the Punjab and today we find that gram has fallen from Rs. 40 to Rs. 17. Probably if there were no controls then the people who are dying in Bihar would not be dying. Then grain would be rushed from Punjab and other places by merchants who would be able to carry on business on a small margin of profit. I know experienced traders can do their business at a very small margin of profit. I know there was a case where the U.P. Government asked for offers for buying sugar. The co-operative societies quoted Rs. 91 whereas the merchants quoted Rs. 37. The Government price was Rs. 88. The merchants wanted only Re. one whereas the co-operative societies wanted Rs. five. These societies take sugar and put it in the black-market.

And the district magistrates encourage it. I know all over U.P. this has been done. If you cannot really enforce control, then don't, for God's sake, have these control laws. Let the country not have the impression that you are out to catch hoarders and black-marketeers. Go back to Mahatma Gandhi's teachings. Let there be no control, and let the people depend upon the resources of the country. I know the experiment of de-control was tried once. But it did not succeed. Thousands and thousands of people are employed in the control set-up. There are thousands of officials whose income depends on it. Therefore they will not allow controls to go.

If you really want to save the Congress and the country, then you must carefully consider what is wrong with us. Have a Commission appointed by this Parliament to go thoroughly into the situation. Recently we were asked to give our opinion as to whether controls should go and we all said that they should go. But nothing happened. That is the way in which our opinion is treated. Abolition on paper is no use. Therefore, I want a Commission to be appointed which should enquire why it is that things are so bad as they are, why things cannot be remedied, and why these laws are not administered. If you think that these laws cannot be administered, then for God's sake abolish these laws. Let there be a free market and let those free traders who have spent their life in business help the country. Here I may say how licences for those controlled commodities are given. In my own district of Gorakhpur the licence for the sale of sugar in the entire district is given to a person who has never done that business before. Similarly, licences for cloth shops are given to people who are new to the business. That is why I say, for God's sake save us from control. I therefore say to my Minister that if he is not able to eradicate these evils and let the people get grains and commodities at cheap prices, then let us say that Government cannot enforce control and therefore let the simple law of

[Prof. S. L. Saksena]

demand and supply operate. I would even suggest that Government should even have their own stock so that wherever there is a shortage in the open market it can release stocks and stabilise the prices. But if it cannot do all these things, then let it at least abolish the controls.

Shri Kahudiram Mahata (Bihar): I take this opportunity to thank our Food Minister for bringing this amending Bill to govern the prices of some essential commodities. At the same time, another purpose of this Bill is to prevent hoarding. But I might say at the outset that it is a very difficult task to find out the hoarders and punish them. Our present administrative machinery is not good enough to do all these things. As an instance, I might say that the Sadar Sub-division of Manbhium District has been declared a procurement area by the Bihar Government this year. Towards the end of May and beginning of June the district authorities committed that they procured about 18,000 tons of rice. But when the Government asked them to despatch some rice out of that stock, the district authorities could not comply with the request. Moreover, they could not despatch the stock of rice when demanded and I doubt whether they have that rice in stock at all. At present the District authorities are trying to make up that quota of 18,000 tons by trying to procure in various other ways, by troubling the people, and even by giving lures like granting of gun licences etc. to whosoever gave rice. Where has this 18,000 tons of rice gone? Either it has gone outside the Sadar sub-division of Manbhium or it has gone underground. If the present measure is to be implemented fully, I would first request the Food Minister that this 18,000 tons rice should be brought out from the hoarded place. The other day I tabled a question. The Food Minister replied that he had already asked the State Government to let him know the facts and figures. Up till now, I have not received any reply as to what the procurement stock in this

We were told that in three or four districts ration shops have been opened, but to my surprise I came to know that nothing has been done yet for my sub-division. The Sadar sub-division is regarded as a surplus area, but I submitted to the Food Minister on the 6th instant facts and figures and I did the same thing to the Finance Minister of Bihar proving how it cannot be regarded as a surplus area. In spite of that, nothing has been done yet in that sub-division. You can imagine the plight of the people when they are not getting the rice they want. I request the Central Government as well as the State Government to take up this matter quickly. Otherwise, the situation in this sub-division will deteriorate. The people of this sub-division cannot remain silent any more. They have approached both the Governments and nothing has been done. Things cannot go on like this.

There is another aspect of the problem. There are a large number of persons in the rural areas who are unemployed. Till the next harvest season comes, you must provide them with employment. Simply the sending of foodstuffs will not do any good to them. You must give them employment so that they will have the purchasing power to buy whatever foodstuffs are available.

Another point about this Bill is this. It is said that hoarders and profiteers will be punished. But I suggest that action should be taken as quickly as possible. Sometimes, the Police and anti-profiteering officers take much time to submit their case and thereby many cases fall through ultimately. So you should quicken the prosecuting machinery.

Shri Tyagi: May I point out, Sir, that there is no Cabinet Minister on the Government Benches? There are only a few Deputy Ministers and one Minister of State.

Shri Satya Narayan Sinha: My hon. friend must know that we are?

all members of the Council of Ministers.

Shri Naziruddin Ahmad (West Bengal): This seems to be like a case of "everybody's business being nobody's business." There should be one Minister in charge of the Bill and he is to listen to the debate and reply.

The Minister of State for Rehabilitation (Shri A. P. Jain): I might mention that when Shri Munshi went out, he asked me to note down the points for him.

Shri Kshudiram Mahata: My next point is this. We are aiming at fixing prices at a certain level. We want that prices should not go beyond that level. But you are fixing prices only for agricultural commodities. From the *kisan's* point of view, the price of other articles which he requires for his daily life is very important. He cannot have those articles today except at black-market prices. Therefore, it is the duty of Government to see that they control not merely the price of food-grains but of other necessities of life, thus enabling the agriculturist to get his requirements at reasonable, controlled rates. With these words, I support the Bill.

Dr. Pattabhi: I beg to move:

"That the question be now put."

Shri Naziruddin Ahmad: May I point out that all the speakers belong to a particular party? There are a few who do not have the honour to belong to that party. There should be an opportunity for them also.

Mr. Chairman: There have been speeches from both sides. Some have supported the Bill; others have opposed it. It is not right therefore to say that there have been speeches on only one side. I think the matter has been sufficiently discussed and I now put the question.

The question is:

"That the question be now put."

The motion was adopted.

Shri J. B. Kapoor: The Minister of Food is absent from the House. I suggest that the House might now adjourn.

Mr. Chairman: That is not fair. He has just gone out after informing me. We shall wait for his arrival.

Shri Tyagi: May I request the officiating Minister to reply?

Shri A. P. Jain: I have only limited powers of attorney. I have merely to note down the points.

Shri Satya Narayan Sinha: Let us take up the amendments.

Mr. Chairman: Order, order. It is not proper to take up the amendments. The hon. Minister went away after informing me and he must be coming back in two or three minutes.

Shri Tyagi: There he has come Sir.

Shri K. M. Munshi: There was nothing important except one or two points to which I have to reply. I am much obliged to the House for the general support that it has given to this Bill. The only main argument which was repeated was that our enforcement is corrupt, that we are not able to administer the control properly, and therefore this Bill ought not to have been brought or need not have been brought. That only looks like the argument: because many husbands and wives quarrel and there is an element of adultery, therefore abolish marriage altogether.

My hon. friend Mr. Jhunjhunwala said that as a lawyer I should not have brought this Bill. I can assure him that as a lawyer with enough knowledge of corruption as well as how cases are conducted, I have brought this Bill. If this Bill is passed, the procedure will be so cut short that the cases will not hang on for months as they do now. Secondly, I have no doubt in my mind that the sentence which is prescribed here for excessive

[Shri K. M. Munshi]

hoarding will have a very salutary effect. It is a question of opinion, but on the strength of the experience that I have as a lawyer, I can assure the House that it is out of my experience that this device has been forged. It may be that the device may not succeed in our country where black-marketing is not considered such an anti-social act as to create a violent revulsion in society. But that cannot be helped. What we can do is to try. Even if there are a few lapses in marital law, we should go on marrying and keep the marital tie.

Shri Tyagi: In case you are potent enough.

Shri K. M. Munshi: This is the *yakuti*. That is one argument. I do not think that that argument is very seriously advanced by my hon. friend Mr. Tyagi.

I do not want to take up the time of the House, but I would like to refer to a point which Mr. Deshbandhu Gupta mentioned with regard to some stockists in Delhi. He tabled a question on it the other day; but it was not reached. At his instance I looked into the matter and I must put the House in full possession of facts because his speech, if it remained unreplyed to, might create a bad impression.

From the time food control was introduced in Delhi various experiments were made by the authorities to get the merchants together to take up the task of moving, handling and stocking the grains. All of them failed. Some people let down the Government; some people could not produce money for the purpose of giving deposits. The merchants would not agree. There were dissensions and rivalries among merchants. Ultimately this Syndicate, at the instance of the authorities in Delhi, was set up. It has no monopoly of trade.

Shri Feroz Gandhi (Uttar Pradesh): When did it come into existence?

Shri K. M. Munshi: It came into existence about 1944, I think.

Shri Feroz Gandhi: The experiment has lasted a long time.

Shri K. M. Munshi: But it has been a satisfactory experiment and there is no reason to experiment with half-baked merchants other than those who are actually doing the job. The fact of the matter is that they are not monopolists, in the first instance. They are merely contractors on behalf of Government for handling, storage and distribution.

Shri Tyagi: What is the number of merchants in the Syndicate?

Shri K. M. Munshi: The number of merchants is four or five. But there were only four or five people who were forthcoming to satisfy the terms and conditions of Government.

Shri Deshbandhu Gupta: There must be something wrong with the terms and conditions.

Shri K. M. Munshi: My hon. friend will have the patience to listen to me.

The remuneration that is given to this Syndicate is five annas nine pies for handling a maund of wheat and six annas six pies for rice, gram and gram products. It is not correct to say that this is net profit. This includes terminal tax, cartage, unloading and weighing, shortage in handling, storing, godown rent, agency commission, protective measures against fire and theft, etc. Therefore, money that is given to them is not net profit, but is a gross payment out of which all these expenses have to be met. Therefore my hon. friend is not fully informed about the matter. If there is anything wrong about this Syndicate he is at perfect liberty to draw my attention and I shall look into it.

