

Monday, 19th March, 1951



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# PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

VOLUME VI, 1951

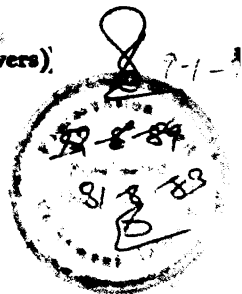
(5th February to 31st March, 1951)

Third Session (Second Part)

of the

PARLIAMENT OF INDIA

1951



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

2343

2344

**PARLIAMENT OF INDIA**

*Monday, 19th March, 1951*

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

[MR. SPEAKER in the Chair]

**MEMBER SWORN**

**Dr. C. D. Pande (Uttar Pradesh).**

**ORAL ANSWERS TO QUESTIONS**

**TROUBLES IN NEPAL**

\*2291. **Prof. S. N. Mishra:** Will the Minister of Defence be pleased to state:

(a) whether the recent troubles in Nepal have had any effect on the recruitment of Gurkhas in the Indian army; and

(b) if so, to what extent?

**The Deputy Minister of Defence (Major-General Himatsinhji):** (a) and (b). The free movement of recruiters and recruits was hampered and the rate of intake accordingly slowed down. In spite of this, our entire commitments of Gurkha recruits from Nepal for the year 1950-51 have been met.

**Prof. S. N. Mishra:** May I know what is the total strength allowed to the British under the agreement, and whether it is up to them to increase it also?

**Major-General Himatsinhji:** Under the agreement the total strength allowed is 8 battalions or 10,400 men. Also under the agreement, I believe with the permission of the Nepal Government, and if it does not interfere with our recruitment in Nepal, they are allowed to increase the strength up to one division of 25,000 men.

**Prof. S. N. Mishra:** May I know whether there has been any adverse effect on the human material available to us because of the British

recruiting centres functioning side by side with our recruiting centres?

**Major-General Himatsinhji:** No, Sir. They do their recruiting in consultation with us and we had no difficulty so far.

**Prof. S. N. Mishra:** May I know whether it is under the consideration of the Government to increase our recruiting strength?

**Major-General Himatsinhji:** No, Sir,

**Shri Chaliha:** May I know whether Gurkhas are still being recruited to the Assam Rifles and, if so, what is their percentage?

**Major-General Himatsinhji:** They are recruited as in the past. The percentage is above 40.

**Shri Chaliha:** And what is the reason for recruiting Gurkhas to the Assam Rifles?

**Mr. Speaker:** Order, order. We need not go into that.

**Shri Joachim Alva:** What are the places from which the British recruit and what are their terms of payment for the Gurkha soldiers?

**Major-General Himatsinhji:** They have got separate recruiting centres and Gurkhas are recruited by H.M.G. from Nepal only.

**The Prime Minister (Shri Jawaharlal Nehru):** May I say a word, Sir? The House will remember that Nepal is an independent nation, and an independent nation can come to any terms with another independent nation—subject to such interest as we might have. Our concern chiefly came in, and we were consulted, because it is not possible for anyone to go to Nepal unless he crosses India. Therefore we came into the picture. It was a friendly arrangement whereby we agreed to certain passages etc., and we were consulted. Otherwise these details are none of our making or in which we were concerned.

**Shri A. B. Gurung:** May I know whether there has been a request from the present Government of Nepal to increase the strength of the Gurkha recruitment for the Indian Army?

**Major-General Himatsinghji:** Not to our knowledge.

#### LOANS TO DISPLACED PERSONS FROM SIND

\*2292. **Dr. Ram Subhag Singh:** (a) Will the Minister of Finance be pleased to state the number of displaced persons from Sind who arrived from Pakistan after 1st June, 1949?

(b) How many of those displaced persons have been given loans by the Rehabilitation Finance Administration for their settlement in business or industry?

**The Minister of Finance (Shri C. D. Deshmukh):** (a) About 17,000 up to the 31st January, 1951.

(b) The Rehabilitation Finance Administration gives loans only to those displaced persons who apply to it and who satisfy the conditions laid down for the grant of loans. The total number of loan applications from displaced persons from Sind and Khairpur State received by the Administration after 1st June, 1949 was 3807; and of these, 581 were sanctioned; 910 were rejected; and 2316 are outstanding. It will involve considerable labour to find out how many of the applications received after 1st June, 1949 were from persons arriving after that date. Out of the sanctioned applications, 7 were from persons arriving after 1st June, 1949.

**Dr. Ram Subhag Singh:** May I know whether the Sindhi displaced persons who came to India after June, 1949 will also be given loans and if so, has any time-limit been fixed for entertaining their applications?

**Shri C. D. Deshmukh:** In the case of displaced persons migrating from Sind after 1st June, 1949 the date for receipt of applications from all such persons, including those wishing to set up in business or trade, was extended up to 31st December, 1950 in November, 1950.

**Lala Achint Ram:** Will the hon. Minister kindly state whether the Government proposes to appoint a board of public-spirited business men to give expert advice to applicants on the choice of their business? Some of these applicants fail in their business because they cannot get expert advice.

**Shri C. D. Deshmukh:** I don't know whether this suggestion is being made for the first time. So far any suggestion of this kind has not been considered, but if it comes from the Advisory Committee then I have no doubt that we shall give due weight to it.

**Shri Jaani Ram:** Has the Government any intention of extending the period for loan applications?

**Shri C. D. Deshmukh:** There is no intention at present to extend the period beyond the date mentioned.

**Shri Sidhva:** The hon. Minister stated that out of the total of 3807 applications received, 2316 were still pending. May I know what is the reason for not disposing of them and how many of these 2316 have been outstanding for over three months?

**Shri C. D. Deshmukh:** Sir, the explanation for the large number of outstanding applications is that the lists of applications from the displaced persons were originally closed on the 12th September, 1949. Subsequently the dates for the receipt of applications from displaced persons wishing to set up in any industry were extended from time to time and the date now fixed is 30th June, 1951. And, as I said, in the case of displaced persons migrating from Sind, the date was extended up to 31st December, 1950. A considerable portion of the outstanding applications must therefore have been received only recently.

**Shri B. K. Das:** May I know the number of applications that are being disposed of monthly by the Rehabilitation Finance Administration?

**Shri C. D. Deshmukh:** I must have notice of the question. But I am sure in answer to previous questions much information of this kind has already been supplied.

#### ROHTAS FORT

\*2293. **Dr. Ram Subhag Singh:** (a) Will the Minister of Education be pleased to state whether Government are aware that the Rohtas Fort in the district of Shahabad (Bihar) is in a dilapidated condition?

(b) If so, do Government propose to repair it?

منسترو آف ایجوکیشن (مولانا آزاد) :

(اے) اور (بی) - نہیں ایسا نہیں

ہے - دستاویز کا قلمہ اور اس کے اندر

کی صورتوں اچھی خاصی سنبھالی

ہوئی حالت میں ہیں - صرف اس کے باہر کے تفتیس کا سوکل جو سہلوں کے اندر پھلا ہوا ہے جا بجا سے خراب ہو گیا ہے - اور اسے دوبارہ بدانا ضروری نہیں ہے -

[The Minister of Education (Maulana Azad): (a) and (b). The Rohtas Fort as a whole is in a fair state of preservation. Only the extensive defences with a perimeter of more than 12 miles are largely dilapidated.]

डा० राम सुभाष सिंह : यह जानते हुए कि प्रतिवर्ष बहानों पर सैकड़ों दर्शक जाया करते हैं, क्या सरकार बहानों की सड़क की मरम्मत कराने का विचार कर रही है ?

[Dr. Ram Subhag Singh: In view of the fact that hundreds of visitors go there every year, do the Government propose to repair the road leading to that place?]

مولانا آزاد : یہ معاملہ تو ابھی گورنمنٹ کے سامنے نہیں آیا ہے - اور اسکا تعلق صوبے کی گورنمنٹ سے ہے کہ وہ اس کی دیکھ بھال کرے -

[Maulana Azad: This matter has not come before the Government as yet. Besides, its supervision is the responsibility of the State Government.]

#### SECURITY AND INDEMNITY BONDS

\*2294. Shri Sidhva: (a) Will the Minister of Finance be pleased to state the total amount of security and indemnity bonds executed by the importers and exporters with the Collectors of Customs at Bombay, Calcutta, and Madras from 1947 to 1950?

(b) In how many cases were these bonds discharged and the amounts realised by way of additional duties or penalties?

The Minister of State for Finance (Shri Tyagi): (a) and (b). A statement is laid on the Table of the House.

#### STATEMENT

	Total number of security and indemnity bonds executed by importers and exporters during the years 1947-50 for the production of Trade Control Licences	Total No. of bonds and guarantees discharged during 1947-1950	Total amount of additional duties and penalties realised during 1947-50
Bombay.	4,792	2,680	8,12,716
Calcutta.	15,583	8,611	1,00,276
Madras.	6,164	5,919	6,57,176

Shri Sidhva: From the statement it appears that the security bonds from Madras were 6,164 out of which 5,919 have been disposed of while the number in Bombay was 4,792 out of which only 2,680 have been disposed of and in the case of Calcutta out of 15,583 only 8,611 have been disposed. May I know the reason for the delay in the disposal of these bonds in the case of Bombay and Calcutta?

Shri Tyagi: The delay is mostly due to the fact that sometimes these bonds are given by clearing agents and banks. In such cases, we cannot directly proceed against. We have to proceed against the parties and therefore sometimes delay is caused. Anyway, the figures we have given are correct.

Shri Sidhva: I do not dispute the accuracy of the figures. My point is that from 1947 up to 1950 these applications have been delayed. I want to know whether any effort is being made to dispose of them. Is the delay due to shortage of staff or is it due to the consignees not coming forward?

Shri Tyagi: I have nothing further to add.

#### SUPERANNUATED STAFF

\*2295. Shri Sidhva: Will the Minister of Home Affairs be pleased to state:

(a) the number and designations of staff of the different Ministries of the Government of India, their attached and subordinate offices, who are superannuated but still in service; and

(b) what are the reasons for continuing them in service?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) and (b). A statement is placed on the Table of the House giving details of superannuated persons retained in the public interest in this Ministry after specific sanction for a specified period in each case; [See Appendix XVIII, annexure No. 1.] similar information in regard to persons serving in other Ministries is being collected and will be laid on the Table of the House in due course.

**Shri Sidhva:** From the statement I find that there are nearly 22 officers who have been allowed to continue in service after the superannuated period. May I know the reason for this? No other reason has been given except "dearth of experienced officers". May I know what particular kind of qualifications are required for a D. S. P. etc. in the Intelligence Bureau and are not such people forthcoming?

**Mr. Speaker:** I think it will be a detailed enquiry in respect of each case. It will be going into administrative details.

**Shri Sidhva:** I want to know whether new officers are not available from recruits?

**Mr. Speaker:** I do not think that this legitimately arises from this question. He may contact the Minister.

**Shri Sidhva:** Another question. What is the policy of Government regarding superannuated officers?

**Mr. Speaker:** That has been stated in the House a number of times.

**Shri Sidhva:** May I know whether that policy is being followed?

**Shri Gadgil:** The policy of Government is very clear and for the benefit of my hon friend I may tell him that former instructions banning the re-employment or retention in service of superannuated officers were issued in May, 1945. This was reinforced in October, 1949 when Government directed that re-employment or extension should not be given except in very special circumstances. With regard to the exceptions, there has been a little liberalisation so far as two categories are concerned and they are (i) scientific and technical personnel and (ii) displaced officers who continue to be physically fit and whose services are considered useful to Government.

**Shri Chattopadhyay:** May I know whether the cases of superannuated

persons are placed before the U.P.S.C. before their appointment?

**Shri Gadgil:** As regards extension, it is done and as regards re-employment, the normal procedure is followed.

**Shri Sidhva:** May I know whether the Home Ministry's Resolution in connection with re-employment of superannuated officers is being followed strictly?

**Shri Gadgil:** That is so. In every case, sanction is obtained from the Home Ministry.

**Shri T. T. Krishnamachari:** May I know whether superannuated Secretaries to Government also come under the category of technically qualified persons?

**Shri Gadgil:** Technically qualified persons are technically qualified persons. What more can I say about that?

Mica

\*2296. **Pandit M. E. Bhargava:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state the total quantity and value of mica produced in undivided India during the year 1946, and that produced in the Union of India during the years 1948-49, 1949-50 and 1950-51 up to the end of December, 1950?

(b) What quantity was consumed locally and what quantity was exported outside India during these years?

(c) Which of the Indian States are the biggest mica-producing areas?

(d) What facilities and encouragement are given by the State Governments or the Government of India to those engaged in this trade to improve the quality and quantity of production?

(e) What is the extent of the stock accumulated awaiting export in Calcutta and other exporting ports?

**The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa):** (a) and (b). Reliable figures regarding production of mica in India are not available. There is practically no indigenous consumption. The export figures are as follows:

Year	Quantity	Value
1946-47	1,85,278 Cwts.	Rs. 300.09 lakhs
1948-49	3,30,975 Cwts.	Rs. 592.39 ..
1949-50	2,84,849 Cwts.	Rs. 660.25 ..
1950-51 (Up to December, 1950)	2,23,872 Cwts.	Rs. 657.78 ..



(c) Bihar, Rajasthan and Madras.

(d) The Government of India have no information regarding the facilities given by the State Governments for improving the quality and increasing the production of mica. The Government of India are, however, giving facilities in the shape of releases of steel, cement, coal and wagons and the services of our officers, whenever the industry asks for them. Facilities are also afforded for bringing in foreign technical experts required by the industry. For the purpose of improving the quality of mica, the Indian Standards Institution are trying to evolve international standards for mica with the co-operation of the International Standards Organisation.

(e) The Government have no information regarding this. The attention of the hon. Member is invited to the reply given by the hon. Shri N. V. Gadgil to part (c) of his Starred Question No. 151 on 30th November, 1949.

**Pandit M. B. Bhargava:** May I know whether there is any machinery maintained by Government for collecting statistics in regard to mica production?

**Shri Sri Prakasa:** It has been very difficult to get hold of these statistics, but efforts are being made to get them.

**Shri R. Velayudham:** May I know whether it is a fact that the quantity of mica exported from India has declined on account of bad quality in recent times?

**Shri Sri Prakasa:** No, Sir. That is not so. But I might state that during the war a large amount of mica was purchased by the United Kingdom and they have a very large stock there. An arrangement has been made whereby they should sell out only limited quantities so that our own industry may not suffer. It may be that because of that pile which is in the market, our exports have decreased.

**Dr. Parmar:** May I know whether it is a fact that there are large deposits of mica in Himachal Pradesh and if so what steps are being taken to utilise them?

**Shri Sri Prakasa:** Our information is that mica deposits are found in Bihar, Rajasthan and Madras. We are not aware of such deposits in Himachal Pradesh. I shall be grateful if the hon. Member could inform us about the place where we can find them.

**Shri Jaimarain Vyas:** Is it the policy of Government to give leases of mica mines to co-operatives of mica workers where such workers' co-operatives are in existence in preference to big traders?

**Shri Sri Prakasa:** The whole matter is before me. At the present moment, because the Rajasthan Government had already given licences to various private parties these workers' co-operatives have come in appeal to me. I am looking into the whole question.

**Shri Jaani Ram:** May I know if foreign mica is imported for splitting and if so, does our export exclude that mica?

**Shri Sri Prakasa:** May I draw the attention of my hon. friend and the House generally to the Report of the Mica Enquiry Committee. They will find in it much useful information about the matter referred to by my hon. friend in Chapter IX. It is a fact that a large amount of mica was being imported, but it is our effort to utilise indigenous mica for Railways and other industries so that the amount of mica imported may be less.

#### GILGIT MANUSCRIPTS ON BUDDHISM

\*2297. **Prof. S. N. Mishra:** Will the Minister of Education be pleased to state:

(a) whether India's oldest treasures of manuscripts, the Gilgit Papers on Buddhism have been rehabilitated; and

(b) if so, whether it was with the help of foreign experts or laboratory experiments carried out in National Archives?

مستتر آف ایجوکیشن، (مولانا آزاد):

آرئیبل اسپیئر کی اجازت سے میں بیٹھ

کر جواب دینا چاہتا ہوں۔ (اے)۔ گلگت

مینسکرپٹس کی درستگی کا کام بہت

ہو چکا ہے اور توہرا کام جو ہائی رے

گیا ہے وہ بھی تیزی کے ساتھ ہو رہا

ہے۔ اور امید ہے کہ جلد ختم ہو

جائیگا۔

(بی) باہر کی ایکسپٹ آرئیبلین

لی گئی تھی لیکن آخر میں کام کا

جو تھلک کام میں لیا گیا وہ وہی تھا جو نیشنل آرکائیوز کی ریپیرشاپ نے آپے تجربے سے نکالا تھا۔

[The Minister of Education (Maulana Azad): (a) The rehabilitation of the Gilgit manuscripts has been taken up and the major items in the collections have been renovated. The repair of the rest is in progress and is expected to be completed shortly.

(b) Foreign experts were consulted but the final process for repairing the pages was evolved as a result of experiments made at the repair shop of the National Archives.]

प्र० ऐस० ऐन० मिश्र : क्या मैं यह जान सकता हूँ कि इसकी मरम्मत के सिलसिले में उसका कोई हिस्सा खराब हो रहा है ?

[Prof. S. N. Mishra: May I know whether any part of it has been deformed during repairs.]

مولانا آزاد : نہیں اس وقت تک

۳۳۶ پیج درست ہو چکے ہیں اور اس میں کوئی پیج کی دوستی خراب نہیں ہوئی ہے اور جو پیج بانی ہیں - اسہد کی جاتی ہے کہ جو تھلک درستگی کا نکل آیا ہے اس سے کوئی پیج خراب نہیں ہوگا اور سب تھلک تھلک درست ہو جائیں گے۔

[Maulana Azad: No. 336 pages have been repaired till now and no repairs of any page have been deformed, and for the rest of the pages it is expected that as a result of the process of repair that has now been evolved no page would be deformed and all will be renovated.]

प्र० ऐस० ऐन० मिश्र : क्या मैं यह जान सकता हूँ कि एक और तरह की मैनुस्क्रिप्ट की मरम्मत शुरू हो गयी है ?

[Prof. S. N. Mishra: May I know whether another method of renovating the manuscripts has been discovered?]

مولانا آزاد : ہاں شروع میں جو تھلک تھا اس سے کام لیا جاتا تھا - لیکن یہ میٹلسکریپٹس گانڈ پر نہیں ہیں یہ تو چھال کے بلے ہوئے ہیں - اس لئے ان کے لئے خاص طور سے انتظام کیا گیا۔

[Maulana Azad: Yes, in the beginning, the usual method was adopted. But this manuscript is not on paper but on bark. Therefore special arrangements have got to be made for that.]

#### COLOMBO PLAN

\*2298. Shri Goenka: Will the Minister of Finance be pleased to state:

(a) whether the assumption of an estimated drawing of pounds thirty-five million per annum for a few years, from the sterling balances, mentioned in page 19 of the Colombo Plan, is on the basis of an agreement arrived at with the Government of India with the Government of the United Kingdom;

(b) if so, when the negotiations were conducted and when the agreement was arrived at; and

(c) whether Parliament or any Committee thereof was taken into confidence before negotiations commenced with the Government of the United Kingdom?

The Minister of Finance (Shri C. D. Deshmukh): (a) The figure of £35 million per annum for sterling releases was incorporated in the Colombo Plan before this scale of releases was agreed to between the Government of the U. K. and the Government of India.

(b) My discussions with the Chancellor of the Exchequer of the U. K. Government took place on the 21st September, 1950 and the conclusions reached were subsequently approved by the two Governments.

(c) No, Sir. Such consultation was not considered necessary.

I should like to add that on the first occasion, that is to say, May 1948, a long term sterling balance agreement was to have been entered into with the United Kingdom Government for the first time. There were other matters, such as final settlement on account of defence stores, capitalisation of sterling pensions, extent of convertibility, etc., to be discussed. In May, 1949 the position reached was that as a result of the liberalised import policy of 1948-49 we had proposed

asking for special modifications in the agreement made in July 1948. In the present agreement there was no such complications.

**Shri Goenka:** May I know, Sir, if the Finance Minister is aware of the fact that the British Press has been representing the Colombo Plan as a 'Charity Box' for the benefit of the Asian countries: if so, whether the British contribution is supposed to be our own sterling balances which they are releasing at a pitiful rate of £ 35 million per annum?

**Shri C. D. Deshmukh:** It was made quite clear at the Conference in London that any sterling release that was to be made would not be regarded by us as a contribution towards the implementation of our Plan and that that sum would be available only for the private sector. That is down in the record of the Conference, in spite of what the British Press has represented.