There is no question of monopoly; there is no question of over-payment. Past experience shows that the other merchants of Delhi are not capable

of combining for the purpose of handling very large stocks of Government. The Syndicate has no interest except in this business. They have given a satisfactory account of themselves for the past six years and there is no reason why, unless they are found guilty of any default, Government should straightaway terminate the contract with them.

Shri Deshbandhu Gupta: May I ask whether the hon. Minister himself has looked into the matter or he is relying on usual official reports that he is getting?

Shri K. M. Munshi: If my hon. friend expects me to go to the bazaar, visit every merchant and discuss with him, I confess my inability to do so. But at his request I called for all the papers; I have discussed the matter with the Chief Commissioner, my Secretaries and all persons dealing with it and they assured me that these people are doing their job well and it would be a bad practice, indeed, if people who have given six years of satisfactory service to Government are removed because somebody else raises a question that they are getting too much.

This is an irrelevant matter. I brought it in because I did not want it to remain unreplied.

Shri Deshbandhu Gupta: Has the hon. Minister an open mind on the subject and will he listen to the non-official version?

Shri K. M. Munshi: I have a completely open mind on the subject. I will again look into it, examine it and call everybody concerned.

Shri Tyagi: May I know the reactions of the hon. Minister to the suggestion made on the floor of the House with regard to the lifting of zonal barriers on the movement of foodgrains?

Shri K. M. Munshi: It is a very large question and we will have to carry the State Governments with

us. That is one. Secondly, the effect of raising such a ban on movement has to be studied in connection with the efficiency of procurement in each area: whether by doing so you increase the volume of black-marketing and prevent procurement.

Now, these are questions that can only be considered on an all-India basis and it is not possible for me to give any assurance that anything of the kind will be done.

Mr. Chairman: The question is:

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Amendment of Section 1, Act XXIV of 1946)

Shri Himatsingka (West Bengal): I beg to move:

In part (b) of clause 3, for "1954", substitute "December 1952".

The result of this amendment will be to shorten the period of proposed extension of this Bill. I do not want to say anything at length.

Shri K. M. Munshi: I accept the amendment.

Shri J. R. Kapoor: I just want to make a few observations on this clause. I find that according to clause 3 the Act will be extended to all Part B States except the State of Jammu and Kashmir. I do not see any justification why it should not be extended to the State of Jammu and Kashmir also. I know it might be said that it is not open to us to extend the application of our enactments to the State of Jammu and Kashmir. But then our Constitution also lays down that, in consultation and in concurrence with the State of Jammu and Kashmir we can make any of our laws applicable to

[Shri J. R. Kapoor]

that State also. This was one occasion when I thought a serious attempt should have been made to persuade the Jammu and Kashmir Government to agree to this Bill being made applicable to that State also, and that for the simple reason that we have taken upon our shoulders the responsibility of sending huge quantities of foodgrains to that State. I have been given the figures only a little while ago which show that in the year 1949 we sent to the State of Jammu and Kashmir wheat to the extent of 34.5 thousand tons, rice to the extent of 9.8 thousand tons, maize to the extent of 4.2 thousand tons, the total being no less than 48 thousand tons. Then again in the year 1950, only up to 10th August, we have sent to that State 17.4 thousand tons of foodgrains. That being the position I see no reason why we should not have persuaded the Government of Jammu and Kashmir to fall in line with the rest of the country. I submit that when it is our responsibility to see that every citizen of the State of Jammu and Kashmir does get ample food and that nobody is starved there, it should also be open to us to see that nobody is permitted to hoard grain there and nobody is permitted to artificially raise the prices of foodstuffs there. Of course, my hon. friend Mr. Munshi may again plead 'impotency' in taking any effective action in this matter. But here it is more a question of wooing the State of Jammu and Kashmir, and at least in the matter of wooing I am sure my hon. friend will not plead impotency.

5 p.m.

There is another aspect of this clause and that relates to part (b) of it. We have been quietly asked to register our support to the proposal that the life of this Bill should be extended right up to 1954. I am grateful to the hon. Mr. Munshi for having at least agreed to the amendment which has just been proposed by my hon. friend Mr. Himatsingka to the effect that the life of this Bill be extended up to

December 1952 only. I would have very much wished that this part (b) were not there at all. The existing legislation on this subject was enacted in 1946 and it was then intended to be merely a temporary measure as even the very name of this Act implies, it being called "The Essential Supplies (Temporary Powers) Act, 1946". It was for this reason that we were in the past called upon from year to year to extend the life of this Act only by one year. But now in the year 1950, when we were expecting that we were very much close to the time when this country would be self-sufficient in foodgrains, now for the first time we are being called upon to extend the life of this Act not by a year but by several years. Even by the acceptance of Shri Prabhudyal's amendment the life of this legislation would be extended right up to two years and a half from now. This I submit is not very fair to the House. The main reason which has necessitated the amendment of the existing Act in the manner in which it is proposed in this Bill is given in the Statement of Objects and Reasons. Two reasons particularly are given: firstly, the Korean war and, secondly, the failure of the crops in some parts of the country. These two reasons are obviously of a temporary and ephemeral nature and I do not think we can with any justification at this stage come to any definite conclusion that the Korean war is going to last for so long as December 1952, nor do I think my hon. friend Mr. Munshi is taking such a pessimistic view of the situation that he thinks that in the monsoon years to come right up to December 1952 there are going to be floods in the various parts of the country and that India will not be self-sufficient in the matter of foodgrains even by 1952. If I remember aright, my hon. friend Mr. Munshi has frequently assured us that the country is going to be self-sufficient in foodgrains in 1951. Has he given up that hope? Does he want us now to be disappointed in that respect and does he want us to go away with the

impression that even up to December 1952 we are not going to be self-sufficient in the matter of food supplies? Well, if that is not his view and if he still hopes and wants to assure us that we are likely to be self-sufficient next year, I see no justification why the life of this legislation should be extended at this stage beyond 1st April 1951. We shall be meeting here again in the Budget Session and if the food situation in the country does not improve, if the Korean war continues on and continues to have a bad effect on the prices here and the food position in the country, it will be time then for us to extend the life of this legislation by another period. In any event I would venture to submit that he should have agreed at least to extend it not beyond the 1st of April, 1952.

My hon. friend Mr. Himatsingka's amendment, even as it stands, I think needs to be amended, at least verbally. What he suggests is that "for the figures '1954' we should have the word and figures 'December 1952' ". If the amendment is accepted in its present form, the original clause as amended would read "cease to have effect on the 1st day of April/December 1954".

Shri K. M. Munshi: I see the difficulty which he is pointing out. I am going to accept it in this form that "in sub-section (3) for the words and figures '1st day of April 1951' the words and figures '31st December 1952' be substituted". That meets his point.

Shri J. R. Kapoor: But that was only a formal thing to which I wanted to draw my hon. friend's attention. The substance of my contention is that he should extend the life of this legislation for the time being only up to 31st March 1952, and if the food situation so demands, its life may be further extended then. Otherwise it is likely that the whole of the Ministry might sleep over the whole affair right up to December 1952 and slacken its efforts in making the country self-sufficient in food grains.

Shri K. M. Munshi: I may only mention with regard to the remarks made about Jammu and Kashmir that this House, as you know, Sir, very well, has no legislative competence for enacting laws relating to commodities essential for Jammu and Kashmir. That is why it has been exempted. If Jammu and Kashmir is willing to have it applied to it we shall be only too glad to do so.

Shri J. R. Kapoor: My only point was whether any attempt was made to contact the State Government.

Shri K. M. Munshi: There is no reason why we should make an attempt. It is for them to come and say "Extend this Act to us".

With regard to the next point, I want an extension up to 31st December because as things are at present we must stabilise the economy of the country and this kind of every annual extension of the Act is not favourable to stabilising the economy.

Mr. Chairman: I will put the amendment in the modified form.

The question is:

In clause 3, for part (b), substitute:

"(b) in sub-section (3), for the words and figures 'first day of April 1951', the words and figures 'thirty-first day of December 1952' shall be substituted".

The motion was adopted.

Clause 3, as amended, was added to the Bill

Clauses 4 to 6 were added to the Bill

Clause 7.—Substitution of new section for section 7, Act XXIV of 1948.

Shri Tyagi: I am anxious to know the reactions of my hon. friend, Mr. Munshi, with regard to the amendment that I had placed on the agenda, the purport of which is to enable Mr. Munshi to forfeit the whole stock or stores of the commodity in respect of which the order has been contravened. According to this clause a part of the commodity may

[Shri Tyagi]

be forfeited whereas my amendment will authorize him to forfeit the whole stock out of which things were hoarded.

Shri K. M. Munshi: As a matter of fact, I am going to accept the amendment which is to be moved by Pandit Thakur Das Bhargava in the second amendment, the reason being that if the entire quantity of food is brought to Court, some part of it must be left with the owner so that he may eat for the other month. You cannot forfeit the whole of it. It will be a case of starvation.

Mr. Chairman: The hon. Shri Tyagi now knows the reactions of the hon. Minister. He won't accept his amendment.

Shri Tyagi: I formally accept yours, Sir. As you are in the Chair, I will move it.

Shri K. M. Munshi: I will accept. The amendment is:

In clause 7, in part (b) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain" insert:

"in excess of the prescribed maximum quantity".

Shri Tyagi: I beg to move:

(i) In clause 7, in part (a) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain" insert:

"in excess of the prescribed maximum quantity".

(ii) In clause 7, in part (b) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain" insert:

"in excess of the prescribed maximum quantity".

Shri Naziruddin Ahmad: Clause 7 is, I think, misconceived. Somehow or other the idea has gained ground that it is by increasing the amount

of punishment that this black-marketing and other offences relating to food-supplies can be stopped. The other day the hon. Minister openly admitted that his Department has been given the maximum of responsibility but he has the maximum of impotency. Nowhere, during this short session, he has disclosed his impotency more sincerely than in clause 7 of this Bill. What is after all the disease in connection with this food supply? It is the business of big black-marketeering. But who is attempted to be punished under this clause? It is the small householder. It is the housewife and the bread-earner, their children and servants who are going to be roped in. (*An Hon. Member:* Not the tradesmen.) Traders will all be left out, that is the difficulty. We have a right to draw inferences from our past experience. If the Bill would be applied to big black-marketers, if these big black-marketeers are really tackled, the whole country will at once rise and acclaim the act of the Government; but somehow or other Government have always refrained from doing that. We have thus our misgivings that the only victims of this clause would be ordinary, innocent persons who are more sinned against than sinners. The little hoarding that they will be guilty of would be forced upon them because the big offenders cannot or will not be caught. I submit that the big dealers should really be caught. They withdraw from public circulation big quantities of food and make money thereby, and this is well known to Government and if you cannot touch them, then it would be useless to hone for any result by punishing the ordinary householders. The result of this law would be that persons who are almost innocent who could at the worst be taken to be technically guilty, will alone be brought before the court and the result would be that the courts will sympathize with them and they will refuse to give them the punishment provided by the Bill. Instead of that the black-marketeers who are really the guilty persons in this busi-

ness should be brought to book and they should be publicly flogged. That is the only way the situation could be tackled. I submit that the punishment of seven years and three years for these petty offences, if applied with rigour, would not stop the crime; but it would on the other hand convert the whole nation into millions of criminals, and the law would be brought into disrepute and reduced to a dead letter. Instead of that the policy of Government should have been to direct its attention towards the big criminals and give them big punishments. If you do not do that, then, I think this law would remain not only a dead letter but would turn into an engine of oppression. Another effect of this law would be that you allow your police forces to make more money out of it.

Pandit Krishna Chandra Sharma
 (Uttar Pradesh): I beg to move:

(i) In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, omit "or such part thereof as to the Court may seem fit".

(ii) In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "shall be forfeited", substitute "may be forfeited".

(iii) In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, omit "or such part thereof as to the Court may seem fit".

(iv) In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "shall be forfeited", substitute "may be forfeited".

(v) In clause 7, omit the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946.

I submit that in practice with regard to "such part as the court may deem fit" would be that the whole of it may be forfeited. I beg to submit that it makes little difference whether you forfeit two seers of a commodity in respect of which a crime has been committed, it is much better to leave out the whole of it. That is, if you put the words "may be forfeited" it means if the offence is serious the magistrate may forfeit the whole of it and if it is not serious, he may leave it off, that is, he may not forfeit the commodity at all and what I have suggested is a much better form without changing the meaning of the section. I respectfully submit I have given a better form to the enactment without changing the meaning and I hope my hon. friend will accept it. Suppose an offence is committed in respect of two maunds of wheat and the magistrate forfeits only one seer of it, what is the object gained? It is much better if the crime is a serious one, he may forfeit the whole of it and if it is not serious, he may leave it. With regard to my last amendment, that is, deletion of proviso to sub-section (2) of the proposed section 7, I submit that it is a bad law. You give seven years' imprisonment to a man. Suppose he is entitled to have one month's ration which comes to about 20 seers. If he has got 41 seers, he will be sent to jail for seven years. Whether a law is good law or bad law will have to be judged in relation to the law administered in the country. Seven years' imprisonment is a punishment which could be passed only by an Assistant Sessions Judge. What is the procedure in a sessions court? The enquiry shall be conducted by a magistrate. In that enquiry, the accused is entitled to cross-examine the witnesses, he is entitled to produce defence. At the conclusion of the enquiry, if a *prima facie* case is made out, then the case will be committed to the Assistant Sessions Judge for trial. He will have two occasions to defend himself: once before the magistrate and then in the sessions court. Instead of that you

[Pandit Krishna Chandra Sharma]

are now giving a summary trial under the proposed section 18B. That magistrate will have special powers. He will not even give time enough to the accused to understand the case against him. You are making certain changes in section 256 of the Code of Criminal Procedure which means that you are prescribing an imprisonment of seven years without even giving a chance to the accused to understand the case. You do not give him a few days' time to prepare his defence, to cross-examine the witnesses, and to engage a lawyer. What is all this? It offends against that sacred phrase 'due process of law'. There is article 36 in the Japanese Constitution which lays down that no legislature will pass a cruel law. This is a cruel law with reference to the law that is administered in the country. It is permissible to pass a sentence of seven years' imprisonment in a court of Assistant Sessions Judge for major offences. Now you want to impose that punishment even without giving a chance to the accused to judge the evidence against him, even without giving him an opportunity to engage a counsel of his choice and conduct his case. I beg to submit very respectfully,—I am as anxious as anybody else that the law should be strictly enforced—that cruelty is not law. It is a bad way of dealing with the situation to have a strict measure without having constructive efforts to meet the situation. I say it is impotency on the part of the administration to have this sort of law and not to take to constructive efforts. You may ask everybody to go to the field and produce more, to work harder and better. That would be the correct way of meeting the situation. I cannot understand this way of meeting the situation: passing a law, which is no law but which is cruelty and which goes against the accepted principles of jurisprudence and the law as accepted by all civilised nations. When you read proposed sections 18A and 18B, it means nothing less than that you want to

give him no chance to defend himself. You want straightaway to sentence him to seven years' imprisonment. Therefore, my respectful submission is that this provision should be deleted. It will serve no useful purpose.

Shri Sonavane (Bombay): I have got a small amendment to change one word; but that one word means a very big change. The very intention of this Bill would be frustrated . . .

Shri J. R. Kapoor: Move the amendment.

Shri Sonavane: I beg to move:

(i) In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "punishable", substitute "punished".

(ii) In clause 7, in clause (a) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "punishable", substitute "punished".

These are the two amendments. The effect of these amendments would be this. 'Punishable' means giving the courts discretion either to send the accused, if he is guilty, to jail, or impose a fine. A case involving the interpretation of similar wording came up before a Full Bench of the Bombay High Court under the Bombay Prohibition Act. That Act contained similar provision reading that ". . . a person shall be punishable with imprisonment for a term . . . etc. . . and shall be liable to fine." This was interpreted by the Full Bench of the Bombay High Court to mean that the Court would either send the accused to jail or impose a fine. In this context, the word 'and' was interpreted as 'or'. In consequence of this decision of the Bombay High Court, the Prohibition Act was amended and in the place of the word 'punishable' the word 'punished' was substituted to retain severity of the penal section. The whole severity of this act would be lost if the word

'punishable' is retained. Especially, in the Bombay State, the retention of the word 'punishable' occurring in the clause would mean that the court would not necessarily give a sentence of imprisonment, but would sentence him to pay a fine only. Thus the hoarders who have made a lot of money would get away with a small fine, in view of the decision of a Full Bench of the Bombay High Court. My humble submission, therefore, is that the word 'punishable' should be substituted by the word 'punished'. The hon. Minister of Food is an eminent lawyer from Bombay and he must be knowing about this decision. I hope my amendment makes the position clear that a court should give a sentence of imprisonment and also impose a fine, if the accused is convicted.

Shri Tyagi: I have an amendment, No. 4 in the list.

Mr. Chairman: I understood that the hon. Member was not moving his amendment.

Shri Tyagi: I wanted to know whether it was acceptable to the hon. Minister.

Mr. Chairman: I do not think it is regular to know the opinion of the hon. Minister in advance and then move an amendment. The hon. Member has to make a choice whether he moves his amendment or not.

Shri Tyagi: I want to move my amendment, Sir. I beg to move:

In clause 7, in clause (a) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "years", insert:

"and shall be subjected to whipping which may extend to thirty stripes".

This punishment seems to be decidedly less expensive and more effective. I would like to know how the hon. Minister would react to this punishment of whipping.

Mr. Chairman: The hon. Member has moved his amendment. He may make his speech now. After the hon. Minister replies, he will have no right to make his speech afterwards.

Shri Tyagi: If he accepts the amendment, it is all right. If he does not, then . . .

Mr. Chairman: He has to make a choice now to make a speech or not.

Shri Tyagi: Sir, no speech is actually necessary. Mine is a simple amendment.

Mr. Chairman: Am I to understand that the hon. Member will move no other amendment?

Shri Tyagi: No, Sir, I move no other amendment.

Mr. Chairman: Amendments moved:

In clause 7, in part (a) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain", insert:

"in excess of the prescribed maximum quantity".

In clause 7, in part (b) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain", insert:

"in excess of the prescribed maximum quantity".

In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "punishable", substitute "punished".

In clause 7, in clause (a) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "punishable", substitute "punished".

In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, omit "or such part thereof as to the Court may seem fit".

[Mr. Chairman]

In clause 7, in sub-section (1) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, for "shall be forfeited", substitute "may be forfeited".

In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, omit "or such part thereof as to the court may seem fit".

In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, for "shall be forfeited", substitute "may be forfeited".

In clause 7, omit the proviso to sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*.

In clause 7, in clause (a) of sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, after "years", insert:

"and shall be subjected to whipping which may extend to thirty stripes".

Shri Himatsingka: There are two amendments of mine. One is the same which Pandit Krishna Chandra Sharma has moved. I will move the other one.

Mr. Chairman: Yes, the hon. Member may move it.

Shri Himatsingka: I beg to move:

In clause 7, after the proviso to sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, insert:

"*Explanation.*—A person in possession of foodgrain which does not exceed by more than five maunds the maximum quantity so prescribed shall not be deemed to be guilty of an offence punishable under the proviso to this sub-section."

My reason for supporting Pandit Krishna Chandra Sharma's amend-

ment is this. We are making this law absolutely ludicrous. The present law providing for a punishment extending to three years is quite sufficient. It applies to everybody, consumer, producer, merchant and everyone who contravenes any order passed under section 3. The proviso to sub-section (2) of proposed section 7 seeks to enhance the punishment if the quantity for which the order has been contravened is more than double the quantity prescribed. As you know, the quantity prescribed is different in different States and different even in different places of the same State, and so it will be a matter of difficulty for anyone to know what exactly is the quantity prescribed. So I say if a man contravenes the order and is liable to punishment for three years, that is quite sufficient. The proviso that is intended to be added is absolutely unnecessary.

I understood the hon. Minister to say that there is no quantity prescribed for producers in any State except in Bihar and that too to a limited extent. If the hon. Minister desires to see any effect produced by his amendment, then it has to be achieved by some uniform rule prescribed in all the different States as to the quantity that can be kept with a person. If that is not done, then the whole object, I must say, will be frustrated. So far as the consumers in the rationed areas are concerned, their quantity is limited and it is small. So far as the dealers are concerned, they have only to send in a return and the quantity covered by the return will be regarded as the quantity which can be kept by them. If the intention is to achieve something, then it is necessary that some uniform quantity is prescribed for all in all the States.