**Shri Goenka:** May I know, Sir, that in view of the fact that our agreement was only for a period of three years in regard to the interest and the various portfolios in which the sterling balances were to be invested in England, was the question of interest and the change of portfolio considered during the negotiations which the hon. the Finance Minister had with the Chancellor of the Exchequer?

**Shri C. D. Deshmukh:** No, Sir. This was a continuation of the old agreement in which questions like the opening of two accounts and the rate of interest on the total corpus of the account were left in the state in which they were and the only question discussed was the rate of further releases over the period of six years.

**Shri Goenka:** May I draw the attention of the hon. the Finance Minister to the letter of Mr. Chanda in which it is definitely stated that it is understood between us that the arrangement set out in this resolution will remain in force for the extended period of the agreement, namely, three years from the date of the agreement which will end ordinarily in 1951?

**Shri C. D. Deshmukh:** That is right. I am not denying that. I said that many features of the old agreements were continued in the present agreement, as it was considered suitable on both sides and the only question that was discussed was the rate of releases. When the outstanding balance now is released as at the end of six years, then we shall be left with the position that there will be no problem of

sterling balances as such and that what is left as a currency reserve will be open to us to invest in accordance with central banking principles and the provisions in that respect of the Reserve Bank of India Act.

**Shri Goenka:** May I, therefore, understand, Sir, that after a period of six years, whatever sterling balance is left will be transferred from account No. 2 to account No. 1 and it will be at the option of the Indian exchequer to invest it in any securities they like?

**Shri C. D. Deshmukh:** That is my understanding, Sir. There will be no need then for two accounts and the whole of the balance left will be treated as an ordinary currency reserve to be dealt with as such reserves are usually dealt with.

**Shri Goenka:** May I know, Sir, if any letters have been exchanged between the hon. the Finance Minister and the Chancellor of the Exchequer recording this arrangement, and if so, will the hon. Finance Minister consider placing those letters on the Table of the House?

**Shri C. D. Deshmukh:** No letters have been exchanged, because that is implicit in the agreement.

**Shri Rathnaswamy:** Is it a fact that certain industrial and trade interests in India being dissatisfied with certain provisions of the Colombo Plan have raised serious criticisms against its implementation; if so what are the main criticisms levelled against it?

**Mr. Speaker:** Order, order. The hon. Member is entering into an argument.

**Shri R. Velayudhan:** May I know, Sir, whether the remark made by the Vice-Chairman of the Social and Economic Council of the United Nations, Sir A. Ramaswami Mudaliar, that because of production of war materials U. K. and U. S. A. will not be able to help the implementation of the Colombo Plan and the plan will remain only a plan, has come to the notice of Government?

**Mr. Speaker:** I do not see the connection of this with the main question.

**Shri R. Velayudhan:** This is connected with the Colombo Plan, Sir.

**Shri C. D. Deshmukh:** The question relates to the assistance which the sterling balance releases are likely to have on the Colombo Plan, and not the assistance which it is likely to receive from any other country.

**Shri T. T. Krishnamachari:** If I understood the hon. the Finance Minister correctly, he said that there is nothing on record so far as the transactions between himself and the Chancellor of the Exchequer of U. K. are concerned—or even a mention of the continuation of the previously agreed terms. Is it not contrary to the practice followed all along in regard to discussions—formal or informal?

**Shri C. D. Deshmukh:** I am afraid the hon. Member has misunderstood my answer. I said there is no correspondence in addition to what took place in the beginning in regard to the rate of interest payable on the total of the balances, as long as they are held. There was the usual exchange of letters, the gist of which was embodied by me in my statement, in regard to the nature of this third agreement. There is no further correspondence in regard to the rate of interest on the total of the balance. But the rest of the conditions in regard to release and how it is to be made, etc., are recorded in an exchange of letters.

**Shri T. T. Krishnamachari:** May I know if the hon. Minister would place those letters on the Table of the House so that if there is a lacuna the House may point it out to the Government?

**Shri C. D. Deshmukh:** Sir, the arrangement is that at the proper time this exchange of letters will be converted into an agreement and then the agreement, as usual, will be placed on the Table of the House. And the intention is to convert this very understanding into an agreement when it is signed as an agreement.

**Shri T. T. Krishnamachari:** When is the appointed time for the conclusion of the agreement finally?

**Shri C. D. Deshmukh:** Near about the time when the present Agreement expires.

#### COMMONWEALTH CONSULTATIVE COMMITTEE

\*2299. **Shri Goenka:** (a) Will the Minister of Finance be pleased to state who represented India in the Commonwealth Consultative Committee of South and South East Asia, which met in London in September, 1950?

(b) What was the nature and strength of the Delegation, including the status of the Officers from the Government of India, who assisted the Indian Members of the Consultative Committee?

The Minister of Finance (Shri C. D. Deshmukh): (a) The Government of India was represented by the Minister for Finance, the Governor of Reserve Bank of India and the High Commissioner for India in the U. K.

(b) The Leader and the members of the Delegation were assisted by officials from the Ministry of Finance, the Reserve Bank of India, and the Office of the High Commissioner for India in the United Kingdom. I lay a statement before the House giving the name and the status of the officers.

#### STATEMENT

*List of the Officials of the Indian delegation to the Commonwealth Consultative Committee meeting held in September, 1950*

Shri P. C. Bhattacharyya	Secretary of the Delegation and Joint Secretary, Ministry of Finance.
Shri K. N. Kaul	Financial Adviser to the High Commissioner for India in the United Kingdom.
Shri P. N. Haksar	Secretary for External Affairs to the High Commissioner for India in the United Kingdom.
Shri Narain Parasad	Director of Monetary Research, Reserve Bank of India.
Shri H. K. D. Tandon	Superintendent, Ministry of Finance.
Shri K. N. R. Ramanujam	Research Officer, Reserve Bank of India.

#### LOANS FROM INTERNATIONAL MONETARY FUND

\*2300. **Pandit M. B. Bhargava:** Will the Minister of Finance be pleased to state whether any loans were borrowed by the Government of India from the International Monetary Fund during the years 1949-50 and 1950-51?

The Minister of Finance (Shri C. D. Deshmukh): No, Sir

#### APPOINTMENTS IN MINISTRIES

\*2301. Shri Raj Kanwar: Will the Minister of Finance be pleased to state the number of new appointments, whether permanent or temporary, carrying a salary of Rs. 500 or more created during the current year 1950-51 (up till now) in each Ministry or Department of the Government of India?

The Minister of State for Finance (Shri Tyagi): A statement containing the required information is placed on the Table of the House. [See Appendix XVIII, annexure No. 2.]

Shri Raj Kanwar: From the statement a copy of which has been supplied to me I find that excluding the Indian Audit Department for which figures are not yet available, as many as 498 posts carrying a salary of Rs. 500 or more were created during the year 1950-51. May I know what is the total cost of these new appointments? The salary is not given in the statement.

Shri Tyagi: As the salaries are not given in the statement I am not in a position to give the total cost. But I might add for the information of the House that out of these 498 posts that were created, 83 posts were of a short duration and they have been abolished during the year.

Shri Raj Kanwar: May I know the total number of appointments carrying a salary of Rs. 500 or more in the whole of the Government of India at present?

Shri Tyagi: Naturally, Sir, I will require notice for such a wide question.

Shri Raj Kanwar: May I know whether there were any unusual circumstances which led to the creation of nearly 500 posts during a single year, or is this feature a normal feature of the administration?

Shri Tyagi: There was nothing very unusual, and as and when the work arose appointments were made according to the needs of the work. For instance my friend might have noticed from the statement that in the Rehabilitation Ministry 106 additional posts of Claims Commissioners were added. Since the Act came into being Claims Commissioners were needed. So 106 posts were created. Likewise in other Ministries also.

Shri Raj Kanwar: As against this expenditure what is the saving effected

under the head 'Establishment' in the various Ministries during the year?

Mr. Speaker: Is he in a position to give the lump sum figure of the economies effected?

Shri Tyagi: Sir, if the hon. Member is so anxious and would table a question I shall give it.

Shrimati Renuka Ray: Has a new appointment been made of a Deputy Financial Adviser attached to the Ministry of External Affairs and, if so, why has this post been created when there is already a Joint Financial Adviser and an Under Secretary?

Mr. Speaker: Order, order. She is going into an individual appointment.

Dr. M. V. Gangadhara Siva: May I know, Sir, whether the Minister has paid due attention to the 12½ per cent. representation of the scheduled castes when these appointments are made and, if so, what is their number?

Shri Tyagi: Every new post when suggested is duly considered in the first instance by the Ministries in which these posts are created and then they come to the Finance Ministry for final sanction, thus the appointments are sanctioned after due consideration.

Shri Kamath: As against the new posts, 496 in number, carrying salaries of Rs. 500 and over which have been created, how many posts of Rs. 500 or over or under have been retrenched in the same Departments?

Shri Tyagi: Retrenchment is a different question altogether. This is about appointments.

Shri Kamath: That I know.

Mr. Speaker: Order, order.

Shri Kesava Rao: Out of these 496 appointments may I know in how many cases the persons were selected by the Union Public Service Commission and in how many they were appointed by the Ministries themselves?

Shri Tyagi: This again requires further enquiry.

#### STAFF CARS IN MINISTRIES

\*2308. Shri Sonavane: (a) Will the Minister of Finance be pleased to state what is the number of staff cars at present in all the Ministries of the Government of India in use all over India and abroad?

(b) Were the staff cars introduced during the war?

(c) What is the expenditure incurred over the running and maintenance of these staff cars in the year 1950-51?

(d) Who are allowed the use of these cars?

(e) Is it absolutely essential to have these staff cars in view of the measure of economy in these days?

**The Minister of State for Finance (Shri Tyagi):** (a) and (c). The information is not readily available. It is being collected and will be laid on the Table of the House in due course.

(b) Yes, so far as the Headquarters of the Government of India are concerned. Information in regard to others is being collected and will be laid on the Table of the House in due course.

(d) All officers engaged on official duty.

(e) The matter is now under consideration and it is hoped that as a measure of economy it will be possible to reduce the existing number of cars.

**Shri Sonavane:** May I know what is the total economy effected in this during the year?

**Mr. Speaker:** He said it is going to be considered now.

**Shri Sonavane:** I want to know whether there is any economy effected at all or not.

**Shri Tyagi:** As I have said, the matter is receiving the consideration of the Government. We are going to effect economies. In fact last year the total expenses came to Rs. 1,68,000 and odd. I hope next year it will be less than that.

**Shri Sonavane:** May I know how the work was managed prior to the introduction of these staff cars in the various Departments?

**Shri Tyagi:** Previous to the war there were no staff cars in use in the government headquarters. Since the war, because the various Ministries and other offices are spread over practically the whole of Delhi, staff cars were needed and they came into vogue during the war.

**Shri Rudrappa:** May I know whether it is not a fact that these staff cars have been used for purposes for which they are not meant?

**Mr. Speaker:** Order, order. He is making an insinuation and that too very generally.

**Shri Sonavane:** Is the hon. Minister aware that these staff cars are misused by the officers?

**Mr. Speaker:** Order, order. I am not going to allow that question.

**Shri Kamath:** Is it a fact that Dr. John Matthai, the Finance Minister who resigned last year, gave an assurance to the House that no staff car would be ordered by any Ministry unless the Finance Ministry was consulted and approved of it, and may I know whether that procedure is being followed now?

**Shri Tyagi:** Yes.

**Shri Sidhva:** How many new cars were purchased last year?

**Mr. Speaker:** Shall we go into all those details?

**Shri Sidhva:** I want to know the number of new cars purchased.

**Mr. Speaker:** I find half a dozen Members anxious to put questions. So I will go to the next question.

#### PUBLIC AND PRIVATE INSTITUTIONS

\*2309. **Shri Raj Kanwar:** Will the Minister of Education be pleased to state:

(a) whether there are any recognised public or private institutions in the Centrally Administered areas, in which training is imparted in such fine arts as (i) music, both instrumental and vocal; (ii) dancing; (iii) painting; (iv) sculpture and (v) architecture;

(b) if the reply to part (a) above be in the affirmative, their number, the places where they are located and the amount of financial assistance given by Government to each such institution?

مستتر آف ایجوکیشن (مولانا آزاد):

(ا) اور (ب) ایک استیٹ منٹ

ہاؤس کی توہل پر رکھ دیا گیا ہے۔

**The Minister of Education (Maulana Azad):** (a) and (b). A statement is placed on the Table of the House. [See Appendix XVIII, annexure No. 3.]

جی راج کنبور: माननीय शिक्षा मंत्री जी ने जो मुझे नकशा दिखा है उस से यह मालूम होता है कि गवर्नमेंट बार प्राइवेट इंस्टीट्यूशन को इमदाद दे रही है, जिन में एक को १०० रुपया सालाना, एक को २७०० रुपया, एक को १५ हजार रुपया

बीर एक को १२०० खपादिया जाता है ।  
तो क्या मैं यह दरियाफ्त कर सकता  
कि गवर्नमेंट के पास कोई ऐसी स्कीम है  
कि दिल्ली में, जो कि देश की राजधानी  
है, एक फाइन आर्ट्स के लिये रंग्यूलर  
स्कूल ओपन किया जाय ?

[Shri Raj Kanwar: From the statement given to me by the hon. Minister it appears that Government are giving financial assistance to four such institutions to the extent of Rs. 100/- per annum to one, Rs. 2,700/- to another, Rs. 15,000/- to the third and Rs. 9,200/- per annum to the fourth institution. May I know whether Government have any scheme to start a regular school of fine arts in Delhi, the capital of the country?]

مولانا آزاد : گورنمنٹ کے پاس  
ایسی بہت سی اسکیمیں ہیں - لیکن  
فائنڈ - ہیل ٹیفیکلٹیز کی وجہ سے ہانہ  
بندھے ہوئے ہیں -

[Maulana Azad: Government have many such schemes but they are bound by financial difficulties.]

Mr. Speaker: I think we better proceed to the next question.

#### CO-OPERATIVE HOUSING SOCIETIES

\*2310. Sardar Hukam Singh: (a) Will the Minister of Health be pleased to place on the Table of the House a list of all the Co-operative Housing Societies which have so far been registered in Delhi State since 1945 showing the date of registration of each Society?

(b) Which of these Societies are of Central Government Servants and which are of those of local bodies, etc.?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). A list containing the required information is placed on the Table of the House. [See Appendix XVIII, annexure No. 4.]

Sardar Hukam Singh: May I ask whether any special facilities over and above what other persons got have been provided to these Co-operative Societies in building these houses?

Rajkumari Amrit Kaur: From the list it will be seen that there are 74 Co-operative House Building Societies

which have been registered in Delhi State and 11 consist mainly of Government Servants. 11 Societies in all including 4 of Government Servants entirely do not require any financial help but they require assistance in getting land, and necessary enquiries in regard to giving them this land have been initiated by the Delhi local administration. Then the Delhi State Government has undertaken a scheme of rehabilitation of displaced persons in 2 places and 4 Co-operative Societies have been registered and 68 houses have in all been constructed under the scheme. I do not know what further information the hon. Member would like to have.

Sardar Hukam Singh: May I know what proportion of the total area allotted has gone to those Co-operative Societies?

Rajkumari Amrit Kaur: I could not tell the exact area that is under my Ministry, but I know that 2,000 acres of Improvement Trust land have been made over to the Ministry of Rehabilitation for rehabilitating displaced persons and I believe that some Co-operative Societies have been formed there also. Then steps have been taken to provide 600 acres of land to the refugee Co-operative House Building Society near Shakur Basti.

शुक्ला बचिंत राम : क्या माननीय मंत्रीजी  
कृपा करके बतायेंगे कि ऐसी हाउसिंग  
कोऑपरेटिव सोसायटीज कितनी हैं जिनको  
रजिस्टर करवाने के लिये डिस्प्लेस्ड परसन्स  
ने दरखास्त दी हो, अर्पलाई किया हो ?

[Lala Arhint Ram: Will the hon. Minister be pleased to state the number of such Co-operative housing societies for the registration of which the displaced persons had applied?]

राजकुमारी अमृत कौर : यह तो मुझे  
नहीं मालूम कि कितनों ने दरखास्त दी  
और कितनों की दरखास्तें मंजूर हुईं ।  
लेकिन लिस्ट को आप देख लें, उससे  
मालूम हो जायगा कि कितनों की दरखास्तें  
मंजूर हुईं हैं ।

[Rajkumari Amrit Kaur: I cannot say how many applications were received and how many were granted. But if the hon. Member would see the list he will know the number of applications granted.]

**Shri Jnani Ram:** Do Government propose to organize such Societies in other parts of Centrally Administered Areas.

**Rajkumari Amrit Kaur:** In other parts of the country that is again for the State Governments.

**Mr. Speaker:** Next question.

#### OIL WELLS NEAR MANIPUR ROAD

\*2311. **Shri J. N. Hazarika:** Will the Minister of Natural Resources and Scientific Research be pleased to state:

(a) whether it is a fact that Naga Hills contain Oil and a party of engineers have been digging oil wells near about Manipur Road; and

(b) if so, when the actual drilling will be started, and with what prospects?

**The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa):** (a) and (b). It is understood that the Assam Oil Company have started preliminary work during the last few weeks on a test well near the place where the Manipur Road enters the Naga Hills. The Geological Survey of India advise that it is not possible to state the results of an oil well till it is drilled.

**Shri J. N. Hazarika:** May I know whether in any way the working of the oil wells has been hampered by the Naga tribal people?

**Shri Sri Prakasa:** The Government of India had a telegram from some Naga people protesting against the Government of Assam giving this privilege to the Oil Company to prospect this place, and we are in communication with the Government of Assam on the subject.

**Shri J. N. Hazarika:** May I know what are the reasons for such complaint?

**Mr. Speaker:** He has said that he is investigating.

**Shri Sri Prakasa:** If I may say so, I had to deal with this problem when I was in Assam. The Naga people feel that the Government of Assam should have no part or lot in the Naga Hills, and that they should have an independent existence altogether. They, therefore, fear that any prospecting of this place which is included in the Naga Hills, will interfere with their autonomy. That is the reason why they are objecting to this.

**Shri J. N. Hazarika:** May I know whether it is a fact that the Burmah Oil Company (Indian Concessions)

Ltd., undertook prospecting and drilling operations in Tiru Hill and Barsala but consequently abandoned them. If so, what are the reasons?

**Shri Sri Prakasa:** It is a fact that the Assam Oil Company did prospect the Tiru Hill, but they abandoned it because they did not see any hope of oil there.

**Shri J. N. Hazarika:** Is the Company now making preparations for geo-physical survey and prospecting to the east of Digboi? If so with what results?

**Shri Sri Prakasa:** The Government of Assam have given this Company some privileges to carry on investigations and they have consulted us also. We are in communication with the Government of Assam on the subject. In the meantime the Government of Assam have been allowed at their own risk, to give the privileges in this behalf, that they may think desirable.

**Maulvi Wajed Ali:** Is it a fact that oil was also traced in Patharia Hills falling within the State of Assam? Is boring work being carried out there?

**Shri Sri Prakasa:** That region is also being surveyed.

**Shri T. N. Singh:** May I know whether the Government of Assam has a free hand in giving these prospecting permissions without consultation of the Government of India?

**Shri Sri Prakasa:** No, Sir. They have not that right; they always consult us, but in this particular case we gave them authority to permit parties to carry on these investigations at their own risk.

**Shri J. N. Hazarika:** I want to know whether the Government has any plan to nationalize any oil that may be found out in any State?

**Mr. Speaker:** Order, order. Hypothetical both ways. Next question.

#### CRASH OF I.A.F. PLANE NEAR POONA

\*2313. **Shri Rathnaswamy:** Will the Minister of Defence be pleased to state:

(a) whether an I.A.F. plane crash- ed near Poona on the 7th February, 1951 and if so, under what circumstances;

(b) whether there were any occupants in it other than the pilot and how many more were killed; and

(c) whether Government propose to institute an inquiry into this accident?



**The Deputy Minister of Defence (Major-General Himatsinhji):** (a) and (c). Yes. A Tempest aircraft crashed near Pooona on the 7th February, 1951. The circumstances under which the plane crashed are not known, but are being investigated by a Court of Enquiry convened for the purpose.

(b) No. The pilot, who was the sole occupant, was the only person killed.

**Shri Rathnaswamy:** May I know how many I.A.F. planes were involved in such accidents during the last twelve months and how many persons were killed or injured?

**Major-General Himatsinhji:** In 1950, we had ten casualties.

**Shri Rathnaswamy:** May I know whether, as in the case of civilian planes, these I.A.F. planes are insured against accidents?

**Major-General Himatsinhji:** No; we feel that the cost is not justified.

**Shri Rathnaswamy:** What is the amount of compensation paid by Government during the last 12 months to the persons killed or injured in such accidents?

**Major-General Himatsinhji:** Compensation and pension are paid according to the scales laid down for each individual person in accordance with his rank.

**Shri Rudrappa:** Is this the same plane which was purchased last year?

**Major-General Himatsinhji:** I cannot give the date of purchase of the plane.

LAKE MEDICAL COLLEGE HOSPITAL,  
CALCUTTA

\*2314. **Shri B. K. Das:** (a) Will the Minister of Health be pleased to refer to the reply given to supplementary questions put in connection with Starred Question No. 242 on the 22nd November, 1950, regarding the Lake Medical College Hospital, Calcutta and state whether it has since been decided to close down the Hospital?

(b) If so, what are the reasons for such decision?

(c) What steps have been taken to effect the closure?

(d) From which date will the hospital be closed?

(e) How will the assets be disposed of?

**The Minister of Health (Rajkumari Amrit Kaur):** (a) The Lake Medical College Hospital forms an integral part of the Lake Medical College and both the institutions will be closed down simultaneously.

(b) The College with the attached Hospital was started in 1947 for a period of five years for providing facilities to demobilised licentiate medical officers to train them for the M.B. degree and this period will be over in 1952. It is not considered desirable to prolong the life of the institution as the structures in which it is housed are all temporary, war-time ones and the cost of their maintenance is very high. The Government of West Bengal who were asked whether they would take over the institution have stated that they do not propose to do so.

(c) to (e). An officer from the Directorate General of Health Services was sent to Calcutta to discuss the steps to be taken to close down this institution with the local authorities. The closing down will be by stages and the process is expected to be completed by September, 1952. The question of disposing of the assets is under examination.

**Shri B. K. Das:** May I know whether it has been ascertained as to what would be the cost of maintaining the hospital alone, leaving out the College?

**Rajkumari Amrit Kaur:** I think it would be about 26 lakhs a year.

**Shri B. K. Das:** Is the Government aware that there has been considerable agitation in the Press and on the platform in Calcutta, over the closure of this College?

**Rajkumari Amrit Kaur:** I know there has been agitation and I would have loved to continue this College and hospital. But it is impossible to do so owing to the cost of the maintenance of the building which works out to over 3 lakhs. The Government of Bengal also has written to say that they are not willing to continue the hospital, even if the College were closed down, in what they have called ramshackle buildings, which will not be an economic proposition to them.

**Shri A. C. Guha:** Is it a fact that even now a large number of these demobbed medical men are yet to be given their graduate training?

**Rajkumari Amrit Kaur:** No. All those for whom the college was originally started, that is, military personnel, have been given training. In fact, we have given training to civilian doctors as well.

**Shri A. C. Guha:** Is it the policy of Government that not only military personnel, but also civil medical

students who have passed their medical courses, should be given graduate training and may I know whether this college was utilised for that purpose also?

**Rajkumari Amrit Kaur:** I am saying that civilian doctors have also been allowed facilities for training for getting their degrees.

**Shri A. C. Guha:** Are not large numbers of students still waiting?

**Rajkumari Amrit Kaur:** Yes, Sir. Many of the other State Governments have instituted short term courses in their colleges to give facilities to such doctors as want training.

**Shri Kamath:** Is it a fact that when the Minister visited this College a couple of years ago, she promised this college aid from the Centre for its growth and expansion, and if so, has the Minister considered whether it is possible to find a sum of three lakhs by saving on such projects as the Government Housing Factory?

**Mr. Speaker:** Order, order.

**Shri A. C. Guha:** Has Government considered what would be the cost of capitalising that institution by making permanent repairs instead of making annual repairs?

**Rajkumari Amrit Kaur:** It would cost a very great deal to build a new hospital with 750 beds.

#### DISPLACED GOVERNMENT EMPLOYEES

\*2315. **Shri Sidhva:** Will the Minister of Home Affairs be pleased to refer to the reply to a supplementary question to Starred Question No. 409 asked on 21st February, 1950, and state:

(a) how many displaced Government employees from Sind and North West Frontier Province were confirmed upto 21st February, 1950, and how many thereafter up-to-date;

(b) how many of such employees have not been confirmed so far; and

(c) when they are likely to be confirmed?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) and (b). The information is being collected and will be placed on the Table of the House.

(c) Confirmation would await the implementation of certain Service Schemes which have either been approved or are under consideration.

**Shri Sidhva:** What is the policy of Government regarding these displaced persons from Sind and the North-West Frontier Province?

**Shri Gadgil:** The policy is that all permanent Central Government employees displaced as a result of the Partition have been found permanent appointments in India and where necessary supernumerary permanent posts have been created for them. This applies also to the former employees of Baluchistan who are now treated as Central Government employees. Government servants from Sind and the North-West Frontier Province have not been accorded that status; they were absorbed in service in the Government only on a temporary basis and not many of them have, in fact, been confirmed yet.

**Shri Sidhva:** May I know whether they are to be confirmed when this policy is decided upon or whether they will be retrenched later on?

**Shri Gadgil:** As I have said, confirmation would await the implementation of certain Service Schemes which have either been approved or are under consideration. For the information of my hon. friend, I may tell him that there is first the Central Secretariat Service Re-organisation and Reinforcement Scheme, which covers the grades of Under Secretaries, Superintendents, Assistant Superintendents, and Assistants. Then, there is the Central Secretariat Clerical Service Scheme, and the third is the Central Secretariat Stenographers Service Scheme.

**Shri Sidhva:** May I know whether it is a fact that according to the Home Ministry resolution, these displaced persons from Sind and Baluchistan are not to be retrenched, until they are confirmed and if so, will the hon. Minister tell me whether that policy is followed?

**Shri Gadgil:** I cannot give anything like a definite answer just now.

**Lala Achint Ram:** Will the Government be pleased to state whether they propose to compensate the refugee Government employees who have not been confirmed on account of conditions beyond their control?

**Shri Gadgil:** I do not know whether it arises out of the question. The question of compensation is linked up with a bigger question and naturally, it is for the Prime Minister to answer.

**Thakur Krishna Singh:** Is it a fact that after the Partition, the Government of India passed an order that all vacant posts should be filled up only by displaced persons coming from West Punjab, Sind and the North-West Frontier Province?

**Shri Gadgil:** I do not think that that is the exact text of the order. What I am able to say is that as far as possible, a certain percentage of vacancies was reserved for persons coming from West Punjab.

**Shri Sidhva:** May I know whether these displaced persons from Sind and the North-West Frontier Province have been retrenched and if so, what is their number?

**Shri Gadgil:** I require notice.

**Sardar Hukam Singh:** May I know if there were any special reasons for discriminating against these refugees and not giving them the status of Central Government employees as was accorded to the refugees from Punjab, Baluchistan and other provinces?

**Shri Gadgil:** As already stated by me, those who were already in the employ of the Central Government before the Partition, were all absorbed and in some cases special posts were created. The Baluchistan employees were also considered as Central Government employees. Further than that, it was not possible to absorb them immediately. Therefore, they were considered as in temporary service. All possible efforts are being made to take them in as large a number as possible. That would naturally wait the implementation of these Service Schemes.

**Mr. Speaker:** The Question hour is over.

#### WRITTEN ANSWERS TO QUESTIONS ARMS FOR BORDER AREAS

\*2302. **Seth Govind Das:** Will the Minister of Home Affairs be pleased to state whether special facilities have been provided to the residents of border areas to keep arms for purposes of defence?

**The Minister of Works, Production and Supply (Shri Gadgil):** The defence of the border rests on the Security Forces of Government. In order, however, to enable people to meet individual and sporadic attacks a liberal policy of licensing firearms is followed in the border area. Special training in the use of firearms has been given in one State to residents of the border; and in some cases, firearms and ammunition have been provided at Government expense.

#### MINISTRY OF HOME AFFAIRS (TRAVELLING ALLOWANCES)

\*2303. **Prof. K. T. Shah:** Will the Minister of Home Affairs be pleased to state the amount spent on account of

travelling allowances in India and outside India separately for (i) the Honourable Minister; (ii) the Public Servants in his Ministry; and (iii) members of the non-official public travelling on the business of, or connected with the work of, the Ministry, in the years 1946-47, 1947-48 (Post Partition), 1948-49 and 1949-50?

**The Minister of Works, Production and Supply (Shri Gadgil):** A statement is placed on the Table giving full details asked for regarding travelling expenses incurred in this Ministry. [See Appendix XVIII, annexure No. 5.]

#### MINISTRY OF EDUCATION (TRAVELLING ALLOWANCES)

\*2304. **Prof. K. T. Shah:** Will the Minister of Education be pleased to state the amount spent on account of travelling allowances in India and outside India separately for (i) the Honourable Minister; (ii) the Public Servants or Officials of his Ministry's and (iii) members of the non-official public travelling on the work of, or in connection with the work of, the Ministry, in 1946-47, 1947-48 (Post Partition), 1948-49 and 1949-50?

**The Minister of Education (Maulana Azad):** A statement giving the requisite information is placed on the Table of the House. [See Appendix XVIII, annexure No. 6.]

#### MINISTRY OF HEALTH (TRAVELLING ALLOWANCES)

\*2305. **Prof. K. T. Shah:** Will the Minister of Health be pleased to state the amount spent on account of travelling allowances in India and outside India separately for (i) the Honourable Minister; (ii) the Public Servants or Officials of the Ministry; and (iii) members of the non-official public travelling on the work of, or in connection with the work of, the Ministry in 1946-47, 1947-48 (Post Partition), 1948-49 and 1949-50?

**The Minister of Health (Rajkumari Amrit Kaur):** A statement is laid on the Table of the House. [See Appendix XVIII, annexure No. 7.]

#### VISITORS FROM EUROPEAN COUNTRIES

\*2306. **Pandit Munishwar Datt Upadhyay:** Will the Minister of Home Affairs be pleased to state:

(a) which European country sent the largest number of visitors to India in 1950;

(b) whether they were tourists or they came here on business; and

(c) how many Americans and Russians came to India in 1950?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) and (b). Total visas granted to visitors from all European countries number 3,386. France was the European country which sent the largest number of visitors to India in 1950. 539 visas were granted, out of which 38 were classed as tourists and 88 as businessmen. Missionaries, technicians, dentists, artists, officials, etc. counted 413.

(c) 3,892 visas were granted to American visitors and 85 to Russian visitors.

#### EXEMPTION FROM FIRE ARMS LICENCES

\*2307. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Home Affairs be pleased to state what is the policy of Government in respect of exemption from licences for fire arms enjoyed by Taluqdars of Oudh, some retired military officers, etc.?

(b) Do Government propose to liberalise the policy of issue of licences for firearms?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) I invite the attention of the hon. Member to the Press note dated the 22nd May, 1950, of which a copy was laid on the Table of the House in answer to Starred Question No. 654 asked by Shri V. K. Reddy on the 5th December, 1950. Taluqdars of Oudh have ceased to enjoy the exemption which they had previously enjoyed, with effect from the 1st August, 1950. Retired military officers as such were not entitled to exemption, nor are they exempted under the revised Schedule.

(b) The policy of the Government of India is that licences for arms for self protection should be issued as liberally as possible consistent with security against misuse.

#### FOREIGN EXCHANGE REGULATION ACT

\*2312. **Shri Kishorimohan Tripathi:** (a) Will the Minister of Finance be pleased to state the number of cases in respect of violation of the Foreign Exchange Regulation Act that were brought to notice during the year 1950-51?

(b) In how many cases were persons concerned tried and punished?

**The Minister of Finance (Shri C. D. Deshmukh):** (a) During the period from January, 1950 to the 15th February, 1951, for which information has been collected, 363 cases, involving

alleged breaches of the Foreign Exchange Regulation Act came to notice.

(b) During the same period 93 cases came up for trial resulting in punishments in 55 cases. In addition, departmental penalties were awarded under the Sea Customs Act in 34 cases.

#### क्षय रोग

\*२३१६. श्री बी० ऐस० आर्य : क्या स्वास्थ्य मंत्री यह बतलाने की कृपा करेंगी कि:

(क) सन् १९५० में दिल्ली के क्षय रोग के अस्पतालों में तथा अन्य उन अस्पतालों में जहाँ उक्त रोग के रोगियों की चिकित्सा की सुविधाएँ प्राप्य हैं, क्षय रोग के कितने रोगियों को चिकित्सा के निमित्त दाखिल किया गया ; तथा

(ख) कितने रोगी स्थानाभाव के कारण दाखिल न हो सके ?

T. B.

[\*2316. **Shri B. S. Arya:** Will the Minister of Health be pleased to state: (a) the number of T.B. patients who were admitted during the year 1950 in the T.B. Hospitals or other hospitals of Delhi where such facilities exist; and

(b) how many of them could not get admission for lack of beds?]

**The Minister of Health (Rajkumari Amrit Kaur):** (a) 199 and 430 T.B. patients were admitted during 1950 in the Silver Jubilee Tuberculosis Hospital, Delhi and the New Delhi Tuberculosis Clinic respectively, thus making a total of 629.

(b) 408 patients could not get admission for lack of beds.

#### EXPENSES OF THE AGA KHAN

\*2317. **Shri M. P. Mishra:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that money is allowed to leave this country to meet the expenses of the Agha Khan abroad; and

(b) whether any taxes including the income tax are levied on this money?

**The Minister of Finance (Shri C. D. Deshmukh):** (a) No, Sir.

(b) Income-tax is levied on the Indian income of the Agha Khan.

#### DIRECTOR OF PUBLIC RELATIONS OFFICES

\*2318. Shri Jagannath Das: (a) Will the Minister of Information and Broadcasting be pleased to state the emoluments and work of the Director of Public Relations Offices of the All-India Radio?

(b) Are any Public Relations Officers attached to radio stations all over India and if so, what are the names of such stations?

(c) What are the emoluments of such Public Relations Officers?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) The Director of Public Relations draws emoluments in the scale of Rs. 800—40—1000—50—1400. His duties are:

(i) Direction of All India Radio's public relations.

(ii) Production and supervision of written and photographic publicity material, and of departmental reports.

(iii) General, administrative, financial and technical control of All India Radio journals; and

(iv) Co-ordination of publicity at all A.I.R. centres.

(b) There are five Public Relations Officers—one each at Calcutta, Nagpur, Bombay, Lucknow and the External Services Division (Delhi).

(c) The Public Relations Officers draw emoluments in the scale of Rs. 450—25—500—E.B.—30—800.

#### RECEPTIONISTS AND POLICEMEN LOOKING AFTER SECRETARIAT

\*2319. Shri Jagannath Das: Will the Minister of Home Affairs be pleased to state:

(a) the number of receptionists and policemen looking after the Secretariat of the Government of India for the years 1946, 1947 and 1950; and

(b) the expenditure incurred during these years?

The Minister of Works, Production and Supply (Shri Gadgil): (a) and (b). A statement is placed on the Table.

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#### STATEMENT

The number of receptionists and policemen (security guards) looking after the Secretariat (North and South Block) for the years 1946, 1947 and 1950 and the expenditure incurred on pay and allowances during these years.

Year	Receptionists	Guards	Expenditure
1946	12	122	Rs. 1,06,53 <sup>8</sup>
1947	12	167	Rs. 1,16,504
1950	14	188	Rs. 1,84,541

#### TEMPLE OF MARKANDEYA

\*2320. Shri Kannamwar: (a) Will the Minister of Education be pleased to state whether it is a fact that the ancient temple of Markandeya at Markanda in Madhya Pradesh is in a dilapidated condition?

(b) How much amount has been spent by the Archaeological Department over the repairs of this temple in the years 1948-49 and 1949-50?

(c) Do Government propose to make any provision for the repairs of the *Buruj* of the temple?

The Minister of Education (Maulana Azad): (a) No, Sir. The temple is in a fair state of preservation.

(b) During 1948-49 the expenditure was Rs. 46. No expenditure on repairs was incurred during 1949-50.

(c) Any special repairs that may be necessary, will be carried out during the next year.

#### URDU SCRIPT FOR SINDHI TEXT BOOKS

\*2321. Shri Balwant Sinha Mehta: (a) Will the Minister of Education be pleased to state whether it is a fact that instructions were issued to use Urdu script instead of Hindi for Sindhi Text books in Ajmer Merwara?

(b) If so, what led to change the previous decision?

(c) Was there any demand for such a change from the public?

The Minister of Education (Maulana Azad): (a) to (c). No such instructions were issued. A copy of the Press note embodying the latest decision of the Government to use both Arabic and Devnagri scripts is laid on the Table of the House. [See Appendix XVIII, annexure No. 8.]

## ZAWAR MINES

\*2322. Shri Balwant Sinha Mehta:

(a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether it is a fact that Zawar mines are the only important source of lead and zinc in the whole of India?

(b) If so, what is the output per year?

(c) Is it a private concern or a Government one?

(d) If it is a private one, for how many years have they been leased to and on what basis?

(e) Is it a fact that Silver is also extracted from lead-zinc ore and if so, what is its percentage?

(f) Are these mines taken into account in the Colombo Plan and if not, why not?

The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa): (a) The Geological Survey of India report that although small deposits of lead ore have been recorded in various places in India, the most important are those of Zawar in Mewar, Udaipur (Rajasthan).

In regard to Zinc, the Geological Survey of India report that the only deposit so far known is the Zawar lead-zinc ores.

(b) The Geological Survey of India have figures of ore produced from this mine for the years 1946, 1947 and 1948.

These are as follows:

Year	Ore produced.
1946	3810 tons.
1947	5743 tons.
1948	6172 tons.

It is understood that the Company to whom the Government of Rajasthan have leased the mine concentrate their attention on the lead ore only and are not mining for zinc because due to lack of adequate water supply and cheap electric energy the working of a plant for concentrating zinc is not feasible.

(c) and (d). The mines belong to the Government of Rajasthan and have been leased by them to the Metal Corporation of India Ltd., for a period of 20 years. A copy of the lease is placed on the Table of the House. [See Appendix XVIII, annexure No. 9.]

(e) No, Sir.

(f) No, Sir. The Colombo Plan covers schemes which are operated

either by Government alone or in joint partnership with private enterprise.

## CENTRAL STATE SCHOLARSHIPS

\*2323. Shri M. Naik: (a) Will the Minister of Education be pleased to state the policy underlying the award of Central State Scholarships?

(b) What was the provision under this head during the financial year 1950-51 and also during the years 1947-48, 1948-49 and 1949-50?

(c) What is the number of recipients of these Scholarships during the year 1950-51?

The Minister of Education (Maulana Azad): (a) The Central State Scholarships are awarded with a view to encouraging higher education of meritorious candidates belonging to Centrally Administered States.

(b) A sum of Rs. 19,600 for 1950-51, Rs. 42,000 for 1947-48, Rs. 60,000 for 1948-49, and Rs. 20,000 for 1949-50, has been provided.

(c) Two scholarships have been awarded during 1950-51.

## ASSAULT BY MILITARY PERSONNEL IN JUBBULPORE

\*2324. Shri Kamath: Will the Minister of Defence be pleased to refer to the answer to Unstarred Question No. 104 asked on the 21st February, 1951, regarding assault by military personnel in Jubbulpore and state what stage the trial by General Court Martial has reached?

The Deputy Minister of Defence (Major-General Himatsinghji): The trial concluded on the 23rd February, 1951. The case is, however, *sub judice* and a month is likely to elapse before it is finalised.

## GOVERNMENT HOUSING FACTORY

\*2325. Shri Kamath: Will the Minister of Health be pleased to state:

(a) who signed the contract for the Government Housing Factory on behalf of Government and on what date the contract was signed;

(b) what was the authority on which the contract was signed, what is the date on which such authority was issued, and by whom it was issued; and

(c) on what date Mr. Shanmukham Chetty left England for India after concluding the sterling balances negotiations there in 1948?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Agreement for

the setting up of the Government Housing Factory was signed by the Secretary to the Government of India, Ministry of Health, on the 12th October, 1948.

(b) The Agreement was signed on the basis of the decision taken by the Cabinet at their meeting held on the 20th July, 1948.

(c) 9th July, 1948.

#### INCOME TAX

\*2326. **Shri Kishorimohan Tripathi:** Will the Minister of Finance be pleased to state:

(a) the total number of income-tax assesses in India falling under each of the following categories and the amount of tax collected from each category of assesses during the years 1948-49 and 1949-50:

- (i) those who pay less than Rs. 100 as tax, a year;
- (ii) those who pay more than Rs. 100 but less than Rs. 500 a year;
- (iii) those, who pay more than Rs. 500 but less than Rs. 1,000 a year; and
- (iv) those who pay more than Rs. 1,000 a year; and

(b) what was the highest assessment of income-tax in respect of any individual assessee and the lowest assessment during the above period?