Mr. Chairman: Amendment moved:

In clause 7, after the proviso to sub-section (2) of the proposed section 7 of the *Essential Supplies (Temporary Powers) Act, 1946*, insert:

"*Explanation.*—A person in possession of foodgrain which

does not exceed by more than five maunds the maximum quantity so prescribed shall not be deemed to be guilty of an offence punishable under the proviso to this sub-section."

Does any hon. Member want to speak on this?

Ch. Ranbir Singh: I come from a district or an area where the problem is not one of getting wheat but one of surplus of wheat. The agriculturist goes to the *mandi* and he is not able to dispose of his wheat. And there is another fact to which you also, Sir, referred yesterday and that is that in my district alone 18,000 cases have been instituted under this Act. I have been trying since yesterday to find out what exactly is the position under this law of agriculturists in my province especially. When I went to my district recently the people there told me that several producers of gram have been arrested and the surplus gram taken away. As regards this particular Bill, I was discussing it the other day with the hon. Mr. Munshi and he told me that in the Punjab the agriculturist could keep 25 maunds of one particular grain and 100 maunds of all the grains. The agriculturist has produced his gram after a lot of hardship and labour. He deserves some consideration especially as he requires the gram for his bullock and for his buffalo or his she-buffalo.

Mr. Chairman: The hon. Mover has made it clear that this will not apply to producers.

Ch. Ranbir Singh: In this connection the hon. Minister himself told me yesterday that in the Punjab.....

Shri K. M. Munshi: I object to a conversation outside the House being brought in.

Ch. Ranbir Singh: I want to know what cumulative effect this measure will have on my electorate, and so I have every right to know this from the hon. Minister, and refer to any talk whether inside or outside the House.

I was saying that the hon. Minister himself told me that an agriculturist or a producer has the right to keep 25 maunds of gram with him. I would like to bring to the notice of the House what the position is in my district: there people are not interested in keeping unnecessary grain with them but they do deserve to keep with them as much grain as they require. You, Sir, also come from the same area. Gram is a thing without which he cannot pull on in our area, where frequently there is a famine. I do not hesitate to say that the hon. Minister has not been able to produce confidence among the agriculturists that he will be able to supply gram after a year, even if the gram crop next year fails, otherwise what will be the result? An agriculturist requires as much as 72 maunds of gram in a year for the consumption of his family and animals—whether they are draught cattle or milch cattle. The only quantity that he can keep with him now is 25 maunds, and in my district and also in your district 75 per cent. of the agriculturists can be sent to prison for seven years. It is a very big problem and on our side as also on yours, Sir, there are many people who look at with mistrust.

Mr. Chairman: I am afraid this reference to your province and my province will not deflect the Chair from holding that the hon. Member is irrelevant. It is the sphere of the Provincial Government to fix the amount and not that of the Centre.

Ch. Ranbir Singh: In this connection I wish to say that the powers have been delegated to the Provincial

[Ch. Ranbir Singh]

Government by the Central Government and Government can amend those delegated powers or request the Punjab Government to amend it.

Mr. Chairman: I am sorry this is not the point at issue. We are only concerned with clause 7 and the prescribed quantity which is allowed by the rules.

Ch. Ranbir Singh: I am submitting that this very clause will affect our people and convict them to seven years' imprisonment and that their number will be 75 per cent. of the agriculturists.

Shri Naziruddin Ahmad: All your voters!

Ch. Ranbir Singh: I am not interested in whose voters they are but this matter requires very serious consideration. It is not irrelevant. It is very difficult to answer the people outside this House. There are many people on our side who think that this House is interested only in particular sections of the people and that they are going on in a way as if others do not exist. In this particular clause there is discrimination. A man hoarding cloth can be sentenced to only three years whereas a man who has hoarded grain can be sentenced up to seven years. On technical ground you may say that this is also irrelevant, but I am not interested as to whether it is hon. Mr. Munshi or hon. Mr. Mahtab but under the clause as it stands a man hoarding cloth will be sentenced for three years whereas a man who happens to possess his own grain, harvested from his own field after hard labour and investment, will be sentenced for seven years. The man who is dealing in cloth has earned lakhs of rupees: he has a bungalow, cars and many other amenities: whereas the agriculturist has to work hard to enable him to make both ends meet. I would ask the hon. Minister to think of the cumulative effect on the producer, not that I want the producers to be exempted altogether, rather I want him to be fair to him.

Shri Naziruddin Ahmad: There is a legal lacuna in this Bill. Under the proposed new section 7, a man keeping more than double the maximum quantity of food would be liable under the Bill to be punished with seven years' imprisonment. We have also provided in the original Act that the cases would be tried by magistrates. So far as offences which are punishable to the extent of seven years are concerned, the Criminal Procedure Code lays down in absolutely clear terms that the offences would be triable exclusively by the Court of Sessions and no Magistrate will have power to try such offences. That is clearly laid down in section 5, sub-section (2), read with the note on Schedule II, where it is said.....

Mr. Chairman: The hon. Member fully knows that many Magistrates are invested with powers under section 30. They are fully competent.

Shri Naziruddin Ahmad: Such Magistrates are very rare. There are also difficulties with regard to empowering Magistrates under section 30. In fact, the result of the Bill will be that a very large number of cases cannot be tried by Magistrates, and in every such case the accused will have to be committed to the Sessions Court. The offences will then be tried by a jury and not by the Judge and it is needless to point out the Sessions Court sits from day to day. The result will be wholesale acquittals where the jury would feel that the accused belong to the same class to which they themselves belong. The object of the speedy trial provided by the Bill will thus be frustrated. Every case will have to be committed to the Sessions Court unless the Magistrate is empowered under section 30 and there are difficulties with regard to section 30 also.

Shri K. M. Munshi: I need not take up the time of the House by replying in detail. I will only mention the amendments which I propose to accept. One stands in your name,

Sir, and it has been moved by Mr. Tyagi. It reads:

In clause 7, in part (b) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain", insert:

"in excess of the prescribed maximum quantity."

The other amendment which I accept is Mr. Himatsingka's amendment which I suggested in my earlier speech, as an Explanation. It is as follows:

In clause 7, after the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, insert:

"*Explanation.*—A person in possession of foodgrain which not exceed by more than five maunds the maximum quantity so prescribed shall not be deemed to be guilty of an offence punishable under the proviso to this sub-section."

These are the only two amendments which I accept.

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

Shri Naziruddin Ahmad: What about the difficulty in law which I pointed out?

Shri K. M. Munshi: It is self-soluble.

Shri Naziruddin Ahmad: No, no. May I point out that under section 30 of the Criminal Procedure Code some Magistrates only in the Punjab, Oudh, Central Provinces, Coorg, Assam and Sind, and in other places where there are Deputy Commissioners, District Magistrates, may be empowered to inflict greater punishment than three years.

Pandit Krishna Chandra Sharma: Read section 34.

Shri K. M. Munshi: There is ample provision. If necessary we will amend the Criminal Procedure Code.

Shri Naziruddin Ahmad: So in anticipation of the amendment of the

Criminal Procedure Code this Bill is being passed!

Shri K. M. Munshi: It is fully covered.

Mr. Deputy-Speaker: Now I will put the amendments to vote. I will put the amendments of Pandit Bhargava moved by Shri Tyagi.

The question is:

In clause 7, in part (a) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain", insert:

"in excess of the prescribed maximum quantity".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In clause 7, in part (b) of the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "foodgrain", insert:

"in excess of the prescribed maximum quantity".

The motion was adopted.

Mr. Deputy-Speaker: Then Pandit Krishna Chandra Sharma's amendments. The question is:

In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, omit "or such part thereof as to the Court may seem fit".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In clause 7, in sub-section (1) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "shall be forfeited", substitute, "may be forfeited".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, omit "or such part thereof as to the Court may seem fit".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In clause 7, in clause (b) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, for "shall be forfeited", substitute "may be forfeited".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

In clause 7, omit the proviso to sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946.

The motion was negatived.

Mr. Deputy-Speaker: Then the two amendments of Shri T. H. Sonavane.

Shri Sonavane: I beg leave to withdraw them.

The amendments were, by leave withdrawn.

Mr. Deputy-Speaker: Then there is the amendment of Mr. Himatsingka.

Shri Himatsingka: I understand the Minister is going to accept it.

Mr. Deputy-Speaker: The question is:

In clause 7, after the proviso to sub-section 2 of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, insert:

"Explanation.—A person in possession of foodgrain which does not exceed by more than five

maunds the maximum quantity so prescribed shall not be deemed to be guilty of an offence punishable under the proviso to this sub-section."

The motion was adopted.

Mr. Deputy-Speaker: Then Mr. Tyagi's amendment.

The question is:

In clause 7, in clause (a) of sub-section (2) of the proposed section 7 of the Essential Supplies (Temporary Powers) Act, 1946, after "years", insert:

"and shall be subjected to whipping which may extend to thirty stripes".

The motion was negatived.

Clause 7, as amended, was added to the Bill.

Clause 8.—(Amendment of section 7A, Act XXIV of 1946).

Shri B. K. P. Sinha: I beg to move: In clause 8, at the end, add:

"and for the words 'said sub-section', the words 'said section' shall be substituted."

I need not explain it.

Mr. Deputy-Speaker: The question is:

In clause 8, at the end, add:

"and for the words 'said sub-section', the words 'said section' shall be substituted."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clause 9.—(Insertion of new sections 13A and 13B in Act XXIV of 1946).

6 P.M.

Shri J. B. Kapoor: I have two amendments in my name, and I shall move both of them.

I beg to move:

In clause 9, for the proposed new section 13A of the *Essential Supplies (Temporary Powers) Act, 1946*, substitute:

“13A. *Special provisions regarding bail.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), no person accused or convicted of a contravention of any order under section 3 relating to foodgrains which is punishable under the proviso to sub-section (2) of section 7 shall, if in custody, be released on bail or on his own bond—

(a) unless the prosecution has been given an opportunity to oppose the application for such release, and

(b) where the prosecution opposes the application, if it appears to the court that there are reasonable grounds for believing that he is guilty of such contravention.”

In clause 9, for clause (a) of the proposed new section 13B of the *Essential Supplies (Temporary Powers) Act, 1946*, substitute:

“(a) with reference to sub-section (1) of section 256 of the Code of Criminal Procedure, 1898 (Act V of 1898), the next hearing of the case shall be fixed on the day following the one on which the charge is framed, unless the Magistrate, for reasons to be recorded in writing, adjourns the case to any other day, but not later than four days.”

Shri K. M. Munshi: I am willing to accept the second amendment. I cannot accept the first one.

Shri J. B. Kapoor: Then I would confine my remarks to the first one.

I notice that it is late in the day and you, Sir, as well as all the hon. Members are anxious to get away as soon as possible, but if I venture to seek the indulgence of this House, it is because I am impelled by a sense of duty. I would beg of you and hon. Members who are anxious to go away to consider this amendment of mine very seriously. The proposed new section 13A is of a very serious nature. It goes against all elementary principles of law and equity. It offends against all principles of jurisprudence. I would beg of this House to consider very seriously whether they should be a party in a light-hearted manner to the passing of this clause. According to this clause, it is intended that a man when he is arrested should be put behind the bars and no Magistrate should have the liberty to release that person on bail unless the prosecution has been given an opportunity to oppose such an application. This is the implication and the clear intention of this clause. Now, we all know from our experience that when a person is arrested and brought before a Magistrate and puts in an application praying for his being released on bail, the Magistrate calls upon the prosecuting authority—the Police inspector—to submit a report. They do it even ordinarily, but according to his clause they will be under an obligation not to pass any order on the application unless the prosecuting authority has had an opportunity to oppose the application, and the prosecuting authority may, simply in order to harass and embarrass the person who has been arrested, take two or three or four or even ten days and possibly even a month to submit a report and appear before the court to oppose the application. Now, howsoever innocent the arrested man may be, for absolutely no fault of his, he will be put behind the iron bars for a number of days until it suits the convenience of the prosecuting authority to put up an appearance before the court to oppose the application. This is something very serious, but serious

[Shri J. R. Kapoor]

enough though it is, I am prepared to accept this amendment, but what follows is still more serious. What follows is mentioned in sub-clause (b) where it is said that the person shall not be released on bail where the prosecution opposes the application, unless the court is satisfied that there are reasonable grounds for believing that he is not guilty of such contravention. Now, we have always been taught that a person is supposed to be innocent unless he is proved to be guilty, but now we are told by the great and eminent lawyer, the hon. Shri Munshi, our Food Minister—he has ceased to be a lawyer, of course—.....

Shri K. M. Munshi: No. Once a lawyer, always a lawyer.

Shri J. R. Kapoor: I really wish that the lawyer in Shri Munshi were still continuing. If it were so, I am sure he would not have dared to come before us with such an astounding proposition offending against all canons of jurisprudence and against all fundamental principles of law. I am inclined to think that hon. Members of this House when they sit on the ministerial *gadi* have to dive deep into the river of oblivion and forget all their previous knowledge of law and all their previous notions and bid good-bye to all their previous convictions. That seems to be the reason why in a very light-hearted manner the eminent jurist and lawyer that the hon. Shri Munshi is, has seen fit to come before us and ask us for our support to this astounding proposition. According to my amendment, all that I seek is that when a person is arrested he may be put behind the iron bars—that is all right—and the prosecuting authority may be given an opportunity to oppose the application and until the prosecuting authority has had an opportunity he may not be released, but then when the prosecuting authority appears before the court to oppose the application, it should then be certainly open to the Magistrate to say, "There does

not appear to be a *prima facie* case before me against the arrested person. Therefore, I release him on bail". The way you are doing it is putting the cart before the horse. The proposed amendment of the hon. Shri Munshi wants to fetter the hands of the Magistrate and restrict his discretion. He wants to keep the man in jail even though there may not be a *prima facie* case against him, for the Magistrate, before he passes the order of release on bail, must be satisfied that the person is innocent. It is for the prosecution to make out a *prima facie* case and not for the arrested person to establish his innocence when nothing has been made out against him. That is.—I again submit at the risk of repetition—something astounding and offends against our sense of justice and jurisprudence. You may have a hard law, but let it not be a lawless law. Let it not appear to be ridiculous. After all that is not the way in which legislation should be enacted in a highly democratic Parliament. I would, therefore, once again earnestly appeal to my hon. friend Mr. Munshi to seriously consider whether he would not be seriously jeopardising his reputation as an eminent jurist by insisting on his proposed amendment being accepted by the House, and I do hope that he will be pleased to accept the amendment which I have moved.

Pandit Thakur Das Bhargava: I beg to move:

In clause 9, in clause (b) of the proposed new section 13A of the Essential Supplies (Temporary Powers) Act, 1946, for "the court is satisfied", substitute "it appears to the court".

So far as the real principle of law is concerned, I agree whole-heartedly with what has fallen from my hon. friend Mr. Kapoor. There are three stings in this section. The burden is thrown upon the accused and he is presumed to be guilty and the court shall proceed on that basis

at the time of considering his application for bail, that he is guilty, unless he proves to the contrary.

Shri Tyagi: If the court is satisfied, they will release him immediately.

Pandit Thakur Das Bhargava: If these words remain, the court will insist on more cogent proof that a person is not guilty.

The words that I have suggested in substitution are the words appearing in section 497 of the Criminal Procedure Code.

I would like to submit one more point. As a matter of fact, I am sorry to say this that in my opinion this law is certainly worse than useless and this clause 9 which is being enacted is against all canons of justice and law. In the old Defence of India Act there was a provision like this; but then, there was a war on. And even in days of war we are not justified in putting a man behind the bars before he is actually proved to be guilty. The reply may be that since the question of possession is there and possession is abundant proof of the fact that the man is guilty. Perhaps, my hon. friend is not aware of the fact that in the case of joint possession, many difficulties will arise. Many other legal questions will arise and it may be that all the members of a family may be arrested and put behind the bars. I know that he is not going to accept the amendment of my hon. friend Mr. Kapoor; so I have agreed to accept the small concession for the accused which he has agreed to.

Mr. Deputy-Speaker: May I know the hon. Minister's reactions before I put the amendments to the House?

Shri K. M. Munshi: I accept the amendment to clause (a) of proposed section 13B moved by my friend Mr. Kapoor. I also accept the amendment moved by my friend Pandit Thakur Das Bhargava, though I do not see any difference between

“satisfied” and “appears to have reasonable grounds”. There may be some thin shade of difference, but I am not able to appreciate it. I oppose the other amendment of Mr. Kapoor.

May I say a word with regard to Mr. Kapoor's amendment?

First of all, the point made by my hon. friend Mr. Kapoor that this is an astounding provision is not correct. This has found a place in the emergency measure which extended to the whole of India between 1939 and 1946. So, it is not a very astounding proposition.

His second remark was that this is against all canons of jurisprudence. I would beg him to pardon me. The House has already accepted the penalty for hoarding as seven years. The case will only be put up provided double the maximum quantity, which is in excess of five maunds, is found in his possession. If such a man is put before the court, then the only question is should he be allowed to go out on bail. These things having been found on him, the only possible defence can be that either the quantity was foisted on him or that it did not belong to him; or it may be a question of exclusive possession. These are matters which can be gone into.

But if you remove this clause and make the usual provision, the result will be that the stringency of procedure will disappear. We know very well that it is very difficult to catch a hoarder, but having caught him with the possession of these goods with him, it would be weakening the whole thing if you allowed him to go out on bail under the usual provisions of the Criminal Procedure Code.

Mr. Deputy-Speaker: Amendments moved:

In clause 9, for the proposed new section 13A of the *Essential Sup-*

[Mr. Deputy-Speaker]

*plies (Temporary Powers) Act, 1946,
substitute:*

"13A. Special provisions regarding bail.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898), no person accused or convicted of a contravention of any order under section 3 relating to food grains which is punishable under the proviso to sub-section (2) of section 7 shall, if in custody, be released on bail or on his own bond—

(a) unless the prosecution has been given an opportunity to oppose the application for such release, and

(b) where the prosecution opposes the application, if it appears to the court that there are reasonable grounds for believing that he is guilty of such contravention."

In clause 9, for clause (a) of the proposed new section 13B of the *Essential Supplies (Temporary Powers) Act, 1946*, substitute:

"(a) with reference to sub-section (1) of section 256 of the Code of Criminal Procedure, 1898 (Act V of 1898), the next hearing of the case shall be fixed on the day following the one on which the charge is framed, unless the Magistrate, for reasons to be recorded in writing, adjourns the case to any other day, but not later than four days."

In clause 9, in clause (b) of the proposed new section 13A of the *Essential Supplies (Temporary Powers) Act, 1946*, for "the court is satisfied" substitute "it appears to the court."

Shri Naziruddin Ahmad: I submit that clause 9 is against all principles or canons of proper legislation.

Shri K. M. Munshi: Where is the canon?

Shri Naziruddin Ahmad: I submit that this is an echo of the most detestable law of laws—that is the D. I. Rules, which were promulgated by the British Government under the shadow of a war.

Shri K. M. Munshi: This is a war against hoarders.

Shri Naziruddin Ahmad: You refused to wage war against North Koreans; so, you are afraid of declaring war. But at the same time you are courageous enough to penalise persons before proving them guilty.

The great difficulty with regard to this clause is that like the Defence of India Rules it will work against innocent persons. I do not mind this piece of legislation being applied rigorously against real hoarders, who I believe will never be caught. But this will be applied with the greatest rigour against the ordinary householder. They will be granted bail only on two conditions: first, that the prosecution is obliging enough to agree that bail may be granted and secondly, the Court is satisfied that there are reasonable grounds for believing that the accused is not guilty. The accused will have to prove that he is innocent.

So the Bill requires the proof by the accused that he is innocent before the prosecution proves that he is guilty. I beg to submit that this will lead to considerable hardships. Pandit Thakur Das Bhargava's amendment would to a certain extent modify and ease the situation. But I think even then the mischief is still there and I submit that Mr. Jaspat Roy Kapoor's amendment should be accepted. In a matter of bail where a big hoarder or a big black-marketeer is arrested, the Court may properly take any rigorous view and refuse bail. It has absolute discretion. But here when the ordinary man is arrested on trivial grounds, the Court will have no discretion in granting bail.

Then, as Pandit Thakur Das Bhargava has pointed out, in cases of joint possession, all the members of the joint family must be deemed to be in possession, and men, women and children will have to be arrested, and the Court could not grant bail unless the accused can prove that there are reasonable grounds for believing that he is innocent. I submit this is putting the cart before the horse.