**The Minister of Finance (Shri C. D. Deshmukh):** (a) I lay on the Table a statement showing the required information. [See Appendix XVIII, annexure No. 10.] The classification shown therein is approximate only as it is based on the averages of demand levied on groups of income assessed in the relevant years.

(b) The information asked for is not readily available.

#### I.A.S. (PART B STATES)

\*2327. **Shri Sarwate:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Government of India have decided to take in the Indian Administrative Service a fixed number of the employees of Part 'B' States:

(b) if so, how many;

(c) who is the final Authority, who makes the selection;

(d) whether the Ministry of States is consulted, or has a say, in the selection; and

(e) what is the number of those who have been taken in so far, and from which of the Part 'B' States?

**The Minister of Works, Production and Supply (Shri Gadgil):** (a) and (b). No fixed number has been prescribed. At the time of the initial constitution of the Indian Administrative Service Cadres in the Part 'B' States, as many of the State Civil Service officers as are found suitable for the Indian Administrative Service, will be appointed up to the sanctioned strength of the Cadre. The balance of vacancies will be filled by direct recruitment or transfer of Indian Administrative Service officers from outside the States concerned. In the future maintenance of such Cadres, 25 per cent. of the senior posts shall always continue to be filled by such further promotions as may be necessary of State Civil Service officers.

(c) The Government of India on the recommendation of the Special Recruitment Board constituted for the purpose.

(d) The Minister in charge of Home Affairs is responsible for the subject of recruitment and control of the Indian Administrative Service. I am not prepared to state whether in the discharge of these duties, the Ministry of States or any other Ministry is or is not consulted.

(e) Selections are still in progress and no appointments to the Indian Administrative Service cadres in Part 'B' States have yet been made.

#### MUSEUM AT THE TAJ MAHAL, AGRA

\*2328. **Maulvi Wajed Ali:** (a) Will the Minister of Education be pleased to state whether there was a museum at the gateway to the Taj Mahal, Agra, which has since been removed therefrom?

(b) Is it a fact that the said museum contained old photos of the Taj and other relics of historical interests to the visitors to the Taj Mahal?

(c) When and where have the said relics been removed from the Taj museum?

**The Minister of Education (Maulana Asad):** (a) Yes, Sir. There was a museum which has been closed down.

(b) The museum contained a few old photos of the Taj and some other minor antiquities pertaining to the monument. It also contained a number of heterogeneous antiquities discovered in the district of Agra.

(c) Exhibits which were not related to the Taj, were transferred in 1939

to the Delhi Fort Museum, Provincial Museum, Lucknow, Allahabad Municipal Museum, Thomason College Hospital, Agra and Office of the Superintendent, Department of Archaeology, Frontier Circle, Lahore.

#### SIBDOL TEMPLE IN ASSAM

\*2329. **Maulvi Wajed Ali:** Will the Minister of Education be pleased to state how far progress has been made for replacing the Golden dome of the ancient Sibdol Temple in Sibsagar, Assam and when it is likely to be replaced?

**The Minister of Education (Maulana Azad):** It is not possible to replace the Golden dome of the Sibdol Temple unless special repairs are carried out on a large scale to the temple itself. It is hoped to start the repair work early next year.

#### PENSION RULES OF MILITARY PERSONNEL

\*2330. **Giani G. S. Musafir:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the question of liberalization of the Pension Rules of the Military personnel has long been under the active consideration of Government;

(b) if the answer to part (a) above be in the affirmative, the reason for delay; and

(c) how long more Government will take to come to a final decision?

**The Deputy Minister of Defence (Major-General Himatsinghji):** (a) and (b). An Inter-Departmental Committee, which was set up to review the pension rules for personnel of the Armed Forces, submitted its report on the 1st August, 1950. Its recommendations were not unanimous. They are now being examined by Government. This examination, particularly as the report was not unanimous, will necessarily take some time. It will be realised that the pensionary rules are numerous and complex and their revision involves considerable financial implications.

(c) It is hoped that the final decision on the main recommendations of the Committee will be reached within the next few months.

#### PENSION RULES OF GOVERNMENT EMPLOYEES

\*2331. **Giani G. S. Musafir:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government have recently liberalised the

Pension Rules of the Government of India employees;

(b) whether it is a fact that the liberalization of the Contributory Provident Fund Rules have long been under the active consideration of Government;

(c) if the answers to parts (a) and (b) above be in the affirmative the reason for delay in the decision; and

(d) how long more Government will take to come to a final decision in this matter?

**The Minister of Finance (Shri C. D. Deshmukh):** (a) Government have revised the pension rules. The main object of the new rules however was not to increase the overall pensionary benefits but to introduce, as recommended by the Central Pay Commission, some provision for the grant of gratuities and pensions to the families in the event of the death of a Government servant. The new rules provide for death gratuities and family pensions but the rates of ordinary retiring pensions have been reduced. Attention is also invited to my reply to Unstarred Question No. 127, dated the 10th March, 1951.

(b) to (d). Quite independently however of the revision of the pension rules, the question of making certain changes in the Contributory Provident Fund Rules, with a view to their liberalisation, was considered by the Government. It was decided that no such changes could be considered until the financial position improved.

#### FINANCIAL SET UP OF D.V.C.

\*2332. **Shri B. R. Bhagat:** (a) Will the Minister of Natural Resources and Scientific Research be pleased to state whether the financial set-up of the Damodar Valley Corporation was discussed at the last meeting of the Advisory Committee of the participating States held on the 3rd March, 1951?

(b) If so, what were the points of discussions and the decisions taken on them?

**The Minister of Natural Resources and Scientific Research (Shri Sri Prakasa):** (a) and (b). An inter-State Conference was held on the 3rd March, 1951, to discuss certain matters concerning the Damodar Valley Corporation. As regards the financial set-up of the Damodar Valley Corporation, including the status of the financial adviser, it was felt that the matter was most important and needed careful thought. It was therefore agreed that



representatives of the Governments of West Bengal and Bihar should discuss the whole subject fully with the hon. Minister of Finance, at an early date, and take decisions for future working that might eliminate all causes of complaint in this behalf.

#### FILMING OF AJANTA CAVES

\*2333. **Shri Sanjivayya:** (a) Will the Minister of Information and Broadcasting be pleased to state whether the Government of India have decided to film the Ajanta Caves in Hyderabad State?

(c) If so, what is the cost involved?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) Documentary films called 'The Cave Temples of India' which include shots of Ajanta and Ellora caves have been produced by the Films Division. A proposal to produce a complete film record of the frescoes and sculptures of the Ajanta and Ellora caves is under consideration.

(b) An estimate of cost is under preparation.

#### FILM ENQUIRY COMMITTEE

\*2334. **Shri Sanjivayya:** (a) Will the Minister of Information and Broadcasting be pleased to state whether the Film Enquiry Committee have submitted their report?

(b) If so, what are their main recommendations?

(c) What is the entire expenditure incurred on this Committee?

The Minister of State for Information and Broadcasting (Shri Diwakar): (a) Yes, Sir.

(b) The recommendations of the Committee are under consideration.

(c) The expenditure incurred on the Committee up to 28th February, 1951, was Rs. 1,74,284.

#### SALES TAX IN DELHI

\*2335. **Shri Ram Dhani Das:** Will the Minister of Finance be pleased to state the number of deputations so far received in opposition to the introduction of sales tax in Delhi State?

The Minister of Finance (Shri C. D. Deshmukh): No deputations have yet been received. Government have received certain representations in regard to the matter and also certain other requests for waiting on deputations.

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#### BURMESE BUDDHISTS

\*2336. **Shri Ram Dhani Das:** (a) Will the Minister of Home Affairs be pleased to state whether it is a fact that some Burmese Buddhists have arrived in Delhi?

(b) If so, what are the purposes of their arrival?

The Minister of Works, Production and Supply (Shri Gadgil): (a) and (b). I have no information about the arrival of any Burmese Buddhists in Delhi.

#### DEMARICATION OF BOUNDARY BETWEEN BIHAR AND U.P.

\*2337. **Shri Syammandan Sahaya:** (a) Will the Minister of Home Affairs be pleased to state whether the Commission set up for the demarcation of boundary between Bihar and Uttar Pradesh has completed its work and submitted its report?

(b) If so, do Government propose to lay the report on the Table of the House?

The Minister of Works, Production and Supply (Shri Gadgil): (a) No Commission has yet been set up. The Governments of the two States have started preliminary investigations as to the possibility of resolution of differences by direct negotiations and agreed conclusions. A conference of Ministers concerned is expected to be held shortly.

(b) Does not arise.

#### VALUE OF PAKISTAN RUPEE

138. **Babu Gopinath Singh:** (a) Will the Minister of Finance be pleased to state what loss, if any, has been suffered by the Government of India, owing to the non-recognition of the par value of Pakistan rupee during the period, September, 1949 to February, 1951?

(b) What items, which Government could import from Pakistan, have had to be imported from other countries during the above period?

(c) What expenditure did Government incur on the import of such items and what expenditure would have been incurred if the same items had been imported from Pakistan at the par value of her rupee?

The Minister of Finance (Shri C. D. Deshmukh): (a) to (c). It is not possible to say whether, in terms of money value, any losses were sustained by the Government of India. The only

commodity that could have been imported on Government account from Pakistan, is foodgrains. In this respect, during the period in question, the Government of India were able to secure supplies from other sources at prices which were cheaper than those at which Pakistan Government had offered to make supplies. No loss was sustained therefore by the Government of India, on this account. The reduced volume of merchandise trade might have also caused some loss in revenue; but the amount of such loss may be

regarded as negligible in view of the fact that most of the commodities normally imported from Pakistan bear no import duty and that most of the dutiable exports could find alternate markets.

Looking at the question from a wider angle, it may be said that the virtual cessation of trade between the two countries, if continued, would have imposed a considerable strain on the general economy of the country, particularly in the altered international situation.

Monday, 19th March, 1951



# PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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VOLUME IX, 1951

(5th March, 1951 to 30th March, 1951)

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Third Session

of the

PARLIAMENT OF INDIA

1950-51



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**THE**  
**PARLIAMENTARY DEBATES**  
(Part II—Proceedings other than Questions and Answers.)  
**OFFICIAL REPORT**

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**PARLIAMENT OF INDIA**

*Monday, 19th March, 1951*

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

[MR. SPEAKER in the Chair]

**QUESTIONS AND ANSWERS**

(See Part I)

11-45 A.M.

**LEAVE OF ABSENCE FROM THE  
HOUSE**

**Mr. Speaker:** Before the House proceeds with any other business, I would like to inform hon. Members that Shri G. Ramachar has requested for leave of absence under article 101(4) of the Constitution till the end of the current session as he is unwell.

Is it the pleasure of the House to grant him leave?

Leave was granted.

**PAPERS LAID ON THE TABLE**

**DIRECTIONS TO NEW INDIA ASSURANCE  
CO. LTD. re. CERTAIN INVESTMENTS**

**The Minister of Finance (Shri C. D. Deshmukh):** I beg to lay on the table a copy of the Ministry of Commerce letter No. 58-IC(3)/50, dated the 12th January, 1951 to the New India Assurance Company Limited, Bombay, containing directions under second proviso to sub-section (3) of section 27 of the Insurance Act, 1938 as inserted by the Insurance (Amendment) Act, 1950, in respect of certain investments held by the Company. [Placed in Library. See No. P.146/51].

(i) APPROPRIATION ACCOUNTS OF RAILWAYS IN INDIA FOR 1947-48, PART-I—REVIEW; (ii) APPROPRIATION ACCOUNTS

1 P.S.D.

OF RAILWAYS IN INDIA FOR 1947-48, PART-II—DETAILED APPROPRIATION ACCOUNTS; (iii) RAILWAY AUDIT REPORT, 1949; (iv) BALANCE SHEETS OF RAILWAY COLLIERIES AND STATEMENTS OF ALL-IN-COST OF COAL, ETC., FOR 1947-48; AND (v) CAPITAL STATEMENTS, BALANCE SHEETS AND PROFIT AND LOSS ACCOUNTS OF INDIA GOVERNMENT RAILWAYS 1947-48.

**Shri C. D. Deshmukh:** I beg to lay on the table a signed copy of each of the following documents under article 151 of the Constitution:

(i) Appropriation Accounts of Railways in India for 1947-48 (15th August, 1947 to 31st March, 1948)—Part I—Review. [Copy placed in Library. See No. IV. u.(a)(36)].

(ii) Appropriation Accounts of Railways in India for 1947-48 (15th August, 1947 to 31st March, 1948)—Part II—Detailed Appropriation Accounts. [Copy placed in Library. See No. IV. u. (a)(36)].

(iii) Railway Audit Report, 1949. [Copy placed in Library. See No. IV u. (a)(76)].

(iv) Balance Sheets of Railway Collieries and Statements of all-in-cost of Coal, etc., for 1947-1948 (15th August, 1947 to 31st March, 1948). [Copy placed in Library. See No. IV. u.(a)(71)].

(v) Capital Statements, Balance Sheets and Profit and Loss Accounts of Indian Government Railways 1947-1948 (15th August, 1947 to 31st March, 1948). [Copy placed in Library. See No. IV u. (a) (74)].

**ELECTION TO COMMITTEES**

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I beg to move:

"That this House do proceed to elect in such manner as the hon.

[Shri Jawaharlal Nehru]

the Speaker may direct Members to serve until the end of the next financial year on Standing Committees to advise on subjects concerning the under-mentioned Ministries of the Government of India, the number to be so elected in respect of each Ministry, excluding the Chairman, the Vice-Chairman (if any) and the Government Chief Whip, being as follows:

Ministry of Commerce and Industry	... 13
Ministry of Communications	15
Ministry of Defence	... 15
Ministry of Education	... 15
Ministry of External Affairs	15
Ministry of Food and Agriculture	... 15
Ministry of Health	... 15
Ministry of Home Affairs	... 15
Ministry of Information and Broadcasting	... 15
Ministry of Labour	... 15
Ministry of Law	... 10
Ministry of Natural Resources and Scientific Research	... 15
Ministry of Rehabilitation	15
Ministry of States	... 15
Ministry of Transport (other than Roads)	... 15
Ministry of Works, Production and Supply	... 15"

If the House so desires, I should like to place before it some information of the meetings of these Committees during the past year.

**Mr. Speaker:** Does the House wish to have any further information about these Committees?

**Shri Kamath (Madhya Pradesh):** Sir, we would like to have an opportunity to discuss this motion.

**Mr. Speaker:** There is not much scope for discussion here. Members may, if they like, enquire about the work of these Committees and ask for certain information if they want, because hon. Members will see that all these Committees are in pursuance of the rules of the House.

**Shri Kamath:** My submission is, that we have to examine this motion which is before the House to see how far these Committees have been functioning according to the rules framed by the House. That is what we want to discuss.

**Shri Jawaharlal Nehru:** The number of meetings of these various Standing Committees held in the course of the past year has been as follows. I may mention here that the year is not over yet and the Standing Committees are still meeting from day to day and probably the number for the full year will be greater than the number I am going to read out. The number of meetings are as follows:

Agriculture	... 5
Commerce	... 5
Communications	... 6
Defence	... 7
Education	... 4
External Affairs	... 10
Food	... 4
Health	... 9
Home Affairs	... 5
Industry & Supply	... 6
Information & Broadcasting	4
Labour	... 4
Law	... 3
Rehabilitation	... 7
States	... 3
Transport and the Roads Committee	... 6

And here I may say that the same members are members of both the Committees.

**Shri J. R. Kapoor (Uttar Pradesh):** How many meetings of the Transport Ministry's Standing Committee were held?

**Shri Jawaharlal Nehru:** As I said, the Transport Committee and the Roads Committee consist of the same people, though they are two separate Committees. If you take Transport by itself, that Committee met twice and the Roads Committee met four times; between them two they met six times.

Works, Mines and Power	... 1
Scientific Research	... 4

**The Deputy Minister of Food and Agriculture (Shri Thirumala Rao):** Sir, if I may make a suggestion. For Food and Agriculture, we used to have two separate Committees, each with 15 members. In view of the importance of the subject, though the Ministries have been amalgamated, the strength of the Standing Committee should be increased because so many Members take active interest on these subjects. For instance, Roads and Transport have separate Committees though they are under the same Ministry. We have to regulate the

strengths of the Committees in accordance with the strength of the Ministry or the extent of the Ministry.

**Shri Jawaharlal Nehru:** Although my colleague here has suggested that the number should be larger in view of the amalgamation of the two Ministries, still I am doubtful whether a larger number would serve the purpose better. Every Ministry is very important and the larger the number the more difficult it becomes for the Committee to meet.

**Shri T. T. Krishnamachari (Madras):** Would the Prime Minister also tell us the average attendance at these committee meetings?

**Shri Jawaharlal Nehru:** I have got full records here and I can give the figures, but it will take some time to read out the attendance. If the hon. Member is interested, I may let him see the papers. I might add that the information about the attendance of all the meetings was laid before the House.

**Mr. Speaker:** Let me place the motion before the House.

Motion moved:

"That this House do proceed to elect in such manner as the hon. the Speaker may direct Members to serve until the end of the next financial year on Standing Committees to advise on subjects concerning the under-mentioned Ministries of the Government of India, the number to be so elected in respect of each Ministry, excluding the Chairman, the Vice-Chairman (if any) and the Government Chief Whip, being as follows:

Ministry of Commerce and Industry	... 15
Ministry of Communications	15
Ministry of Defence	... 15
Ministry of Education	... 15
Ministry of External Affairs	15
Ministry of Food and Agriculture	... 15
Ministry of Health	... 15
Ministry of Home Affairs	... 15
Ministry of Information and Broadcasting	... 15
Ministry of Labour	... 15
Ministry of Law	... 10
Ministry of Natural Resources and Scientific Research	... 15
Ministry of Rehabilitation	15
Ministry of States	... 15

Ministry of Transport (other than Roads)	... 15
Ministry of Works, Production and Supply	... 15"

**Shri Kamath:** This motion is an annual event in this House when this House can take stock of the work done by the Standing Committees during the previous year and see how far the rules that have been framed by this House for their functioning have been applied or have been followed in letter and in spirit. The rules were first framed on the 19th November, 1947 and later amended or improved by the Leader of the House himself on the 23rd March, 1949. The amended rules provided that the Government Chief Whip who is also the Minister of State for Parliamentary Affairs, shall be *ex-officio* member of every Standing Committee. That was a wise provision, because the Chief Whip, as is very well known and as we are all aware, acts as an effective liaison between the Ministries or the Ministers and the Members of Parliament; and I would have desired that my friend Mr. Sinha took a little keener interest in the work of the Standing Committees. I know he is over-burdened and over-strained by the work of his Department, and the other miscellaneous duties he has got to perform in connection with Parliamentary Affairs. But these Standing Committees when they were conceived and brought into being, were very specifically and definitely intended to train Members of this House in the working of the several Ministries of Government, so that they may get an adequate insight into the work of every Ministry. That was a perfectly democratic procedure and we welcomed it as such.

In 1949 the rules were further amended so as to include further new features—the Minister of State, the Deputy Minister and Government Chief Whip. And last year, in 1950, with the inauguration of the Republic, the number of members was increased from 10 to 15, so as to provide an opportunity for as many Members of the House as possible to participate in the work of the Standing Committees. That was an excellent thing to do. However, the Law Ministry continued to be the Cinderella of the Ministries, and its Standing Committee was also the Cinderella among the Standing Committees. Only ten members were considered adequate for the Law Ministry's Standing Committee.

The Statement laid on the table of the House by the hon. Mr. Sinha—I am glad to find that it has now been

[Shri Kamath]

brought up to date—some days ago was not up to date: it was a month old, and now I find that the figures given by the Prime Minister are more satisfactory and will be welcomed by the House as showing that the Standing Committees have worked a little better than otherwise we would have thought from the statement laid on the table. Even then I think the Law Ministry continues in the same old way. There were only two meetings according to the statement—I did not follow the figures given by the Prime Minister just now, perhaps the number is now three.....

**Shri Jawaharlal Nehru:** It is three.

**Shri Kamath:** One more sitting they have had during this month or last month. But other Ministries and specially the External Affairs Ministry has done very well indeed. Last year or the year before I did have a little cause to complain about the meetings convened by the External Affairs Ministry, but now it is very gratifying to note that the Ministry's Committee also has been meeting oftener and the subjects discussed also have been far wider and more comprehensive than perhaps two years ago. It means that democracy is taking root in our Parliament, and I hope it will continue to expand and grow from more to more.