Pandit Krishna Chandra Sharma: The High Court may grant bail under section 561A.

Shri Naziruddin Ahmad: But the Sessions Judges and Magistrates will be powerless. You will be forcing the poor people to go to the High Court. The big offenders who really ought to be the target of this provision will have the means—they will have money enough and resources enough—to go to the High Court and get bail. But the common man who ought to be protected will have no protection because most of them cannot go beyond the Sessions Judge's Court.

With these words I support Mr. Jaspal Roy Kapoor's amendment.

Mr. Deputy-Speaker: The Minister has already answered. I will now put the amendments to the House.

Shri J. R. Kapoor: Are you putting my amendments, Sir?

Mr. Deputy-Speaker: Yes, do you want to withdraw any of them?

Shri J. R. Kapoor: Yes, the first amendment. It is a bit sacred to me and I would like to have it spared from defeat.

The amendment was, by leave withdrawn.

Mr. Deputy-Speaker: Then I shall put his second amendment.

The question is:

In clause 9, for clause (a) of the proposed new section 13B of the Essential Supplies (Temporary Powers) Act, 1946, substitute:

“(a) with reference to sub-section (1) of section 256 of the Code of Criminal Procedure, 1898 (Act V of 1898), the next hearing of the case shall be fixed on the day following the one on which the charge is framed, unless the Magistrate, for reasons to be recorded in writing, adjourns the case to any other day, but not later than four days.”

The motion was adopted.

Mr. Deputy-Speaker: I shall now put Pandit Thakur Das Bhargava's amendment. The question is:

In clause 9, in clause (b) of the proposed new section 13A of the Essential Supplies (Temporary Powers) Act, 1946, for “the court is satisfied”, substitute “it appears to the court”.

The motion was adopted.

Clause 9, as amended, was added to the Bill.

Clause 10.—(Amendment of section 17, Act XXIV of 1946.)

Dr. Deshmukh (Madhya Pradesh): I beg to move:

In clause 10, in the proposed sub-section (4) of section 17 of the Essential Supplies (Temporary Powers) Act, 1946, after “repealed”, insert:

“in so far as it relates to any of the essential commodities governed by this Act”.

The words are intended so that the operative portions of any State regulations which do not refer especially to these commodities should

[Dr. Deshmukh]

not also be wiped out and the repeal should apply only to such provisions as relate to the essential commodities concerned. Without such a provision considerable difficulties are likely to arise. I hope the hon. Minister will accept the amendment.

Shri K. M. Munshi: I accept this amendment.

Mr. Deputy-Speaker: The question is:

In clause 10, in the proposed sub-section (4) of section 17 of the Essential Supplies (Temporary Powers) Act, 1946, after "repealed", insert:

"in so far as it relates to any of the essential commodities governed by this Act".

The motion was adopted.

Clause 10, 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 K. M. Munshi: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri Tyagi: Since the House has passed all the clauses of the Bill and is going to pass it finally, I shall make one request and that is that the prestige of the Government is always lost if any Act is not brought into action. My appeal is if once you have taken this power, do please enforce it. Otherwise, if people laugh at you after the passing of

the Bill and if offenders are not brought to book, I assure you that you shall lose your prestige.

Shri Naziruddin Ahmad: I should think that the request of the last speaker requires a little amendment. He has requested the hon. Minister to enforce the law. I have to do so with certain qualifications. Do not enforce the law against those who are oppressed, against those who are sinned against rather than sinners, but go full-steam ahead against the real black-marketeers, against the real hoarders and big offenders whom I believe you cannot have the courage or the power to touch. If you enforce it against those people I believe the dissatisfied people of the whole of India will stand to a man behind the Government. The question is whether the Government has the courage to tackle these big persons. I have a suspicion that somehow or other these big persons have a knack of escaping. Those black-marketeers who made enormous money during the war and who again cheated the exchequer by cheating the Income-tax Department—there have been compromises between the Government and those big criminals. So I believe that if a big black-market-er is caught there will be some way, some way or method, by which there will be a compromise and he will escape. I would ask the hon. Minister not to pursue the Act with vengeance against the poor helpless people who might be forced to commit offences, because of the lacuna and laxity of administration of the law.

The second point is that I shall ask the House to throw out the Bill on a legalistic ground, although it may create some amount of wonder and amusement in the House that a legalistic ground is any ground at all. I submit that the Bill by its very weight will kill itself altogether. The punishment that we have provided for certain offences is imprisonment for seven years. I submit

that under the Criminal Procedure Code no Magistrate except a Special Magistrate, as pointed out by my hon. friend Pandit Thakur Das Bhargava, can try an offence punishable with seven years' imprisonment. The point is absolutely clear under section 5 of the Code of Criminal Procedure. It says that all offences under the Indian Penal Code shall be tried and enquired into under the procedure laid down in the Criminal Procedure Code. Then, with regard to other Acts—that is, Acts other than the Penal Code—it is said in sub-section (2) of section 5 that unless the other Act provides a special procedure, the procedure laid down under the Criminal Procedure Code shall follow.

In regard to offences under other Acts, that is, offences under the Act, as it would be amended by the Bill, are also to be dealt with under the Criminal Procedure Code. The procedure for such cases is laid down at the end of Schedule II, "Offences against other laws", that is the offences created by this Bill. Under item 511 of Schedule II, it is provided that offences punishable with death, transportation or imprisonment for seven years or upwards, are triable exclusively by the Court of Session. I submit that an offence which would be punishable with imprisonment for seven years would be compulsorily triable by a Court of Session.

Shri Sidhva: What are the powers of the District Magistrate?

Shri Naziruddin Ahmad: Even a District Magistrate has no authority to try the case even though he may decide to award a punishment which is within his jurisdiction, but I submit that under Criminal Procedure Code, the offence will be triable exclusively by the Court of Session. Pandit Thakur Das Bhargava has pointed out that certain Magistrates may be empowered under Section 30 to try such offences. I should draw

his attention to the terms of section 30 of the Criminal Procedure Code. He is right so far as his experience is confined to the Punjab. Under section 30 certain Magistrates can be empowered to exercise the powers of a Court of Session. That is confined to certain provinces such as the Punjab, the Chief Commissioner of Oudh, the Central Provinces, Coorg, Assam and Sind and in other places where there are Deputy Commissioners or Assistant Commissioners. I submit that a large part of Bengal, Bombay, the Central Provinces, (now Madhya Pradesh) and Madras and all the Indian States which are now amalgamated with India, there section 30 will have no application. In any of these Provinces no Magistrate could be empowered under section 30 to try offences which are exclusively triable by a Court of Session, it follows therefore, that in those areas where section 30 cannot be applied, all accused persons who are accused of committing offences punishable under the Bill with seven years' rigorous imprisonment, they must be committed to the Court of Session.

Pandit Thakur Das Bhargava: The point made by the hon. Minister is because the punishment provided is seven years, therefore it is punishable by the Sessions Judge.

Shri Naziruddin Ahmad: In fact section 5(2) says:

"All offences under any other law shall be investigated, inquired into, tried and otherwise dealt with according to the same provisions".

And Schedule II says that all offences punishable with death, transportation or imprisonment for seven years or upwards must be tried exclusively by the Court of Session.

I, therefore, submit that every offence however trivial, however small it may be, will have to be committed to the Court of Session

[Shri Naziruddin Ahmad] if that seven years' rule applies. Then there will be double waste of time, once in the Committing Magistrate's Court and again in the Court of Session; in many cases they will have to be the jury, and the jury have generally a soft heart and fair decisions by them are not very common. From the very attempt to strengthen the Bill by providing heavy punishments, the Bill will kill itself. (*An hon. Member*: they may be tried by assessors.) In some cases they will be tried with assessors, but in the large majority of cases they would be tried by juries. Jury trial is the rule in many cases. Where it is so, the very attempt to bring the trial to a speedy end is effectively frustrated. I believe that the seven years' rule was inserted to create a dramatic effect in the country. The Government would say: "Here the Government is anxious to punish all black-marketeers with this heavy punishment." But the severity of the punishment will frustrate the object of speedy trial. Speedy trials and summary trials which are available in ordinary cases will not be available in cases where the trial is to be by the Sessions Judge.

I submit that the House has been enabled to give very small attention and time to this important and complicated Bill. The very fact that a Bill of this magnitude which required so many amendments to be accepted on the floor of the House shows that the matter has not been carefully examined in all its bearings. Government finds that prices are rising, and it thinks that the pious provisions in the Bill would be enough to check the evil. But its legal implications, its corollaries and the impasses that may follow have not been considered. I submit to the House that the Bill should be thrown out. If not, an early attempt must be made to amend the Criminal Procedure Code by an Ordinance; otherwise the whole object of the Bill will be frustrated.

Shri K. M. Munshi: My hon. friend, Mr. Tyagi said this Bill must be enforced. Well, I can assure him that if I have taken up the time of the House, it is not for the purpose of keeping this law as a dead letter on the statute-book. As regards the poor man, a claim which has been urged so often, we have made a provision here by putting the limit at five maunds. You must remember that if there is a family then the quantity of foodgrains to be kept by the family is not one unit but as many units as there are members in the family including the servants. So it is not as if he is likely to be harassed. As regards the producer, he is exempt with regard to the quantity in most of the States. Therefore, there is no hardship. If there is any hardship, it can immediately be removed by amending the notification and today there is no hardship of that character. As regards the technical point raised by Mr. Naziruddin Ahmad, I do not want to go into it. I do not think that there is anything in it. It will be properly examined but my hon. friend will see that that won't stand in the way of enforcing this Bill when the time comes.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

MOTION FOR ADJOURNMENT

TOOFAN EXPRESS ACCIDENT—
concl'd.

The Minister of Transport and Railways (Shri Gopaldaswami): This morning I was notified of the receipt of a number of Short Notice questions as regards the Railway accident which occurred yesterday in the early hours of the morning and I said that I would accept these notices at once and if it was the pleasure of the House to have answers to these questions in the form of a statement, I would be

prepared to make a statement in the afternoon. You very kindly said, Sir, that that might be done about five o'clock. We are now at about 6-40 P.M. and I wish only to say this. About half a dozen hon. Members have given notices of short notice questions and many of the items on which they required information overlap and it would be convenient if I read out to hon. Members a statement which will cover all the points on which they have asked questions.