One thing I would like to stress on this occasion. The Prime Minister in his speech commending this motion to the House in November 1947 said that it was not quite proper to have a statutory provision for more than two meetings a year. He further said:

"But I hope that they will be able to meet oftener. I hope also that they will not only meet oftener but meet really to survey the whole scene of their activities and not merely confine themselves to the problem before them. I should certainly like to put the whole picture before them and take their help in the matter."

He went on to say:

"I hope each Standing Committee will be given the fullest co-operation and information by the Minister concerned."

**Shrimati Durgabai (Madras):** On a point of information. To my knowledge the Law Ministry Standing Committee which was convened many a time had to be cancelled for want of a quorum.

**Shri Kamath:** I am not dealing with that at all.

**Shrimati Durgabai:** You were dealing with it.

12 Noon.

**Shri Kamath:** The Prime Minister observed that each Standing Committee will be given the fullest co-operation by the Minister concerned. If the Leader of the House will permit me to say something which may not be quite palatable, but in the interest of truth I feel that I must bring it before the House, so that it may be duly considered by the House. By "Minister" I suppose the Prime Minister meant the Minister, the Secretary and all the officers of Government who take part in the work of these Committees. I have been reliably given to understand that so far at least as one Ministry is concerned—the newly constituted Ministry of Natural Resources and Scientific Research—at the very first meeting of this Committee, after its constitution in November last, the Secretary of the Committee displayed an attitude which, to my mind, at least, is not in consonance with the spirit in which these Committees were constituted three years ago. It so happened that one of my hon. colleagues here, who is a member of that Committee, mentioned and mentioned very pertinently too, that the new Central Research Laboratory, which was very recently opened by the Prime Minister himself, I believe, in Lucknow, should take in hand proper research in the sphere of Ayurvedic medicine. The Secretary instead of assuring the member that the needful would be done or giving him the usual answer that they would consider what steps can be taken in the matter, observed, not very courteously or politely, that Ayurveda is more quackery or superstition. I am reminded.....

बाबू रामनारायण सिंह : उनका नाम लेना चाहिये ।

[Babu Ramnarayan Singh (Bihar): He should be named.]

**Shri Kamath:** I do not want to mention names here.

बाबू रामनारायण सिंह : उसको निकाल देना चाहिये ।

[Babu Ramnarayan Singh: He should be sacked.]

**Mr. Speaker:** Order, order.

**Shri Kamath:** My hon. colleague here naturally lost his temper but due to the fortunate intervention of the Minister himself, the presiding deity of the Committee, nothing worse happened.

**Shri Jawaharlal Nehru:** Who was the Minister of the Committee?

**Shri Kamath:** Shri Sri Prakasa.

In this connection I am reminded of an observation of an eminent scientist himself who once said.....

**Mr. Speaker:** I may remind the hon. Member of one limitation. He has mentioned a point about the functions of the Committees. We need not discuss here the merits of *Ayurveda*.

**Shri Kamath:** Not at all, Sir, but far from it. I am glad you pointed out my limitations and I will strictly confine myself within the rules.

I am reminded of what was once said, that a man of science who regards another system or school of thought as quackery and superstition without any enquiry or research in it is himself a quack, if not a charlatan. He is no man of science. Naturally that remark on the part of our scientist was absolutely uncalled for. Whether he really feels like that is a different matter. But to say that to a Committee of this House, when a member was merely submitting that something should be done, that was hardly the right attitude towards a Committee of this House.

And I am told, later on there were some other suggestions made about break-up of various items and all that, in that meeting, and the Secretary, who is perhaps wise in his own conceit, said, "Well, well, if all these things are called for, I think I had better resign." This, I must say, is an insult to the House and to the Committees which represent this House. If that were the spirit of a Secretary of a Committee who is supposed to co-operate, in the words of the Prime Minister himself, with the members of the Committee and see that the work of the Committee is done effectively, properly, this is hardly the way in which the Secretary or other officers of Government should conduct themselves. All credit to the Minister who later, or at the time, intervened and did not let things get worse. I only have to suggest one thing. I request my hon. friend, Shri Satya Narayan Sinha, to devote a little more time every day—at least fifteen minutes to half an hour—to see how these Committees are working, to see that they meet oftener, to see that they really survey a full scene of the activities of the Ministries, to see that they meet not at long intervals of six months or five months or four months but at least once in not more than every three months. I understand the plea of finance will be trotted out, that if you call a meeting of a Committee when Parliament is not in session it will mean so much money. This plea of economy is trotted out when convenient and is disregarded otherwise. When especially important matters have got to be dis-

cussed, no plea of any sort should come in the way of taking these Committees into the completest confidence of Government. I find that the Ministries of Works, Production and Supply, and of Communications do call meetings, not merely when Parliament is in session but also whenever work may require their presence, far from the capital. That practice should be encouraged because it is not within the committee rooms of the Secretariat or Parliament House that Members get an insight into the working of the Ministries. It is away from these, the red-tape and what not that Members can get a really sound idea of how every Ministry works. That aspect, I hope, will be kept by the Ministries before them, and the Prime Minister, ably assisted as he is in this matter by the Minister of State for Parliamentary Affairs, will certainly look into this matter in the coming year. I do not know how long these Committees will function during the coming year with the elections coming and with other things, but for the short time that they may be alive—six months or seven months or eight months—I hope no excuse will be given for not calling meetings. Just because they may come to a close within eight months, that should not come in the way and, elections or no elections, whatever the position, whenever some important matter has got to be discussed, without the initiative of the Members themselves the Ministers *suo motu*, on their own, should summon the meeting. If that spirit animates the Ministers, I have no doubt that it will augur well for the future of democracy and the development of healthy democratic traditions in this House.

One last word and I have done. My friend, the Deputy-Speaker, in a speech on a similar motion in 1949, said:

"As regards foreign delegations . . . it is the privilege of the Minister in charge to make the ultimate choice. I do not want to stand in his way of choosing but care must be taken to see that the member in charge of that particular subject in the Standing Committee . . ."

**Shri Naziruddin Ahmad** (West Bengal): May I rise on a point of order, Sir? Is all this interesting discussion on a small matter like this necessary?

**Shri Kamath:** It is a matter of opinion.

**Mr. Speaker:** It is more or less a question of a sense of proportion; it is a small matter.

**Shri Kamath:** I am glad, Sir, and I do hope my hon. friend, Mr. Naziruddin Ahmad will cultivate a better sense of proportion. Well, Mr. Ayyangar said:

"I do not want to stand in his way of choosing but care must be taken to see that the member in charge of that particular subject in the Standing Committee is chosen in preference to others."

I doubt whether information on this subject is easily available and whether labour commensurate with this collection of information is worthwhile, but I do think that if there is a will, a way can be found, firstly, to collect this information as regards the point made by the Deputy-Speaker two years ago, and then how far Ministries have tried in their own way to accept and implement the suggestion made by the Deputy-Speaker.

Before I sit down I will only say this, that in some Committees I have found that the percentage of attendance at meetings has fallen—at some meetings, not at all meetings—to below 50 per cent. The Law Ministry Committee is especially in this category. I do not know the composition of the Committee. I wanted to have a copy of that statement but as there was only one copy and that copy was otherwise engaged, I could not get hold of it this morning.

**Shrimati Durgabai:** It was increased from three to seven.

**Shri Kamath:** It was increased to ten. I do not mean the strength but the personnel of the Committee. How many are lawyers and how many are non-lawyers? Perhaps the lawyers, because they have dealt all their life with law, must have got fed up with the subject and they may not like to attend this Law Ministry Committee. In that event I would ask Mr. Satya Narayan Sinha to consider whether it might not be desirable to change the personnel into non-lawyers who can approach the subject with an open mind and a fresh mind, and therefore may take greater interest in the work of the Committee. It is not always experts who can give good advice. Often it happens that non-experts who have got sound commonsense—with which law is not inconsistent, I hope—who give good advice, and I hope non-experts can be more useful to the Ministry than the lawyers themselves. So, this point also may be considered. The nominations for these Committees and elections to them will come up before the House in a few days' time.

Am I in order to move that amendment of mine?

**Mr. Speaker:** As regards the amendment, I may tell him that it seeks to incorporate in the motion something which is inconsistent with the rules; and the proper procedure for the hon. Member will be not to move his amendment to this motion but to take such steps as he can for having the rule amended. Therefore, it will not be in order.

[MR. DEPUTY-SPEAKER in the Chair]

**Shri Kamath:** I would only request that the Leader of the House and the Minister of State for Parliamentary Affairs should see that these Committees function not merely in the letter of the rule, that is to say, they meet twice or thrice, but they function more effectively and meet oftener than twice a year—at least four times a year. On the assurance of the Prime Minister himself, the amendment that I had moved in 1947 that these Committees should meet at least four times a year was withdrawn by me. I did not press that amendment, because the Prime Minister assured us on that occasion that although the rules did not provide for more than two meetings of the Committee in a year, the Committees would meet more often. He definitely assured us—I would not say promised, because 'promise' is a much stronger word—and on the strength of his assurance I said:

"In view of the assurance given by the hon. the Leader of the House, I do not wish to press my amendment."

But unfortunately I found that at least a few Committees met only three times in the year and there was a tendency among some Committees—I cannot recollect just now exactly which Committees those were—to fall in that category. The tendency amongst certain Ministries has been just to show an inflated number of meetings by crowding meetings within a short space of time, either a fortnight, three weeks or one month. Sometimes, the same meeting which continues the next day is shown as constituting a second meeting. That is to say, the Committee meets; the agenda is not finished and they meet again the next day and this is shown as two meetings. When Parliament is in session, Committees are called very often and there is a very legitimate complaint on the part of some of my colleagues that meetings are called in the morning at about 9 or 9-30 and a cup of tea goes round and some snacks along with the tea, and at 10-30 Members have to file back into the House. So, Members can hardly bring to bear that energy and attention on the work of the Committees as all of us desire and I am



sure even the Minister of Parliamentary Affairs desires. Therefore, I would suggest that as far as possible the Committees should not meet in the morning of a working day when Parliament is in session. They should be called on Saturdays when Members have got more time at their disposal. They can sit for two hours, three hours or even four hours, if need be. But certainly it is not at all proper, it is not at all desirable in the interests of effective functioning of the Committees that they should be called just an hour before the Parliament meets in the morning and disperse without transacting any business effectively. The tea and snacks that go round consume about fifteen or twenty minutes and do you expect when the tea and snacks go round that any serious discussion can be carried on? Therefore, I would plead with the Leader of the House and his able assistant the Minister of State for Parliamentary Affairs to look into all these points very closely, and not be deflected from the spirit of the rules. If they will see that at least during the next eight or nine months the Committees function effectively, Members who joined this House last year at the inauguration of the Republic might go home with pride in their hearts that our Parliament is a real Parliament, where we get a real insight into the working of the Ministries and where we are trained in the working of the Ministries. They should not go home with this idea in their minds that these Committees are not as effective as they should be and they are, as I have heard some Members complain, more for show than for real work. This idea should be dispelled from the minds of Members of this House, and that is one of the ways to make democracy grow and expand in our country which has become very recently free.

**Shri Sidhya (Madhya Pradesh):** I understand that there is a House Committee or Housing Committee appointed by the Constituent Assembly. It was appointed five years back. I want to know whether it is a permanent Committee and what are its functions and why it is not appointed every year.

**Mr. Deputy-Speaker:** The Committees that form the subject matter of this debate are Standing Committees to advise the Ministers concerned. The House Committee is appointed by Mr. Speaker. The hon. Member can get the information from the Secretary to Parliament or he can talk to Mr. Speaker.

**Shri Jawaharlal Nehru:** Sir, I am grateful to you for giving me this opportunity of speaking on this motion which I thought required no speech from hon. Members. But being somewhat overwhelmed by the encyclopaedic variety of subjects touched upon by the last hon. Member who spoke and more especially by certain references by him to a Secretary to Government, I feel that I must say something in regard to this matter.

First of all, so far as the general question of Standing Committees is concerned, the hon. Member quoted from what I said last year. I entirely stand by what I said then and I think what I said should be the function of Standing Committees, and every Ministry and Department of Government should deal with their Standing Committees in that co-operative and helpful manner which I ventured to suggest last year. Of course, Standing Committees differ in the nature of their work. I can very well understand that a Standing Committee connected, for instance, with the Law Ministry has far less work to do than many other Standing Committees, and its work is likely to be theoretical and not quite so practical as that of other Standing Committees. But apart from that, I do feel that Standing Committees should be associated as closely as possible with the work of the Ministries and I feel I have the right to say that the assurance I gave the House last year has been in a large measure honoured in the working of the Standing Committees during the past year.

But what I really wish to say with all respect is that the hon. Member's references to the meeting of a particular Standing Committee and a particular Secretary seemed to me rather extraordinary in this context partly because, so far as I know, the hon. Member is not even a member of that Standing Committee. If a member of a Standing Committee has any grievance or complaint or any other comment to make about it, there are many ways of making it—to the Minister; to me, if necessary, ultimately to you, Sir, or to the Speaker or to the House. But indirectly on a motion of this kind for the House to be given information in a secondhand way of what transpired at a meeting without any person having the chance to know exactly what happened or apply his mind to it—this, I do submit, is hardly fair to the Committee or to the persons concerned.

**Shri Kamath:** I can vouch for the truth.

**Shri Jawaharlal Nehru:** What the truth is the hon. Member may know, but truth is very difficult to know when one gets lost in such an encyclopaedic knowledge of events as the hon. Member possesses.

**Shri Kamath:** Maybe.

**Shri Jawaharlal Nehru:** When we were discussing the formation of Standing Committees, he has brought in the subject of *Ayurveda* and the Drug Institute of Lucknow. He has brought in what apparently was said on a certain occasion. Everybody knows that what is said, taken apart from its context, has little meaning. One has to see the context. One has to see how and why and in what set of circumstances something was said.

Then he criticised a senior officer of Government, with whom it so happens that I have been in close contact through this Department of Scientific Research and in other ways during the last two or three years. And from my personal knowledge—I am quite sure many hon. Members will agree with me—I know of no officer of Government who is more accessible, more co-operative and more helpful to hon. Members in understanding the work of that Ministry and that Department. Many hon. Members have gone at his invitation and mine to visit our laboratories. They have been repeatedly invited, though some of them have been unable to go. He has addressed Members on the work of that Ministry. So it surprises me exceedingly that such a charge should be brought first of all against any person in this way, in this context and in regard to such a motion, and secondly against a person who I thought was the very last man against whom such a charge could be brought. The House knows and I say so with confidence that there is no Ministry of the Government which has functioned so successfully and so effectively as this Department of Scientific Research.

**Shri Kamath:** Question.

**Shri Jawaharlal Nehru:** If any hon. Member questions it, I should like that hon. Member to put down in black and white and let us discuss it with him in that Committee or elsewhere. I say, and say with the greatest confidence, that the progress we have made in scientific research—not merely in putting up buildings, that is nothing—and the work that has been done during the last three years is nothing short of wonderful. And for an hon. Member to come forward and condemn and castigate a person who has been responsible for this, does show a lack of responsibility which is amazing to me.

Coming to the question of that particular *Ayurvedic* or *Unani*, or some other system, that is a question which I should like this House to consider, because I do hold strong views which are entirely contrary to the hon. Member's views on this subject. What the Secretary of that Department is carrying out in that Ministry is the decision of Government. If the House decides otherwise, it is for Government to consider what they should or should not do.

**Shri Kamath:** What has Government thus far decided?

**Shri Jawaharlal Nehru:** It is this that we should pursue every enquiry, every study,—whether it is in the *Ayurvedic* or *Unani* system—subject always to one over-riding consideration, that it will be done in the spirit and by the methods of science, and that it cannot mix up a scientific method with a non-scientific method. The two cannot be mixed up in one place. But subject to scientific methods being followed we want to enquire into all our well known old systems and new systems, to co-ordinate them as far as possible and to utilise them. In this Drug Institute at Lucknow that method is being followed.

I do not know in what context this was said. But it is a well known fact that many people today, unqualified people, are practising all kinds of systems like electro-homoeopathy . . .

**Shri Kamath:** Allopathy also.

**Shri Jawaharlal Nehru:** Many people also know that today a large number of people without any qualifications—Government qualifications, or other qualifications—call themselves doctors, M.Bs., M.Ds.; sometimes they get these degrees by correspondence from America, or Belgium or Luxembourg, or some such place. All these kinds of things happen. There is plenty of quackery about.

**Shri Kamath:** But is it Government's view that *Ayurveda* is quackery and superstition?

**Shri Jawaharlal Nehru:** Government's view is that everything should be considered in a spirit of scientific enquiry. Anything that does not stand that test cannot survive ultimately. We cannot prevent private experiments to go on. But Government experiments will be conducted only by scientific method and we are prepared to examine everything that is *Ayurvedic*. Homoeopathy, *Unani* or anything else in that spirit and to take the best out of it for the public good.

**Pandit Malaviya (Uttar Pradesh):** Who will examine it—those who do not know *Ayurveda*?

**Shri Jawaharlal Nehru:** If a thing is to be examined in the spirit of science only a scientist can examine it and no other.

**Shri Kamath:** He does not know anything of *Ayurveda*.

**Shri Jawaharlal Nehru:** If I may explain it still further, there is such a thing as the scientific method—it has nothing to do with ancient or modern—developed during the last two or three hundred years. It is a system of experiment of trial and error. Today a thing may be considered correct. By the scientific method some other fact comes to our knowledge tomorrow. So, there is no permanence (*Interruption*). The Hon. Member will be good enough to permit me to continue. Any person who is not trained in the scientific method of trial and error and who is not prepared to reject anything and everything which fails in an experiment is not a scientist. To take anything for granted because somebody has said so is not scientific approach. One takes it with respect and examines it; if successful one goes ahead with it, otherwise, he does not go ahead with it.

**Shri J. R. Kapoor:** Sir, I would like to make a few observations on this subject.

**Mr. Deputy-Speaker:** I have one suggestion to make to Hon. Members. The Administration Reports have been circulated to hon. Members. Instead of clubbing together the working of various Ministries on a motion like this, I suggest that the working of each Standing Committee may be taken up during the discussion or debate on the Budget Grants relating to that particular Ministry. That will be the appropriate occasion.

As regards the conduct of Secretaries, it is not claimed by Government that every Secretary is perfect. Therefore, before coming to the House and taking the Minister by surprise and giving a kind of picture which may not be after all perfect or correct, I suggest that such matters may be brought to the notice of the Minister himself. If no redress is obtained, the Prime Minister is there. If the Member does not get redress even at his hands, then of course the matter may be brought before this House. In such matters it is very difficult for the Minister even to answer on the spur of the moment, as to what a Secretary did or did not do. There cannot be any intention on the part of any

hon. Minister to shut out any information either from the House or the public. But there are ways of discussing these matters or bringing them up for discussion. I would, therefore, suggest to hon. Members that both as regards the work of each individual Committee and also in relation to the conduct of any of the officers of the Ministry, the best course is to take it up initially with the Minister concerned. As regards the working of Standing Committees, they may be taken up at the time of the Budget discussion with respect to those individual Ministries. Otherwise, this will become another Budget debate. Therefore I am appealing to hon. Members not to take up the time of the House any more but to conserve all this for the debate during that time.

**Shri Kamath:** Sir, may I ask for your ruling? Does what you have just now observed mean that where a Secretary or an officer of Government has done an act of commission or omission even a question cannot be asked in the House without first informing the Minister concerned?

**Mr. Deputy-Speaker:** How is the Minister to answer on the spur of the moment? If the hon. Member were a Minister he would realize that it is not possible.

**Shri Kamath:** Thank God I am not!

**Mr. Deputy-Speaker:** It is not proper to take any person by surprise. So long as legitimate information is not withheld it ought to be the duty of each Member, and it is also the privilege of the House, not to take up the time of the House by taking any Minister by surprise or even the House by surprise.

**Shri Venkataraman (Madras):** Sir, the question may now be put.

**Mr. Deputy-Speaker:** The question is:

“That the question be now put.”

The motion was adopted.

**Mr. Deputy-Speaker:** The question is:

“That this House do proceed to elect in such manner as the hon. the Speaker may direct Members to serve until the end of the next financial year on Standing Committees to advise on subjects concerning the under-mentioned Ministries of the Government of India, the number to be so elected in respect

[Mr. Deputy-Speaker]

of each Ministry, excluding the Chairman, the Vice-Chairman (if any) and the Government Chief Whip, being as follows:

Ministry of Commerce and Industry	15
Ministry of Communications	15
Ministry of Defence	15
Ministry of Education	15
Ministry of External Affairs	15
Ministry of Food and Agriculture	15
Ministry of Health	15
Ministry of Home Affairs	15
Ministry of Information and Broadcasting	15
Ministry of Labour	15
Ministry of Law	10
Ministry of Natural Resources and Scientific Research	15
Ministry of Rehabilitation	15
Ministry of States	15
Ministry of Transport (other than Roads)	15
Ministry of Works, Production and Supply	15

The motion was adopted.