It was a ghastly tragedy that occurred in the early hours of yesterday morning and I am sure the sympathies of the House will go out to the victims of the tragedy. The particulars of the tragedy itself I shall now narrate.

Between the tenth and eleventh telegraph posts of mile 394 on the Grand Chord of the East Indian Railway between Karmnasa and Durgauti stations on the Moghalsera-Gaya section, two unfortunate accidents occurred to two trains travelling in opposite directions on this double line section in the very early hours of Sunday, the 13th August 1950.

First of all, a goods train, No. 320 Down, which passed Karmnasa station at seven minutes past midnight, had its engine and 12 wagons derailed at 22 minutes after midnight off a girder bridge of two spans of 20 feet at the mileage mentioned. Ten of the derailed wagons capsized and the derailed vehicles of the goods train fouled the up line.

The second and the more disastrous accident followed on the first 7 UP Toofan Express, which passed Durgauti station at 17 minutes after midnight, collided with the derailed vehicles of the Down goods train at about 25 minutes after midnight and this resulted in very serious derailment to the passenger carrying Express.

The place of the accident is approximately three miles from Durgauti

and four miles from Karmnasa. At the time of the accidents, which occurred within about three minutes of each other, it was raining heavily.

Immediately after the goods train engine and wagons had been derailed and the driver realised that the wreckage was fouling the Up line, he saw 7 Up Express approaching. He ran forward showing a red light and the driver of the Up Express is stated to have seen the red signal and applied his brakes, but the distance available for braking was so short that the collision and subsequent derailment could not be avoided.

The accident to 7 Up Express resulted in the engine and the first three bogie coaches derailing and going down the embankment and capsizing. The fourth coach, *viz.*, a I and II Class bogie, also derailed but lay turned over on its side. The second bogie coach, which was a III Class carriage and which went down the embankment, landed in an area flooded with water. This carriage is almost completely submerged. The third coach, which is an Inter Class bogie, is partly submerged in about four feet of water.

The next Down train following the ill-fated goods train was No. 4 Down Bombay-Calcutta Mail. This train reached Karmnasa at 45 minutes after midnight, but as the goods train ahead had not cleared the section, the locomotive of 4 Down Mail was detached and sent towards Durgauti to ascertain the whereabouts of the Down goods train as well as of the Up Toofan Express. The Guard of the derailed Down goods train and the Guard of 7 Up Express having assessed the nature of the accident to both the trains, one of them started to walk towards Karmnasa. He met the light engine of 4 Down Mail at 1-35 hours and returned with it to Karmnasa station at 2-20 hours. Intimation was then immediately given to the Control and arrangements made for relief trains, etc.

[Shri Gopaldaswami]

Relief trains with medical help, food and refreshments left Moghalserai at 2-40 hours, that is, 20 minutes after receipt of the intimation of accident and arrived at site at 3-58 hours. The Accident Medical Relief Van accompanied by the Divisional Medical Officer, Dinapore, Assistant Medical Officer, Gaya, and other officers left Gaya at 3-55 hours for the site. Civil and police officers from Banaras and Arrah proceeded to the site by car.

There is no indication to show that the speeds of the two trains were anything but normal and the Toofan Express was running to time.

The information that we have so far received is that 20 persons have died, 90 have been seriously injured and 80 slightly injured. Among the railway staff, one fireman of 7 Up Express was slightly injured. Twenty-four of the seriously injured persons have been admitted into the civil hospital, Banaras and one has succumbed to his injuries bringing the total dead to 21. Six injured passengers have been admitted into the Civil Hospital, Gaya. Only one of the dead bodies has been identified so far.

Clearing the debris is still in progress and until all the wreckage has been lifted the final casualty list will not be known.

A rail joint on the left hand side of the down track almost at the centre of the girder bridge was found to have been tampered with. Fish bolts, fish-plates and removed coach screws have also been found. The rail at this rail joint was displaced. The local Railway officers, the District magistrate and the police are stated to be of the opinion that the displacement of the rail was an act of sabotage. The Government Inspector of Railways commences his official enquiry tomorrow, 15th August and the final verdict as to the causes of the accident has to be reserved

until he has completed his investigation and submitted his report.

The section between Karmnasa and Durgauti is patrolled by the Railway Protection Police. The last patrol appears to have passed the site of the accident at 23-30 hours.

The work of introducing anti-sabotage arrangements at rail joints though commenced had not been carried out in this area.

On the facts so far available, it would seem that the tampering with the Down track was the immediate cause of the derailment of the Down goods train and it was most unfortunate that within three minutes of the derailment of that train, the Up Express should have run into the debris.

Reports so far received do not indicate that the engine crews on either train were not alert or not vigilant.

What I have said is based not only upon the messages received from local railway officers, at site, but also upon the reports made by telephone by a member of the Railway Board who left Delhi yesterday for the site of the accident and reached it early this morning.

Shri Sidhya: (Madhya Pradesh): May I, Sir, with your permission, ask one question? The hon. Minister stated that the interval was only three minutes between the accident to the goods train and the accident to the passenger train, and that a red signal was given, but it was not possible for the driver to control the brake. May I know whether the driver of the passenger train was alert according to the rules that he has to look ahead on the line, and whether that information has been got? When an emergency brake is applied, how many miles does the train go? Three minutes means there must have been a distance of a mile and a half. I want to know when an emergency brake is applied, whether the train cannot stop within a range of one and a half miles.

Shri Gopaldaswami: These points will certainly be gone into by the Government Inspector of Railways who will commence his enquiry to-morrow.

Shri Kamath (Madhya Pradesh): Do the figures of casualties given include the number of passengers in the submerged and partly submerged bogies?

Shri Gopaldaswami: They are still submerged and we have no information as to whether any victims in the submerged bogies have been rescued.

Shri B. R. Bhagat (Bihar): When did the medical relief and other relief trains arrive at the spot?

Shri Gopaldaswami: The medical relief train, as I have already stated and the other relief trains reached the spot at about 3-58 A.M.

Prof S. N. Mishra (Bihar): What immediate steps do Government propose to ensure a feeling of security in the minds of the passengers?

Shri Gopaldaswami: We have to make these accidents practically rare. to see that such accidents do not recur. But where they involve sabotage, it is not possible for the Railways by themselves, to bring about this security. We have to catch hold of the culprits, punish them severely and see that those punishments act as a deterrent.

Shri Tyagi (Uttar Pradesh): May I know what steps are being taken to take out the submerged bogies and find out how many persons have died in them?

Shri Gopaldaswami: I have no doubt that every possible measure is being taken and I am sure some crane should have arrived at the spot to lift the bogie up.

Shri B. R. Bhagat: After the Bhitia and Jasidih accidents on the S.I.R. Government announced that certain measures will be taken to avoid rail-

way accidents in future. What are those measures and have they been actually implemented so far?

Shri Gopaldaswami: After the accident which occurred at Jasidih, the months of June and July gave us quite a clean bill and I was hoping that the clean bill would be continued. But this has come as a shock. I can only say that in this instance, the police patrol patrolled this portion only about thirty to forty-five minutes before the goods train went off the rails.

Shri Goenka (Madras): How many people are supposed to be in the submerged bogie?

Shri Gopaldaswami: It is difficult to say. The possible capacity of four bogies, or rather three bogies,—because one of them was a first and second class composite bogie—it will be somewhere about 250, I mean the maximum capacity. We have no information as to the actual number of persons who were in those bogies.

Shri Naziruddin Ahmad (West Bengal): It appears that the two wagons of the goods train fell on the line on which the Toofan Express was proceeding. I want to know where the red light was put. Was it on the wagon which was on the line on which the Toofan Express was proceeding, or was it on the side line? My object in asking this question is to ascertain whether the driver of the Express Train could or should have noticed the light. If it was on the same line, he should have noticed it, if it was on the other line he might not have noticed it.

Shri Gopaldaswami: All I can say is that the hon. Member is mistaken about the red light. It was not a stationary light. Some wagons of the down goods train fell on the up line and when this was noticed, people in charge of the goods train saw the Up Express coming along and so they ran towards the Express shaking a red light so as to catch the eye of the driver, and he did see the red light,

[Shri Gopalaswami] according to the information received, and applied the brake, but it was so near the debris of the goods train that he could not avoid the accident.

Shri Naziruddin Ahmad: Is not the driver, according to the rules, required to look ahead so long as he is in charge of the engine?

Dr. Deshmukh (Madhya Pradesh): I want to know the point of time to which the information given by the hon. Minister relates. And secondly, I would like to know whether it is not usual for these bogies to be over-crowded and what was the fact so far as this particular train was concerned?

Shri Gopalaswami: We received the last instalment of our information at about 3 P.M. this afternoon. That was from the member of the Railway Board who had gone to the site and seen things for himself.

As regards the over-crowded character of the third-class bogies, I am sure hon. Members are well aware of what ordinarily is found to be the case. But whether on this particular train they were over-crowded is a matter which requires investigation and we shall not be in a position to give an accurate answer about it now.

Shri Sidha: For the purpose of ensuring safe travel, may I know whether Government have considered the feasibility of running a pilot engine on certain sections which are generally dangerous?

Shri Gopalaswami: On some occasions and on some railways this has been done. But as a regular practice it is not possible to arrange for every train being preceded by a pilot engine.

Shri Himatsingka (West Bengal): The police patrol, I understand, passed over this place some half-an-hour before the occurrence. Does it follow, therefore, that the fish-plates must have been removed within half an hour?

Shri Gopalaswami: Well, that might have happened, or it may be

the case that the patrol did not notice it; that is possible too.

Shrimati Durgabai (Madras): Will the hon. Minister be pleased to consider the feasibility of putting two or three goods wagons just immediately behind the engine before the passenger bogies in order to minimise the loss of life among passengers in such accidents?

Shri Gopalaswami: That again, I know some General Managers have tried on certain trains. But as a general practice, it is not a feasible one. After all, when an accident like this occurs, even two or three goods vans would not prevent other bogies being affected.

Shri B. R. Bhagat: Every time a major railway accident occurs it comes out in the papers or in a statement by an important official of the Railway Board or by the Railway Minister that so and so accident was due to sabotage. This creates a very bad psychology in the country. I want a definite answer from the hon. Minister as to whether he is satisfied that these major accidents are due to sabotage or are they due to some defect in the track or due to inefficiency of the railway men or to some other cause? I want a definite answer, because, as I said, this bad psychology which has been created in the country has to be removed.