**Mr. Deputy-Speaker:** I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following Committees:

	Date for nomination.	Date for election
1. Ministry of Commerce and Industry	} 24-3-51	} 27-3-51
2. Ministry of Communications		
3. Ministry of Defence		
4. Ministry of Education		
5. Ministry of External Affairs	} 26.3.51	} 28-3-51
6. Ministry of Food and Agriculture		
7. Ministry of Health		
8. Ministry of Home Affairs		

	Date for nomination	Date for election
9. Ministry of Information and Broadcasting	} 28-3-51	} 31-3-51
10. Ministry of Labour		
11. Ministry of Law		
12. Ministry of Natural Resources and Scientific Research		
13. Ministry of Rehabilitation	} 31-3-51	} 3-4-51
14. Ministry of States		
15. Ministry of Transport (other than Roads)		
16. Ministry of Works, Production and Supply		

The nominations for these Committees will be received in the Parliamentary Notice Office upto 12 NOON on the dates mentioned for the purpose. The elections which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's Room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

**The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha):** Sir, as regards the date for nomination, it may require an alteration as there are so many Committees.

**Mr. Deputy-Speaker:** If any change in the date for nomination is necessary—of course it is for the Speaker to fix—the hon. Minister may communicate it to the Secretary and the revised notice will be issued to hon. Members

MINIMUM WAGES (AMENDMENT) BILL

**The Minister of Labour (Shri Jagjivan Ram):** I beg to move for leave to introduce a Bill further to amend the Minimum Wages Act, 1948.

**Mr. Deputy-Speaker:** Order, order. Hon. Members must observe the rule, and I find that they do not observe the rule, that when the Speaker or the Deputy-Speaker or Chairman has got up no hon. Member should cross the floor or walk or keep standing. Wherever he might be, he might sit there.

**Shri Kamath (Madhya Pradesh):** What about Ministers?

**Mr. Deputy-Speaker:** Including Ministers.

**An Hon. Member:** They are also Members.

**Mr. Deputy-Speaker:** I have been noticing that this rule is very often not observed or is broken. There ought to be some decorum in the House.

**Pandit Malaviya (Uttar Pradesh):** May I ask, Sir, if you would not think of making an exception in the case of an hon. Member entering the House at that time?

**Mr. Deputy-Speaker:** No. Nobody shall enter when the Speaker or Deputy-Speaker or Chairman is on his legs. There should be no exception to this rule.

The question is:

"That leave be granted to introduce a Bill further to amend the Minimum Wages Act, 1948."

The motion was adopted.

**Shri Jagjivan Ram:** I introduce the Bill.

DELHI JOINT WATER AND SEWAGE BOARD (AMENDMENT) BILL

**The Minister of Health (Rajkumari Amrit Kaur):** I beg to move for leave to introduce a Bill further to amend the Delhi Joint Water and Sewage Board Act, 1926, for certain purposes.

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Delhi Joint Water and Sewage Board Act, 1926, for certain purposes."

The motion was adopted.

**Rajkumari Amrit Kaur:** I introduce the Bill.

EMPLOYEES' STATE INSURANCE (AMENDMENT) BILL

**The Minister of Labour (Shri Jagjivan Ram):** I beg to move for leave to introduce a Bill to amend the Employees' State Insurance Act, 1948.

**Mr. Deputy-Speaker:** The question is:

"That leave be granted to introduce a Bill to amend the Employees' State Insurance Act, 1948."

The motion was adopted.

**Shri Jagjivan Ram:** I introduce the Bill.

DELHI AND AJMER-MERWARA RENT CONTROL (AMENDMENT) BILL

**Shri Deshbandhu Gupta (Delhi):** While moving the amendment for reference of this Bill to a Select Committee I have already complimented the hon. Minister on the constructive approach which he has brought to bear on a legislation like this for the first time. He has in the course of his speech admitted that there have been some evils which have come to the notice of the Government in the working of this measure. He has further admitted the necessity for liberalising the provisions of this measure in certain respects. He has also given an important piece of information to the House that at the moment there are 9,000 cases pending in the various courts of Delhi under this Act.

On the achievement side what, he has claimed is that there have been 21,000 tenements put by the Rehabilitation Ministry during the last two years, 3,500 houses built by Government for their officers and, according to his information, 6,000 houses built by private persons. That means a total of about 31,000 houses or in other words a provision for about 31,000 families, which in turn means a provision for about 1,25,000 people. I do not wish to challenge these figures, although I have my doubts about the accuracy of the last one, that is about the number of private houses built which according to him is 6,000.

My first complaint in this connection is this. The hon. Minister and the Government know full well that this measure was enacted for two years. It was given an extension for two years in 1949 and it was due to expire on the 23rd March this year. They knew all that and they also knew that the measure required some material amendments. They further knew that as many as 9,000 cases were pending in the Courts of Delhi under this Act. In spite of all this the Government have brought this measure in an emergent manner, and they are just asking the House to agree to its continuation for another two years without going into the provisions of the Bill or without reviewing the working of the Act, I feel it is an important measure and the Government in this matter has not only been not considerate but positively discourteous to the House by bringing a measure of this kind at the last minute and by pleading for its extension on the ground that otherwise in a week's time, when the measure will expire there will be a vacuum. I would

[Shri Deshbandhu Gupta] like the hon. Minister and the Cabinet to take note of this thing. It is not for the first time that Government has dealt with matters like this in this ugly manner. I would refer you in this connection to a speech made by Mr. Gokhale who was the Secretary of the W.M.P. Department when he introduced this Bill in the Budget Session in 1947. He said at that time that the measure that was being brought before the House had been hurriedly put together. That was an admission which he made in 1947 and he also described the measure as 'a war-time measure'. Knowing all that, and knowing the fact that after March 1947, the Government had to come twice before this House for amending the Bill, it shows how carelessly such measures are conceived and brought before this House. I hope, that the hon. Minister will take note of these observations and in future show due courtesy to the House by bringing measures like this in good time. There was nothing to prevent Government from bringing the measure in the last session. We could have referred it then to the Select Committee and examined it in the light of its working, but they would do nothing of the sort. Even in this session they would not bring forward any comprehensive Bill. All that they ask us to do is that the present Bill with all its defects should be extended for another period of two years. I value the assurance given by my hon. friend that he is bringing a comprehensive Bill soon and have already congratulated him on the constructive outlook which he has shown for the first time. . .

**The Minister of Works, Production and Supply (Shri Gadgil):** I enter my protest. I have no other attitude than that.

**Shri Deshbandhu Gupta:** I wish it were so; I repeat that I value the assurance that he is bringing forward a comprehensive legislation. But there is no extenuating circumstance, I must repeat, for having delayed that legislation. That legislation should have come before us in the last session and ample opportunity should have been given to the Select Committee to go into the provisions of that Bill. Anyway, what is done is done and I hope my hon. friend will be more careful about matters like this in future.

**Shri Sondhi (Punjab):** That will be in the next Parliament.

**Shri Deshbandhu Gupta:** No. It is coming before this session. Now, coming to the Bill itself, I have tabled an amendment for its reference

to a Select Committee and I find that my friend is probably finding it difficult to agree to that amendment, although I have reduced the period from one week to two days, I would still very much like that this matter is referred to a Select Committee. In the absence of my friend agreeing to that and also in view of the definite assurance that he proposes to bring a comprehensive measure before the House, this very session, I would not press my motion for reference to Select Committee. It is time that the House takes note of what has happened since this measure was passed and review the working of this Act in the light of the experience gained.

The hon. Minister while moving the Bill has made reference to the very great and liberal concessions which he has made to give incentive to private house building activity. There, I would like to join issue with him. I am grateful to him for what he has done, because one has to be grateful even for small mercies, but my approach is entirely different from his to the question. I feel that the hon. Minister has not yet realized the magnitude of the problem. He has had no time perhaps to give thought to this problem and to find out ways and means of combating it possibly as he is more concerned with other activities of his Department.

Let me state at the very outset that so far as I am concerned, I have always held the view that this question of regulating the relations between the landlord and tenant or fixing the standard rent or regulating evictions is only a palliative. In my last speech on the Bill when it originally came before the House, I had said:

"We should solve the housing problem as it has been solved in other countries. We should not confine our efforts to merely making a law for the landlords and the tenants, defining their mutual rights and their relations but we should launch a powerful scheme which would end the struggle between the landlord and the tenant so that tenants who are now at the mercy of the landlords may themselves become owners. We may start a scheme of building small dwellings according to the needs of the people, build them in such abundance that after some time the tenant will become the owner of the dwelling in which he lives, so that the struggle now existing between the landlord and the tenant may end once for all."

That is my approach to this question. I feel that unless we go side by side with an ambitious programme of house building and fix a definite target and start building houses on large scale according to that target, till then this problem would not be solved. The Government should see to it that the largest number of houses are built in the shortest possible time by all possible methods for the largest number of people. That to my mind should be the criterion and measuring rod of the success or failure of the Government in this respect. I am afraid, by applying this test, I cannot compliment my friend on the achievement which he claims to be to his credit. According to his own figures, during the last two years there have been 25,000 tenements built, out of which 21,000 go to the credit of the Rehabilitation Ministry and 3500 to the credit of my hon. friend. I have already said that I doubt the accuracy of his figures so far as private buildings are concerned. His figure is 6,000. Granting that all these figures are correct, all that the Government has been able to do is to provide housing accommodation for about 30,000 families or about 1,25,000 persons. Let us now examine the magnitude of the problem. In 1936 when the Delhi Improvement Trust was founded, an enquiry was made by Government into the question of congestion in the city of Delhi. Mr. Hume who was a very able I.C.S. officer and the first Chairman of the Delhi Improvement Trust, had estimated that there was great congestion in the city of Delhi, and that houses had to be built for at least one lakh of people. Since then, the population of Delhi has gone up by more than nine lakhs. All that the Government has done in recent years is to build accommodation for over a lakh of people. It comes to this that today in the city of Delhi, we have got to find accommodation for seven or perhaps eight lakhs of persons more. In other words, the population has gone up by three times and today each house is probably accommodating two to three times the number of families which it should normally have. This is the magnitude of the problem. You have to find accommodation for about eight or nine lakhs of persons. I ask in all seriousness the Members of this House, who spent a lot of their time in Delhi and therefore who are in a way as much citizens of this place as myself, whether it would not turn the whole city into a big slum, if you allow these conditions to prevail. A city which is capable of accommodating four or five lakhs is today accommodating 14-6 lakhs. This is the latest figure. I want to know how my hon. friend Mr.

Gadgil is going to solve this problem. My friend says that it is not for him to solve. I agree with him. This is the second time when this question of housing is being discussed and the hon. Minister who is supposed to be in charge of slum clearance and housing is not here. It is a pity that the Minister concerned would not even sit in the House when this all important question is being discussed.

**Shri Kamath (Madhya Pradesh):** She is busy with the Housing Factory, not housing.

**Shri Deshbandhu Gupta:** Perhaps the attention of the hon. Minister is more or less confined to the Housing Factory about which the less said the better. I sympathise with my hon. friend who is piloting this Bill, which cannot but admit of a discussion of the overall picture of housing, with which he is not primarily concerned.

When I said that I wish to join issue with him my whole idea was to ask him whether he realised the extent of the problem and whether he has given some constructive thought to the solution of same. If it is not for him, it may be for his colleague the Minister of Health to give thought to this question. All these legislations which are coming before the House are supposed to have the backing of the Cabinet. Two days ago when my hon. friend was moving this Bill, he pointed out that in one material respect, that is, whether this Bill should be made applicable to new constructions, the Cabinet has taken an adverse decision and that although he himself feels that there is need for revising that, he could not do so without reference to the Cabinet. So, in a way, the responsibility for solving the housing problem is that of the Cabinet. To that extent my hon. friend also cannot absolve himself of that responsibility. My complaint from the very beginning has been that whereas other countries viz., U.K., U.S.A. and Japan have treated this problem as a national problem and as such given it the highest priority our Government has not, to this day, even realised that there is need for giving high priority to this question.

**Shri Kamath:** The hon. Member may resume after lunch, Sir; it is now one o'clock.

**Shri Deshbandhu Gupta:** I may take an hour at least. I shall continue after lunch.

**Mr. Deputy-Speaker:** The hon. Member may continue after lunch.

[Mr. Deputy-Speaker]

Inasmuch as this matter relates to housing, of which another hon. Minister is in charge, it will be better in the interests of proper debate if all the hon. Ministers who have something to do with this Bill or the subject matter of this Bill, are present. I hope this will be taken notice of when we meet again.

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

*The House re-assembled after Lunch at Thirty-two Minutes past Two of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

**Mr. Deputy-Speaker:** I had to come late by two minutes; but it is not my fault. I was told there was no quorum. I expect normally, with reference to official Bills, the Government Whip must get the quorum ready. Otherwise we are losing precious minutes here.

**An Hon. Member:** The Whip himself is not present.

**Shri Deshbandhu Gupta:** When the House rose for Lunch, I was developing the argument that my hon. friend has not yet appreciated the magnitude of the problem and that is why he thinks in terms of having given some concessions. According to the latest figures, we have got to find accommodation for about six lacs of people. In other words we need six thousand acres of land for accommodating this number at the rate of 100 persons per acre. The rough estimate of cost which has been made by an investigating committee comes to 26 crores of rupees, by calculating acquisition of land at Rs. 4-8 per sq. yd. and another Rs. 4-8 for development charges. The whole thing will come to about Rs. 26 crores. That is the estimate just for the land. For laying sewers and roads, another rupees four crores will be required. And if we are to provide accommodation of the smallest or meanest order, allowing 100 sq. ft. covered area per capita, that will come to Rs. 900 per capita and in all it will come to Rs. 55 crores.

**An Hon. Member:** You give 100 sq. ft. per individual?

**Shri Deshbandhu Gupta:** Yes, 100 sq. ft. covered area per person. I do not think anyone would suggest less than that, for even for a *kabar* you have to take about 12 to 13 sq. ft. Well, this is according to the accommodation provided for the poor class people. I am not taking into account

the middle-class or upper class people. I am taking this for the sake of argument and to reduce the magnitude of the problem. If we provide at this scale which is allowed for industrial labour, then the problem resolves itself to this that we will have to find Rs. 85 crores if we are to meet our obligation of providing shelter.

**Shri Sondhi:** By that time the population also would have increased.

**Shri Deshbandhu Gupta:** Yes, that is another point, that by that time the population might have doubled itself.

My hon. friend thinks that by allowing some concessions in leases or by withdrawing the restrictions which the requisitioning of premises law placed, he has been very generous. I cannot help feeling that he has not gone into the problem at all. He seems to think that it is just a question between the tenants and the landlords. But according to this committee of which I happen to be a member and according to the figures that have come before us, the magnitude of the problem is such that it cannot be tackled in that manner. May I now ask in all humility whether anything is being done to tackle this problem? Full four years have passed since my hon. friend took office. If you refer to my speeches which I delivered in 1947 and then subsequently when this Act was amended you will find that at that time also I had attempted in my own humble way to bring home to Government the urgency and the magnitude of this problem and this is not the first time that I am pointing out this. Of course, to-day I have the advantage of having before me the data that has been collected by an enquiry committee after going carefully into the question. But even before, I had a rough estimate. I do not want to take up the time of the House by quoting from my own speeches. The fact however remains that in essence the problem essentially is that of building more houses. It is not a question merely of regulating or rationing the accommodation that you have to deal with, although even that has not been attempted. When they say in the Statement of Objects and Reasons that the situation is desperate or the housing shortage is very acute and that it is necessary to extend the time limit of the present legislation by another two years, to meet the situation I feel that they are only tinkering with the problem and that they do not even touch the fringe of it.



**Shri Lakshmanan** (Travancore-Cochin): Sir, on a point of order. In the light of your direction that the hon. Minister in charge of housing should be present during the consideration of this Bill, the House has a right to know from Mr. Gadgil why the hon. Minister concerned has not found it convenient to be present.

**Shri Gadgil:** The simple explanation is that we are working on the principle of collective responsibility. All the attack meant for my other colleague I am prepared to meet.

**Shri Sidhva** (Madhya Pradesh): This is not fair. We know what collective responsibility is. You, Sir, definitely told him to see that the Minister in-charge of housing should be here, so that she can hear the opinions of Members expressed here and reply to them.

**Pandit Thakur Das Bhargava** (Punjab): Sir, after those remarks fell from your lips I feel that it was the responsibility of the Minister concerned to be here to hear all the arguments advanced in the House. It is not enough that there is collective responsibility. We know all the same that the hon. Shri Gadgil says that he is not responsible for the housing problem. If there is collective responsibility why did he say that? Even if that is so, it is the duty of the individual Minister concerned to be present here, seeing that the Chair made certain remarks about her presence. I would expect the hon. Minister to realise that the collective responsibility also enjoined upon the hon. Minister to see that the Minister concerned should be here, since the Chair has expressed itself in that way.

**Some Hon. Members:** Hear, hear.

**Shri Gadgil:** Sir, there is not the slightest intention either to disrespect the House or disrespect the ruling of the Chair. The fact of the matter is that she is engaged in discussions of a far more important problem, namely the Penicillin Factory. Secondly, I do not know whether the House knows that the Government have not as yet accepted the obligation of providing houses for the public at large. The thing that they stand for today merely is that the Government have accepted the obligation as far as possible to provide accommodation for their own employees and also to the refugees. What my hon. friend is aiming at is virtually fathering the obligation on the Government of India to provide accommodation for every member of the public. Although this has not been accepted as such, we are doing our best and therefore it cannot be said that a particular Minister is in

charge of housing or that he is not in charge of it. The present policy of the Government, as I have said, is that we are quite willing to go as far as possible and it is in that spirit that I have always been accommodating to Members. But if I am rubbed the wrong way, I too will reciprocate it.

**Shri Sondhi:** I would very much like the hon. Minister to tell us as to in what way we have rubbed him and what he wants to do about it.

**Shri Gadgil:** I never said (*Interruption*).

**Mr. Deputy-Speaker:** I am not interested in rubbing anybody. The only question that was raised was that the Minister is also in charge of house construction. Whether it is the duty of the Government or whether the Government has undertaken the responsibility at this stage or not is a matter touching that portfolio also. Therefore in answer to that I do not see how it is appropriate for the Minister to say that if he is rubbed the wrong way, he will rub others. . .

**Shri Sidhva:** Very objectionable.

**Mr. Deputy-Speaker:** I did not expect that kind of reply to the statement that the Minister concerned must also be present here. Further I do not know if it is proper for the Minister to say that his colleague is engaged in a more important matter. I do not see any work which is more important than the business of this House. Any Minister however big is his or her other work should give precedence to the work of this House. I however do not expect in all cases the Ministers need be present: one may officiate for another Minister. But when it is the desire of the House that it is necessary in the interest of the proper conduct of the debate in this House, it is good that the other Minister must be here. To that extent that desire must be respected. Even if it is not respected some proper explanation should be given. But I do not think that is the kind of explanation which should be offered to the House.

**Shri Gadgil:** The remark made by me that she was engaged in another important work was only a statement of fact. The ruling of the Chair is exactly in accord with the practice and we do accept it. But the House is probably aware of the fact that several things are simultaneously going on and it becomes impossible and therefore there is somebody else who is responsible to look after it. I am telling nothing more than that and there is not the slightest intention—I want to repeat it—to disrespect the wishes of the House or the direction of the Chair.

**Pandit Thakur Das Bhargava:** Under the circumstances we would have expected that some Minister would have told the House before the discussion came up that the Minister could not be present on account of certain reasons which would have been acceptable. The Minister should understand that when such a remark comes from the Chair it should be respected.

**The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha):** I have sent word to her and I hope she will be here after sometime.

**Shri Deshbandhu Gupta:** My friend wholly misunderstood me, if he thinks that the observations made by me were calculated to rub him the wrong way. I had at the very outset said that it is perhaps for the first time that the Minister has brought to bear a constructive approach on this problem and I had complimented him on that. It appears he does not like unpleasant truths being told and has come out with a threat that he was rubbing the wrong way and he too would rub the House the wrong way. I hope he does not mean it.

The hon. Minister has said that the Government has not taken the obligation upon itself of providing accommodation to its citizens. I think it is too late in the day to make an assertion of this kind. If it has not taken that obligation it certainly has got to take up that obligation if ours is a welfare State and the country has every right to know what the Government has done towards that end. I want to know whether during the last four years Government has taken even one step forward? Has it even realised that this obligation has got to be taken some day? That is my main objection. As is evident from the remarks of my hon. friend they are quite content with bringing forward legislations of this kind. They only try to lay the entire blame at the door of the poor landlord and thus justify their own acts of omission and commission. That is exactly what I am strongly opposed to. I want the House to appreciate this point, that whenever we ask them to do something positive to reduce this acute housing shortage, we are called upon to pass another legislation giving further extension to the present Act. An extension of two years had already been given. Without even reviewing the work of that Act we are now asked to give a further extension. I think the House has every right to go into the question, and to find out what progress has been made during the last four years, and whether this measure is likely to solve the problem which faces the Government today.

I have already referred to the admission made by my friend that there are at the moment 9,000 cases pending under this very Act in the courts of Delhi. My own information is that this figure constitutes about 70 per cent of all the cases which are pending before the courts in Delhi. I would like the House to appreciate this matter. We take things so lightheartedly. When we pass some piece of legislation, particularly about a minor State like Delhi, we have not got the patience to devote the time and the attention which it deserves. It is no fault of mine if legislations concerning the State of Delhi come to this House. For that the Government has to thank itself. If they are not going to give a legislature to the State of Delhi, and if all sorts of legislations concerning Delhi have got to come here, then it is their responsibility, but it would not be fair if when a legislation comes before this House either to have it hurriedly drafted or get it hurriedly pushed through. I have already quoted from Mr. Gokhale's speech to show that the original Bill was "hurriedly got together", and now I see that this Bill is being pushed through in the same manner.

The difference between me and my friend is really one of approach. I feel that we are not going to help in the solution of this problem by merely passing this Bill, and I would request my hon. friend and other Ministers in charge of housing to please revise their outlook on these matters. I am not an unreasonable man,—if I may say so—and I do not expect miracles from the Government, I do not expect that they will build houses for six lakhs of people in an year's time—not in the least—but surely there should be some plan, there should be some target before them and there should be some survey made. One question which I would have addressed to my hon. friend the Health Minister is whether any proper survey has been made, whether any master-plan has been prepared, whether even the outlines of the problem of housing are before them. If all these things are not there, then we must admit that they do not mean business, they are not tackling the problem as they should. In this connection, Sir, you will be sorry to learn it, and the House I am sure will feel disappointed if I bring to its notice the way things are being done in this connection. An enquiry committee was appointed by the Health Ministry a year ago, with Mr. G. D. Birla as its chairman. My friends, Mr. Shiva Rao and Bakshi Tek Chand, are also on the committee with me. Members of this committee, I may add, are not drawing any remuneration from the Gov-

ernment. They have been doing work for the last one year in an honorary capacity. After several meetings and a careful examination of many witnesses, it submitted an interim report to the Government in the month of September

**Babu Ramnarayan Singh (Bihar):** What is the objective of the committee?

**Shri Deshbandhu Gupta:** The objective is to go into the working of the Delhi Improvement Trust and allied subjects. Well, this committee submitted an interim report on 7th September. The importance attached to this report was such that as both I and Mr. G. D. Birla happened to be away in Bombay, to avoid delay the draft report was sent to us there by air for signatures and it was immediately submitted to Government. About a few weeks after when the chairman of this committee happened to meet the Health Minister and enquired of her as to what action had been taken on that report, the hon. Minister pleaded ignorance about the receipt of the report which meant that the secretariat of the Ministry took so much time to bring that emergency interim report of this body to the notice of the hon. Minister. And it is about six months since the report was submitted but we have not heard whether it has been considered by the Cabinet, and what action, if any, has been taken on its recommendations.

This is how things move here; I want this House to realise that this is not a small matter. Some of my friends who talked to me on the subject said, "Look here, it is a question of just an adjustment between the landlord and the tenant. Why do you bother about it? Let the Act be extended. The House has not got the time to consider it." May I in all humility, place before the House my view point and request them "Please see the symptoms of the disease and realise the magnitude of the problem." According to me this legislation has not helped the small tenant to the extent it was expected to. The hon. Minister of Works, Production and Supply has said that the object of this was to guarantee a fair rent and security to the tenant which has been largely achieved. Certainly that was one of the objects. But I doubt whether that object has been secured. My own reading of the situation is that the working of this Act has not much helped the poor tenant. No doubt big tenants who are generally as good as landlords, or in some respects even better placed than the landlords themselves, may have benefited from it but if we go deep into the question and find out how much

the small tenant who pays ten to fifteen or twenty rupees per month, or a clerk who gets Rs. 100 a month as salary, has been helped we will be disappointed. My one big objection against this Act is that it makes no distinction between landlord and landlord and between tenant and tenant. Whether a landlord is a millionaire or whether the landlord is a poor widow living on the ten, fifteen or twenty rupees monthly income which she gets from the house which her husband had left her, this Act treats both of them alike. Similarly whether the tenant is a millionaire and is making lakhs and lakhs of rupees by black-marketing or other means, or whether the tenant is a poor man finding it hard even to pay fifteen or twenty rupees per month, both of them are treated alike. I have been trying in my own humble way to persuade the Government to have some sense of realism about the whole question and consider all these points but without much success. If you go to other States you will find that they too have similar measures on their statute—this is not confined to Delhi alone, but they have been revising them from time to time in the light of experience. In Delhi rent control has been in some form or the other since 1939. It was first imposed under the Defence of India Rules then. Another Ordinance was issued in 1944 and then a legislation was passed in 1947. Due to war conditions. Rent Control Acts have been in vogue in other States too particularly in big cities like Bombay, Calcutta and Madras etc. So there is nothing wrong in principle against them. But the main complaint against the Ministry here is that they hustle us in passing the legislation and then they themselves sleep over it. They do not care to watch the working of the Act, and try to amend it in the light of its working. If they bring amendments, they are accompanied by threats of 'rubbing the wrong way'. I have before me this book which contains the Rent Control Acts of the different States. I find that several States have revised their Acts in the light of experience gained by them of the working of the enactments. Bombay has done it, Madras has done it, U.P. has done it, and other States are also doing it. If we compare even the volume of the Acts of other States with the volume of the few-page Act we have for Delhi city with a population of two million people, we can realise the difference between them. That shows what consideration is given by the Ministry here to this important question. They would not themselves go into the details, and if anyone wants to draw their attention to it they get annoyed and begin to give threats.

[Shri Deshbandhu Gupta]

That is their attitude. I say it is high time that we take stock of the situation and the Act suitably. There is not much reason as to why Delhi should be treated differently from Bombay in this matter. The cost of living in Delhi is perhaps higher in many respects; the density of population is not less; Delhi is perhaps one of the most densely populated cities of the world. That being so, I want to know how it is that the Ministry has not cared to go into this question and has not even looked at the amendments made in their enactments by other States.

3 P.M.

Under the Delhi Laws Act a simple method was open to them. Instead of taking the time of this House, if they had taken care to study the different Acts which are in force in different States perhaps they could have easily extended one of these Acts to the State of Delhi and saved the time of the House and also freed the city from so many vagaries of this Act which is an ill-conceived and hurriedly-got-through measure. If I were to compare important provisions of the Bombay Act with the Delhi Rent Act you will find that in many essential respects our Act is so ill-conceived and divorced from realities that it is no wonder that 9000 prosecutions are pending in Delhi Courts. Please do not forget the figure. It is 9000. Most of these prosecutions may be due to the fact that the Government did not take proper care in drafting the Act. They did not have the necessary patience to examine it carefully when the House took it up and the House also hurried through it probably as it was a measure that did not concern the whole country.

One of the recommendations of the interim report to which I have made reference is that new buildings should be exempted from the purview of this Act. What was the object of this recommendation? Bombay has got a Housing Board and the Government have placed at the disposal of that Board a sum of rupees five crores in order to organise and accelerate housing activity. It was found that the requisitioning of premises and rent control Acts were the two impediments in the way of private building activities. The result is that these legislations have been relaxed considerably in respect of new constructions. The result is that crores of rupees have been invested during the last two years by private persons in building activities and I was told by no less a person than the Commissioner of the Board when he came to give evidence before us that the rate of *pugree*

money has gone down considerably, that is to say, where two or three years back Rs. 1,000 was demanded as *pugree* money from a tenant, today you can get a house by paying one-third of that amount. This is how economic forces have come into play in Bombay. This is an experiment which has been made by the Housing Board in Bombay and yet we have not benefited by it.

The greatest harm which this Act has done is that it has practically stopped private building activities and the tragedy of it is that when this measure was first brought before the Legislature Mr. Gokhale the then Mover of the Bill had in his speech laid much stress on the fact that this problem could not be tackled except by inducing or giving an incentive to private builders. A reference to his remarks on that occasion may be of interest. He had said:

"The crux of the problem is that whatever we do it must result in every encouragement to private and public house building because that alone will ultimately solve this problem of congestion and difficulty of housing. That is the question on which Government feel that whatever is done should not affect or discourage private house building but should on the other hand encourage private house building and result in this measure of war-time control which is at present unfortunately inevitable being given up as quickly as possible."

In these words Mr. Gokhale had given the genesis of the Bill, the problem and its solution. He had also expressed the hope that this war time control will be given up as quickly as possible. Government had hoped that its giving up would give an impetus to private building activities. In all humility, I ask: What have Government done to encourage private-building activity which was considered to be the only solution of the problem by the Mover of this Bill? I address this question to Government, and to whichever Ministry deals with it: whether it is the Health Minister or the Minister of Works, Production and Supply, or Minister of Rehabilitation. Perhaps, we may leave out rehabilitation for the time being, because it is under a different head and with the money that has been placed at the disposal of the Rehabilitation Ministry for a set purpose that they have built some tenements for the refugees. But has anything been done by the other two Ministries? I have the greatest regard for my hon. friend the Minister of Health. Has she not seen the slums of Delhi? Can she say that the slums

are in any way better today than they were five or six years ago, or even three years ago when she took charge of this portfolio? Is it not a fact that the whole city is being turned into a slum today? Has any provision been made to provide accommodation for the dishoused people? Is it not a fact that an entertainment tax was levied on the people of Delhi on the express condition that the proceeds of that tax would be spent on rehousing poor class people? The income from that tax comes to Rs. 20 lakhs a year and this year probably it will be Rs. 30 lakhs. I want to know how much of this amount has been spent for the purpose for which it was intended. To my knowledge practically nothing. Why is it that money specifically provided and obtained to build houses for the poor is not spent on that while the slums are getting from bad to worse. Our policy is ostrich-like. We are just trying to deceive ourselves into believing that we are tackling the problem, while in fact nothing is being done in that direction.

I do not wish to take more time of the House, as I know that many hon. friends who take some interest in the affairs of Delhi are also good enough to take part in this debate, but now that the Health Minister is here, I would like to ask her whether it is not time that the Improvement Trust and the Health Ministry take stock of things and prepare a master plan; have a regular survey made; and a target fixed; and then proceed about clearing the slums in a methodical manner. So far as the various provisions of the Act are concerned, my own feeling is that the poor tenant is not much benefited by them. The Government may feel that they are helping the tenant, but the fact is that the poor tenant has still to pay *pugree* to get a house. If he cannot get to the landlord, he deals with the first tenant as a landlord and pays him the *pugree*. That has been admitted by the hon. Minister himself in his speech.

Besides the landlord who owns the houses a new type of landlord has come into existence—he is the first tenant. This first tenant today is in fact a superior landlord and if you have to get some accommodation, or a room, you cannot manage to get without paying him a *pugree*. Not only that, in some cases even a landlord pays him *pugree* if he wants to sell his house and in order to get the best price wants to give vacant possession to the buyer.

When this provision regarding *pugree* was incorporated some hon. Members, like Mr. Sidhva were very much enthusiastic about it. They thought that by providing a section in the Act which dealt with *pugree* they had solved the problem. I want to tell them that during the past four years there has not been a single prosecution by Government for taking *pugree*. Is it not amazing? The law was passed and we thought that by making speeches and providing a section in the Act we had really stopped the evil of *pugree*. But not a single prosecution, to my knowledge, has taken place under that law. And yet the evil of *pugree* is rife and most of the hon. Members who live in Delhi know that one cannot get a house today without paying *pugree*. That is the position. Therefore, I say: "Let us not shut our eyes to the realities of the situation if we want to be realistic." The other day the hon. Minister said that he realised the necessity of exempting the new constructions from the purview of this Act, so that private people who are scarced away by this may be encouraged to build more houses and thereby help to reduce pressure on accommodation. That, I thought, was the right approach. But today he has changed his ground and says that he is not in a position to make a definite statement to that effect.

The fact remains that unless that is done private people are not prepared to take any risk. This has been held by the inquiry Committee also. There has been practically no building activity ever since this Act was passed. If that is so, and we do not take steps to encourage private house building activity then the other logical course is nationalise the houses and take the responsibility of finding accommodation for every man. I can understand this but I cannot understand our neither taking this responsibility nor encouraging private builders to put up more houses. It is not desirable that foreign diplomats should go about in the city seeing lots of people lying on the road-sides without any shelter on their heads. If you do not want that to happen, either take the obligation to provide accommodation or give proper incentive to private agencies to build more houses. You have nationalised lands in Uttar Pradesh and in some other States, why not nationalise houses as well? I for one will not be a loser for it. But you neither take the obligation upon yourself, nor allow others to build—and yet you say that you are solving the housing problem. This is nothing but a joke and playing with the problem.

[Shri Deshbandhu Gupta]

I feel very strongly in the matter and that is why I have taken the time of the House and expressed myself rather feelingly. Hon. Members have rightly got a soft corner for the poor tenant. I too am all for the poor tenant, but I am also for the poor landlord. I have got sheaves of letters which have come to me from widows and poor landlords who own one little house and live on the small income of Rs. 25, or Rs. 30 per month which they get from it. During the last four years many of them have not been able to realise a penny as rent. The rich landlord can go to the court. These poor women cannot afford to do even that. This Act has thus created many difficulties in the way of honest and small landlords and has not helped the small tenants commensurately. If it had done that there would have been some compensation. That class too is not helped much. On the other hand, it has created a new class of landlords who are landlords without owning a house. It would perhaps interest this House to know how this Act is being administered in Delhi. What happens is this that if you sue a tenant who has not paid rent to you or who has in any way offended against the provisions of this Act, it takes you two or three years to get a decree against him and when you go to the tenant to evict him you find another person in his place. That is being repeated *ad nauseam*. If you want to make the new occupant a co-accused, the courts would not allow that. If you want to prosecute him, you cannot do so under this Act because he is not covered by the provisions of the Act, as he is not a regular tenant. He is a civil trespasser and if you want to prosecute him, you have got to pay the stamp duty on the entire value of the building, whereas in the case of the tenant, the stamp duty is computed on the rent. This is how this Act is being worked in this province.

Another flaw in this Act is this—the Act provides for total eviction or no eviction. If, for instance, under the nuisance clause a landlord unreasonably or reasonably wants to evict a tenant, the court cannot hold that only part of the building should be vacated. You cannot ask him to share accommodation. Thus all sorts of complications have been created by this Act. So, I would request you and the House not to treat this matter lightly. This is a matter which is very important; it is creating bad blood, hatred, bitterness and unnecessary prosecutions. Imagine that there are 9,000 cases pending. The only people who have been benefited by this enactment

are the lawyers. If you put the average amount spent on each case at Rs. 200—I am sure the average would be much higher, because many of the cases go to the High Court—on 9000 cases it comes to nearly Rs. 18 lacs. Just imagine the havoc it has played. My own suggestion to the hon. Minister is that if you had not the time to go into the question to prepare a proper Bill in the light of the experience gained, then a simpler course would be to benefit by the experience of others and instead of asking this House to extend the life of this Act; allow this Act to lapse and extend the Bombay Rent Act, which has stood the test of time, by a notification under the Delhi Laws Act for the interim period. That would have been the right thing to do. But when I put it to them, they said they have not examined the Bombay Act. What have you been doing then, I ask? You say you have drafted another comprehensive Bill but up till now you have not even examined the Bombay Act. That is how the machinery of Government moves. I feel that this Act requires radical change.

[MR. SPEAKER in the Chair.]

There is another glaring omission in this Act. Some important provisions only apply to residential accommodation. They do not apply to business premises. I have already drawn attention of the Ministry and the House to another defect, namely, that this does not distinguish between a poor tenant and a rich tenant, and a poor landlord and a rich landlord. I would say by all means make it more stringent with a view to give relief and security of tenure to the poor tenant, a man whose income is, say Rs. 150 per month or lower than that.

Shri Sondhi: But you cannot discriminate, on account of Fundamental Rights.

Shri Deshbandhu Gupta: We can have a different rate of rent or things like that for different classes. If I mistake not, probably in Madras there is some such thing—I am not quite positive—but people on the lower scale of rents are shown more consideration. I think we should distinguish between the poor and the rich in this matter. The measuring rod or the criterion should be rich or poor and not just landlord and tenant.

One other objection against this Act is this: It has practically frozen the housing property in Delhi. What I mean by 'frozen' is this that today if a landlord is in distress and if he wants to mortgage or sell his property

which has been rented by somebody, he cannot get the proper value for the same unless he can give vacant possession to the buyer. He has therefore to pay some *pugree* to the tenant if he wants to get his house vacated to give vacant possession to the new owner. And the difference in the value between vacant possession and occupied possession is to the extent of 30 to 40 per cent. if not more. Imagine a house is owned by a widow. Suppose its value is Rs. 10,000. She has to marry her daughter who has become of age. She wants to part with the house. But she cannot get it even for the bonafide purpose of selling it. The result is that she would be offered just, say, Rs. 6,000 for a house worth Rs. 10,000. That is another snag in this Act which was not realised when this measure was enacted.

I had asked a question in the Chief Commissioner's Advisory Council as to how much time a case takes to decide, the reply was 1,115 days. It was given in days. You can work it out in years and months to find out the maximum time taken by a court to decide such cases. It takes more than three years, if not more, if my arithmetic is not wrong. You can imagine the plight of those who go to court. My own reading of the situation is that it is the honest tenants and the honest landlords who suffer most under this Act. We would not be doing justice therefore either to ourselves or to the people concerned if we merely extend the life of this Act without amending the provisions which call for amendment in the light of the experience gained.

My friend reminds me about tenants of business houses, entertainment houses, hotels etc. Some of them are rolling in wealth but they are just 'tenants' in the terms of this Act. In many cases the landlord may be poorer and they may be much richer. But this Act protects that type of tenant also as against the poorer landlord.

We spent, in our anxiety to get houses quickly built, about Rs. 80 lakhs on the prefabricated housing factory. I do not propose to go into that question now. The House has already discussed it at length. It is an unfortunate chapter. But I want this House and the Government to appreciate that if we can even today allocate an equal amount or even Rs. 50 lakhs to the production of standardised building material, say for instance doors, windows, etc. and make them available to the builder at cheaper rates, cost will go down

considerably and building activity will go up. But we have done nothing of the sort. Then you will be surprised to learn that today we are allotted just 100 tons of steel per month for house-building, and the calculation is that this quantity is just sufficient for construction of 45 double-storeyed buildings on a plinth area of 1,000 sq. ft. The quota for Delhi in the third and fourth quarters of 1950 has been increased to 200 to 220 tons per month. But even this will suffice for about 100 houses per month. Leaving aside private plots in old localities in the city and urban areas of Delhi, there are as many as 3,000 plots—as my hon friend knows—sold by the Improvement Trust in recently developed localities, which are lying vacant. These plots must be built upon. If we have to build upon these plots it will take, say, thirty months at the rate of 100 houses per month to build. Unless we get 2,500 tons of steel per month we are not likely to build these houses within a reasonable time.

My hon. friend tried to make out a good point by saying that by relaxing the conditions of leases and giving some concession it has been made easier for the landlord in New Delhi to put up additional accommodation in his bungalow. Let us examine what this concession is. The concession given is that at the present rate 50 per cent. of the value will be fixed as the value of that plot on which you wish to put up additional structure and on that 2½ per cent. will be charged by Government as a permanent recurring ground rent. I would like this House to realise what it means. When New Delhi was built the average price for these plots of land was Rs. 5,000 per acre. Today south of the vista the price assessed by Government is from rupees one lakh to Rs. 1,50,000 per acre. I do not know whether Government would increase this value further or not. Today the owner can have gardening in that plot of land and can use it in any manner he likes and nothing is charged, but the moment he wants to build on it and thereby help the Government in solving the problem of housing and invest his own money, on an additional building, the Government says you had paid Rs. 10,000 at the beginning for two acres of land. Now the price of half of that land has gone from Rs. 5,000 to one lakh or Rs. 1,50,000. So if you want to put an additional building on this one acre, you have to pay at the rate of 2½ per cent. to Government as additional ground rent. At 2½ per cent. it will come to Rs. 250 per month if it is one lakh and Rs. 375 if it is valued at the rate of Rs. 1,50,000. You are fixing a limitation of rent in

[Shri Deshbandhu Gupta]

the name of rent control. I ask you is it not profiteering with a vengeance? You want to charge this amount from a landlord who already owns that land. He can play with it, he can do anything with it but the moment he wants to put an additional building on this land, you want him to pay Rs. 250 as additional ground rent to the Government.