Shri Gopalaswami: My answer is very simple. Every one of these accidents is enquired into in very great detail by an agency which is not under my orders. It is under the orders of another Ministry, and that is to ensure its independence in the matter of enquiry. And in every one of these cases we accept the verdict of that investigating organisation. Well, as regards the question whether we have been too freely or too lightly attributing to sabotage accidents which might have been due to some defect on the track or some defect in the personnel of the railway administration, all I can say is that even with regard to this present

accident, I am not prepared to commit myself to the position to-day that it was sabotage. I must wait for the report of the enquiry before I myself come to any conclusion. That is why I said that certain officers seem to be of this opinion; but we must reserve our verdict till the investigation is made.

Shri Joachim Alva (Bombay): At the fag end of the last session the hon. Minister was pleased to tell us that he was calling a conference of experts to inquire into railway disasters. He has said that during June and July there has been a clean bill of health and that this disaster occurred only in the third month. What worries us is whether the maximum aid of the police has been called up.....

Mr. Deputy-Speaker: The hon. Member is not expected to make a speech.

7 P.M.

Shri Joachim Alva: In regard to inquiry into sabotage cases, will the hon. Minister be pleased to requisition the maximum services of the civil police and also to requisition the services of retired Railway officials, noted for their patriotism, so that they could be called upon to patrol and supervise the lines and thus sabotage could be effectively countered?

Shri Gopalaswami: So far as the conference of railway officials is concerned, I think we have done our best, after we ascertained their views about how to protect the lines. But their protection can extend only to questions connected with the state of the track or the condition of the rolling stock or perhaps the alertness of railway personnel and so on. On these matters we have taken prompt action. My own judgment of the present situation is that the railway personnel are very alert in these matters, more than ordinarily alert.

As regards the other point about police investigation, all I have to say is that that investigation is being pursued with great vigour and I

rather believe in the competency and efficiency of those who are live police officials than in trying to supplement it by the importation of police officers who have retired from service.

श्री मट्टु: एक छोटा सा सवाल है, माननीय मंत्री महाशय ने यह फरमाया है कि आज तीन बजे तक की जानकारी आपने दी है, तो तीन बजे तक क्या ट्रेन (Crane) नहीं पहुंच सका? जो डिब्बे पानी में डूब गये थे, उनको उठाने के लिये ट्रेन आज तीन बजे तक याने पचास घंटे के बाद भी क्या ट्रेन पहुंच नहीं सका है?

[**Shri Bhatt (Bombay):** There is just a little question. The hon. Minister has stated that he has given us information available to him upto three o'clock today. Does it mean that no crane has been able to reach the place of occurrence to lift the submerged bogies upto three o'clock today, that is, after a lapse of fifty hours since the accident?]

Shri Gopalaswami: What I said was that the relief trains reached the spot at 3-58 A.M. They had to come from Moghalsarai on one side and from Gaya on the other. I do not want hon. Members to think that I made a statement that cranes had arrived. I only said that every effort was being made to rescue people who are in the submerged bogie. I said that if the officers there considered it necessary to take cranes there, they must have been in position in good time.

Mr. Deputy-Speaker: Now this question has been sufficiently debated. Does Mr. Bhagat want to press his motion for adjournment?

Shri B. B. Bhagat: No, Sir.

Mr. Deputy-Speaker: A number of questions have been put and the hon. Minister has made, I am sure, a good statement. The hon. Minister will issue communiques as and when information is available to him as the investigations are proceeding. That should satisfy Members of the House.

Shri Sidhva: We should have a report as early as possible.

Mr. Deputy-Speaker: Certainly, if the report is available it will be circulated to such Members as may apply for it.

An Hon. Member: Why not to all Members?

Mr. Deputy-Speaker: If it is the desire of the House, to all Members.

INFLUX FROM PAKISTAN (CONTROL) AMENDMENT BILL

The Minister of State for Rehabilitation (Shri A. P. Jain): I beg to move:

“That the Bill to amend the Influx from Pakistan (Control) Act, 1949, be taken into consideration.”

At the fag end of the day I shall try to be as brief as possible. This House passed an Act known as the Influx from Pakistan (Control) Act in 1949. At that time the House was not competent to legislate for Hyderabad. So that Act is not applicable to Hyderabad. As a result, certain difficulties have arisen. A certain number of persons who come from Pakistan without a permit infiltrate into Hyderabad and difficulties are experienced in prosecuting them. Again some persons come with permit and they commit a breach of the permit rules in Hyderabad and there again difficulties arise in prosecuting them. It is therefore intended by this Bill to apply the Influx from Pakistan (Control) Act to Hyderabad. An Ordinance to that effect had been promulgated and this Bill proposes to replace that Ordinance.

Another matter with which this Bill relates is that under the law as it stands a person who enters into India without a permit can be prosecuted only in the district in which the point of entry is situated. He cannot be prosecuted in the place

where he is apprehended and that causes great difficulty. Supposing a man enters somewhere near Amritsar and he is arrested in Lucknow. Then that person has to be taken to Amritsar and prosecuted there. It is to remove that difficulty that it is provided in this Bill that the person who enters India without a permit can be prosecuted also in the place where he is apprehended. These two points which are involved in this measure are very simple and from the fact that no amendments have been tabled to this Bill I infer that the measure has the general acceptance of the House.

Mr. Deputy-Speaker: Motion moved:

“That the Bill to amend the Influx from Pakistan (Control) Act, 1949, be taken into consideration.”

Shri Kamath (Madhya Pradesh): This Act, The Influx from Pakistan (Control) Act, 1949, appears to have undergone several curious vicissitudes. The hon. Minister has stated that at the time this Bill was passed into law Parliament was not competent to legislate for Hyderabad,—if I heard him aright. As a matter of fact, it appears that on the date Parliament passed the Bill into law and on the date that the Bill received the assent of the Governor-General, that is to say on the 22nd April 1949, the State of Hyderabad was not excluded from the purview of the Act. I have got a copy of the Act from the Library and I find that on the 22nd April, 1949 the Bill received the assent of the Governor-General. Neither section 1 nor section 2 makes any reference to Hyderabad. It appears that, later, sometime in 1950—the date is not given in this copy of the Bill—it was adapted. We don't know whether it was adapted on the 26th January, 1950, or later, but during the interregnum, that is to say between 22nd April, 1949, and 26th January, 1950, there was in law—so far as I can interpret this Act before me—nothing to prevent Gov-

ernment from taking whatever action they wanted against undesirable people who had infiltrated into Hyderabad from Pakistan.

I, therefore, firstly, would like to know why during these eight months or more—from April, 1949, to January, 1950,—no action as empowered by the Act was taken at all against people who had infiltrated into Hyderabad from Pakistan, and if no action was taken why it was not taken, because the law as it stood did not prevent Government from taking whatever action they liked. The adaptation was made only in January, 1950, when this section which exempted the State of Hyderabad was modified, but within those eight months, there was no action taken though Government could have taken action against the people who had infiltrated into Hyderabad. Therefore, I would like to know why no action was taken, and how many people were reported to have infiltrated into Hyderabad from Pakistan during this period. Government is not sure of its own mind. In April the Bill received the Governor-General's assent and in January, 1950, it was adapted, and again in August, 1950, we come here to modify the law again. If the Minister has at all got the figures with him here, I would like to know in this context as to how many people infiltrated into the State, and whether it was not possible to take any action against them, and if so, for what reason. And why, if the Government knew that at that time Parliament was not competent to legislate for Hyderabad, was that Act not amended at once in 1949 itself by an amending Bill during the next session of Parliament, and why was it kept in suspense till January, 1950, when the President adapted it under article 392, I believe, of the Constitution? These are certain points on which I hope the Minister, if he is able, will throw some light in the course of his reply to the debate.

Shri A. P. Jain: The position is very simple. Sub-section (2) of

Section 1 says that the Influx from Pakistan (Control) Act extends to the whole of India. But the question is what does "India" mean in that context? It means the whole of India excluding Hyderabad. Therefore, when the new Constitution came into force and 'India' came to include Hyderabad, as a result of adaptation it was made clear that Hyderabad was excluded from the application of the Act. It is to remove that exception that this Bill has been brought forward.

Another question has been put to me as to the number of persons who migrated into Hyderabad and why they could not be prosecuted. The simple answer is that they could not be prosecuted because the law was not applicable to Hyderabad. About the number of persons, I am not in a position to state it because we did not collect any statistics as we were not concerned with that. The law was not applicable to Hyderabad and so those difficulties arose and in order to remove those difficulties we have brought forth this amending Bill.

Shri Kamath: Why was an amending Bill not brought in the Budget session? Why so much delay?

Mr. Deputy-Speaker: The question is:

"That the Bill to amend the Influx from Pakistan (Control) Act, 1949, be taken into consideration."

The motion was adopted.

Shri Naziruddin Ahmad: I would like to ask one question on clause 4. I want to know under what circumstances an offence would not be triable in Hyderabad. If the offence had been committed in Hyderabad, then there could have been no laws which prevented the trial of such an offender in Hyderabad. What was the difficulty which was attempted to be removed by the Ordinance and which is sought to be regularised by this Bill? What was the legal difficulty?

Shri A. P. Jain: Because the Act was not applicable to the State of Hyderabad. That was the simple trouble.

Clauses 1 to 5 were added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri A. P. Jain: I beg to move:

“That the Bill be passed.”

Mr. Deputy-Speaker: The question is:

“That the Bill be passed.”

The motion was adopted.

APPROPRIATION (NO. 3) BILL

The Minister of Finance (Shri C. D. Deshmukh): I beg to move:

“That the 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, be taken into consideration.”

This Bill is introduced in pursuance of article 114(1) of the Constitution of India read with article 115 thereof, to provide for appropriation out of the Consolidated Fund of India of

the moneys required to meet the supplementary grants made by Parliament for expenditure of the Central Government excluding Railways for 1950-51.

Mr. Deputy-Speaker: The question is:

“That the 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, be taken into consideration.”

The motion was adopted.

Clauses 1 to 3 were added to the Bill.

The Schedule 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 be passed.”

Mr. Deputy-Speaker: The question is:

“That the Bill be passed.”

The motion was adopted.

The House then adjourned sine die.