**Shri J. R. Kapoor** (Uttar Pradesh): Do you not know the usual maxim that Government does no wrong.

**Shri Deshbandhu Gupta:** That is true, very true. As I said Rs. 250 is charged as ground rent if you want to put a modest building on that land according to present conditions on one acre of land. You can cover up to one third of it and that means about 1,500 sq. yards and at the rate of about rupees eight or nine per sq. yard it will come to about Rs. 90,000 or rupees one lakh. If you want to build therefore in New Delhi on your own plot an additional building on one acre of land, and cover one third of the area which is allowed under the municipal laws, you must pay to the Government Rs. 250 per month as additional ground rent and invest another lakh on which if you are fortunate, you will have to pay an interest at six per cent. which will come to Rs. 500. In other words it will mean Rs. 750 per month. May I ask whether the Rent Controller will fix for that bungalow a rent at the rate of Rs. 800 a month? I myself occupy a small bungalow on Barakhamba Road which is built on about one acre and I have been assessed at the rate of Rs. 140 a month. My landlord gets from me Rs. 140 a month for a bungalow which is in an area of one acre and according to the Government proposition and for which my friend took so much credit, you cannot have a bungalow of similar type unless you pay Rs. 800 a month. I want to know is that the way of solving the housing difficulties? Government is spending crores and crores of rupees in developing land for housing, where there are no roads, there are no sewers and where there is no electricity. I have suggested to the Government more than once on the floor of this House to encourage buildings in serviced areas but all my efforts have failed to bring any response from that side. New Delhi is a fully developed area. Government has not to spend a penny on roads, on sewers, on electricity and on water. It is a fully serviced area. If they were to give the landlords freedom under the municipal bye-laws to put up second storeys, we would have had double or three times the accommodation in New Delhi

without a penny being spent by Government. On the other hand Government would have earned more income-tax and the Municipality more municipal tax. Somebody has given my friend the idea that it is un-earned income in which you must get a share if you allow a landlord to build in his own compound additional structure. Previously when Government allowed buildings to be raised cheaply it was because they wanted New Delhi to be built at that time. Let us now see how other countries are tackling this problem. Yesterday I met a friend who has just come back from Japan. He gave me a very graphic account of the housing activity there? He showed me a bulletin, the latest issued on housing by the Ministry concerned in Japan. The number of houses destroyed by incendiary bombs in Japan was 45 lakhs. The houses re-built by Government and Municipal Corporations and private agencies with Government help from 1945 to 1950 is 50,75,000. This is the record and how have they done it? What is the secret? The secret is that Government gives 75 per cent. of the cost of the house to the builder on long term easy credit terms and the land is made available by way of a grant or loan. But here my friend wants to charge Rs. 250 per month or if it is half of it 125 per month additional ground rent and yet he says that he is being generous. You can see the difference in outlook, the difference in the mentality and the approach of this Government and other Governments who have solved their problem of housing. My friend also told me that in Japan the 75 per cent. loan is recovered in 15 years' time. Government does not lose on it. They only make it available on long term credit. But if I ask my hon. friend to follow them his reply would be that this is no concern of ours. We have not taken the responsibility for providing houses. If that is what *swaraj* has given us we cannot complement ourselves. In Japan in 1951, every month nearly 40,000 houses are built and my hon. friend the Health Minister can easily get these figures, if she so chooses. A whole city with a population of two lakhs which was completely burnt in July 1948 was rebuilt with all its factories, colleges, hospitals etc. in ten months' time. The name of the city is Fakuji. It is not America; they might say America is very rich and they can afford to build millions and millions of houses. It is not even the United Kingdom. It is our own oriental nation which has been ruined, which has suffered most during the war and these are recent figures for 1948-50. I can give you figures from other countries as well to show as to how they have tackled this problem.



I do not know whether the hon. Minister of Health gets time to study as to how the continental countries and other countries are tackling this problem. I wonder if she does, because up till now the Government according to my hon. friend, Mr. Gadgil has not accepted the responsibility for building houses. They do not think that it is a national problem. So the question of tackling that problem does not arise for them. It is high time that they do so, because to my mind, housing is more important even than education and health. On housing depends so many things, and so many social problems are today cropping up. I see so many displaced persons unfortunately around Delhi and am pained to see as to how they manage to live. All that they need is a little thatch over their heads. Among the refugees there are marriageable girls and boys then they have to stand the rigours of summer, rainy season and winter without a roof on their heads. Therefore, when we are discussing this question, I would beg of my sister the hon. Minister of Health to devote more time to this and try to solve this problem of housing. Let her set an example for the whole country. We would be doing a great deal to help the poor people and also raise the credit of the Government in the eyes of our people.

One more suggestion which I wanted to make is about providing credit facilities. We have an Industrial Finance Corporation. We have placed five crores of rupees at the disposal of that Corporation and it is doing good work. I want to know whether Government has ever thought in terms of having a Housing Finance Corporation. Unless they set up a Housing Finance Corporation, unless they have Building Co-operative Societies, unless they get the co-operation of the Insurance Companies and other agencies which could help them in this, they cannot solve this problem. I suggest that in the first place, a proper survey should be made, secondly efforts should be made to make building materials available at cheap rates and credit facilities should be given. All the impediments which are placed in the way of house-building activities should be removed. If we cannot make any positive contribution, let us at least not create more handicaps and difficulties in the way of an honest house builder. All these legislations which do not take note of all these changed conditions, I must say, only hamper the progress of housing and as long as more houses are not built—we would be deceiving ourselves if we think that we are doing any good to the poor tenant.

Before I close, Sir if you will permit me at this stage, I shall simply read the amendments of which I have given notice today.

**Mr. Speaker:** I may just tell the hon. Member that the position as regards amendments for substitution of clauses in the original Act is, to my mind,—I am speaking of course casually without expressing my opinion definitely, though I have made up my mind—doubtful at the most. It will have to be considered.

**Shri J. R. Kapoor:** They may be considered when the clauses are taken up.

**Mr. Speaker:** I am not deciding it as I said, I am merely giving the hon. Member my reactions. The position is that all these amendments—not that they are necessarily bad, they may be very good and even desirable—may not be admissible on the scope of the present Bill. Therefore, I should like to consider the position as to the amendments, and unless I come to the clear conclusion that amendments amending the original sections in the Act are permissible, it would not be necessary to take up the time of the House just at present in going through the amendments. Hon. Members will note that I have allowed a general discussion covering the important field, because, the legislation is sought to be extended and hon. Members are entitled to make their points from which Government may know what further amendments are desired by the House. The question is one of procedure, and I believe an important question of procedure, whether we should permit amendments in the original Act whenever a Bill extending an Act comes before the House. That is the most important question of procedure. Of course, it does not mean that because the amendments cannot be moved, hon. Members will have no remedy. If they express themselves sufficiently strongly with cogent reasons, I have no doubt that the Government, responsible as it is to the House, will make its best efforts to bring in immediately a further amending Bill incorporating the various amendments which hon. Members may desire. That is a different point. What I am anxious to say at the present moment is that the point requires anxious and careful consideration, because we shall be setting up a new precedent. Therefore, we have to consider that aspect. That is why I requested Mr. Deshbandhu Gupta not to take up his amendments at this stage. Let us have the consideration motion and then at the proper stage we shall see.

**Shri Deshbandhu Gupta:** May I know, on a point of information, whether you have any objection to the reference of the Bill to a Select Committee also? I think that objection does not arise in the case of that amendment.

**Mr. Speaker:** Is the hon. Member referring to the reference to the Select Committee?

**Shri Deshbandhu Gupta:** In the amendment which I moved the other day, I limited the time to two days and I said that if this Bill was referred to the Select Committee, it would be examined there and probably Government might come to the conclusion that instead of extending the life of this Act they might extend the life of the unamended Act of 1947. It was with that purpose that I suggested that. If this amendment is not in order, I think time would be gained if we referred the Bill to the Select Committee and in two days' time, Government might come to some decision.

**Mr. Speaker:** I was not referring to the amendment to refer the Bill to the Select Committee.

**Shri Deshbandhu Gupta:** In the alternative, I suggest that if you have no objection to this Bill being referred to the Select Committee, the amendment may be accepted.

**Mr. Speaker:** It is not a question of there being any objection on my part.

**Shri Deshbandhu Gupta:** Any technical objections?

**Mr. Speaker:** That amendment is perfectly in order.

**Shri Deshbandhu Gupta:** I therefore commend that the Bill be referred to a Select Committee.

**Mr. Speaker:** Amendment moved:

"That the Bill be referred to a Select Committee consisting of the hon. Shri N. V. Gadgil, Pandit Thakur Das Bhargava, Pandit Mukut Bihari Lal Bhargava, Shri R. K. Sidhva, Shri B. L. Sondhi, Shri Jaspal Roy Kapoor and the Mover with instructions to report within two days."

**Pandit M. B. Bhargava (Ajmer):** This measure has been brought by the hon. Minister for amending the Rent Control Act of 1947. The sole object of this amending Bill is to extend the life of this measure for a further period of two years, up to March, 1953. A measure of this character, which does not at all touch the provisions of the Act, but simply comes before the House with the object of extending its

life. is a very novel procedure that has been adopted. You, Sir, have been pleased to take a constitutional objection as to whether it will be permissible, within the scope of this amending measure, to allow any change, modification or amendment in the substantial provisions of the Act. But, I would, in all humility, submit this position for your consideration. If the Government comes before the House saying that the life of the whole Act may be extended for a further period of two years, is it not open to the House to scrutinise the substantial provisions of the Act and to move amendments for the modification of the substantial provisions of the Act, if the legislature is of the view that certain provisions have been found, in actual working of the Act, to defeat the very object of the legislation? To hold otherwise would circumscribe the scrutinising power of the legislature, simply because Government have chosen to seek an extension of the Act and that would substantially curtail the rights of the legislature. My submission is that in the motion for the extension of the provisions of the Act as a whole, it is implicit that it is open to the legislature to scrutinise the various provisions of the Act and to find out whether, in its opinion, it will be in the interests of justice, or in the interests of carrying out the real object and aim of the legislation, to extend the whole of the Act or to extend only a portion of it or to extend some provisions with certain modifications which may be necessary on account of the changed circumstances, and in the light of the past experience of the working of the Act. My submission, therefore, will be that at the opportune point, at the opportune time, when the amendment seeking the substantial change or alternative is moved, you may be pleased to consider the whole matter seriously and give a liberal interpretation on it, because it concerns the substantial right of the legislature. This is not the first measure of this type that has been brought. We may almost say that it has become a habit with the Government, that by this very cheap method of a one-clause amending Bill seeking to extend the life of the Act, they, in a way, make it very easy to avoid the scrutiny of the Act and the substantial provisions of the Act itself at the hands of the Legislature. This, in the wider interests of the rights of the Legislature and the wider interests of the public should be carefully considered and this practice should be discouraged.

Coming to the merits of the case, the nature of the debate and the scope of the debate have unfortunately been

confined to Delhi, as if this measure applies to Delhi only. The hon. Minister, as also Mr. Deshbandhu Gupta have devoted the whole of their addresses to the question of Delhi. When the hon. Minister has brought this amending measure, it was his duty to place before the Legislature what has been the experience of the Government in the last four years, of the working of this Act, not only in Delhi but in Ajmer-Merwara also. I would ask, in all humility, has the hon. Minister made any enquiries from the Ajmer local administration as to how this Act has worked not only in Ajmer State but in various places like Nasirabad etc. where it applies? What is the number of cases pending in Ajmer and in other places? What is the view of the judges who have been administering and interpreting this Act and how far has it succeeded in achieving the object they have had in view? No data has been supplied to us. The hon. Minister confined his remarks to Delhi only. Even in respect of Delhi what he said was that about 9,000 cases are pending in the different Delhi courts. He has not informed the House as to what is the view of the Delhi local administration in respect of the working of this Act and what is the view of the judges who have been interpreting and administering this Act for the last four years in Delhi. It has been openly confessed by the hon. Minister that in actual working of this Act, there have been complaints and rightly so, that the provisions of this Act have been openly abused, and in most cases the very object of this legislation, that is to say, to afford security of tenure and to ensure fair rates of rent to the tenants, has been abused, that section 9 of Act XIX of 1947 has been abused to such a large extent that there have been a number of cases. When a tenant has abused or violated the provision of section 9 by subletting the premises to somebody else or in any other way, then the landlord brings a suit for ejectment and after two or three years of a very cumbersome procedure, he obtains a decree and that decree remains a paper decree inasmuch as when he goes to get possession of the place, he finds that the tenant is no longer there, that he no longer exists there and that possession has been taken over by another person who in the eye of law is a trespasser and as such the entire proceedings in the court of law have proved futile and he must set the machinery of law into action again and must pay the full court fee since that is necessary for the ejectment of a trespasser. By the time he gets a decree which will take a number of years, very probably that trespasser also might have

escaped by placing someone else in possession of the house. May I ask in all humility, what was the object of this legislation? In its practical working it has been openly admitted by the hon. Minister that the very object of this law has been defeated and the law has been violently ignored, that in fact, a good deal of black-marketing and profiteering have taken place and are taking place. That being so, is there any justification that being the view propounded by the hon. Minister for a measure of this kind? He has said that because we are preparing a comprehensive measure which is likely to meet the situation, therefore, the legislature should sanction the extension of the life of the present Act for a period of two years. But in the face of this admission that the provisions of this very Act have been widely abused, that the object of this legislation has been defeated, my submission is that it is impossible to accept the request of the hon. Minister to give him more power to extend the life of this Act for a period of two years, without any modification and limitation. If it is the accepted position that the provisions have been abused, then what were the Government doing so far? Why did they not draft a legislation on the model of the advanced legislations in Bombay or other places and come with it before the House? If the Government is really genuine and feels that this legislation is absolutely not able to cope with the situation, that another suitable legislation is necessary, then I fail to understand why they should come forward with a Bill seeking to extend the life of this measure by two years. Is it expected that the drafting of this new legislation and the sponsoring and the passing of it will take two years? If that is the case, then the proper course open to Government was not to seek the extension of the life of this Act, but to take steps under the Delhi Laws Act or the law providing for extension of Acts to Part C States and to have provisions on the lines of those in Bombay or other places and get them applied to Delhi and Ajmer.

Then, we have to remember one thing. This original Act was passed in 1947 when our Constitution had not come into force. Now we have to see today what is the constitutional validity of a measure of this nature when we have the Constitution in force. I myself applied my mind to this problem and I have come to the conclusion that some of the provisions of this Act are of such a sweeping nature that I at least, entertain serious doubts as to the legality and the validity of this measure and certain provisions of this measure under the Constitution of

[Pandit M. B. Bhargava]

India, 1950. Take for example, article 13 of the Constitution. It lays down that no law can be enacted abridging or in any way taking away the rights guaranteed by Part III of the Constitution and any law that is enacted in contravention of any provisions of Part III will be void to the extent of that contravention. Now, a very important right has been conceded by article 19 of the Constitution, I mean clause (f) of that article, and that is the right of all citizens to acquire, hold and dispose of property. Of course there is a proviso to this right and that is it is open to the legislature to make the exercise of this absolute right subject to the imposition of certain conditions which are reasonable and those reasonable restrictions must be in the interest of the general public. For example, under the provisions of section 9 of the Act of 1947 this is an absolute right in the hands of the tenant and it takes away the right of the landlord to acquire possession of his property, if it concerns business premises. Even in the case of premises of a residential character there are very great restrictions placed upon his right to acquire possession. In fact one of the essential rights of ownership is the right to enjoy possession or usufruct of the property. If legislation is enacted in a way as to absolutely deprive a landlord of his valuable right to acquire, use or enjoy the usufruct or possession of his property, it would be of very doubtful validity, keeping in view the provisions of clause 19(f) under which only just and reasonable restrictions can be imposed on his rights in the interest of the general public. At best it can be said that it is a point of a controversial character which may or may not be accepted by the court. The constitutionality or validity of every legislation is open to be challenged in a court of law and is liable to be declared *ultra vires* of the legislature by either the Supreme Court, the High Court or even an inferior court. Under such circumstances was it not the duty of the Minister to submit the existing piece of legislation to legal opinion before he came to the House seeking extension of the life of the present Act for a further period of two years? Should he not see whether it will be valid under the changed Constitution of the country? My submission therefore is that under these circumstances it was absolutely essential for the Minister, in view of the widespread complaints about the abuse of the substantial provisions of the Act and the fact that the measure has failed to achieve the object in view, to see whether, under

the changed Constitution of the country certain provisions of the Act are of a doubtful validity or constitutionality or not. It was essential that he should have given very serious consideration to this measure before coming in this haphazard manner before the House seeking an extension of the life of the Act.

There is one other matter of great injustice which consciously or unconsciously the Minister has done to this House. Why should this measure have been delayed for such a long time and brought before the House only a week before the 23rd of March, when the life of the present Act expires? Was it not possible for the Minister to have come forward at the very beginning of the session, say in February, and placed before the legislature all the requisite data, the facts and figures, the views of the judges and officers who have interpreted or administered the law, the views of the local Government in Ajmer and in Delhi as to their experience of the working of the law, how many cases were brought to their courts, what was their result and how far the measure has succeeded in upholding the security of tenure of the tenants and at the same time not harassed the landlords? All these materials are within the possession of the Minister and are not available to us. Without giving us enough time to consider the substantial provisions of the Act, without affording an opportunity to consider it notwithstanding the admission on the part of the Government that the provisions of the Act have been abused on a large scale, they have now come forward with the Bill to extend the life of the Act for a further period of two years. It is very hard and unjust and opposed to well-established practice in regard to legislation. It was the duty of the Government to have come before the legislature much earlier, so that we might have been in possession of the facts to enable us to scrutinise the substantial provisions of this Act.

My hon. friend, Mr. Gupta has moved an amendment to refer the Bill to Select Committee, where the provisions of the Act might be scrutinised. We know that the amendment will be opposed mainly on the ground that the time at their disposal is very short. But who is responsible for this shortness of time? Not the legislature but the Government, who have deliberately kept the measure up their sleeves and foisted it on the legislature at the eleventh hour without giving enough time to the legislature to consider its merits.

There is another point which I would like to mention. Mr. Desh-

bandhu Gupta was pleased to refer at length to the great congestion and scarcity of housing in Delhi, where the problem is more acute than in Ajmer. But even in a city like Ajmer the population has risen from 1,30,000 to 1,90,000 due to the large influx of refugees or displaced persons from West Punjab. The housing problem is all the more accentuated by the scarcity of water. But even there the Government has not done anything to tackle this problem. In fact the District Boards and the Municipalities of Ajmer and other places in Ajmer which alone can be expected to tackle the housing problem are very short of funds. The Government does not either make grants or grant loans and as such they are in a difficult financial condition to carry on even their normal activities, much less to tackle a problem like finding more houses for the increase in population. Therefore unless a constructive approach as suggested by Mr. Gupta is made to the problem it cannot be solved.

I was rather surprised to hear a remark from the hon. Minister that the Government has not accepted the obligation to provide shelter for every citizen. My submission is if this Government claims to be a civilised Government, if it claims to be a welfare State, then it is its primary and indefeasible duty, the duty of any civilised Government or welfare State to provide shelter to every citizen, whether it is within his resources to provide for himself or not. Therefore my submission is that the Government should not in this disparaging mood say that it is not bound to give shelter to every citizen.

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

The problem should be tackled in Delhi and Ajmer and also in other places.

The third point is that there is absolutely no reason why the Minister should seek extension of the life of this measure for another two years. If it is the intention of Government as was declared by the hon. Minister, that they want to bring in a comprehensive measure which will aim at minimising, if not eliminating, abuses like blackmarketing and profiteering, which have been discovered in the working of this measure, if that is the genuine and real intention, then there should be no hitch in accepting either my amendment or Mr. Deshbandhu Gupta's amendment seeking to extend the life of this measure by one year only and not two.

Then, we all agree that any legislation on rent control should not come

in the way of giving encouragement and incentive to greater house-building activity. If that is the objective, then why should section 7A and Schedule IV to this Act not be repealed forthwith? If the Government is not in a position to build a large number of houses by itself, why should it not at least enact the law in such a manner as to encourage private enterprise to take to building? A provision of the nature of section 7A is bound to considerably slow down the progress of housing activity on the part of private enterprise because it is in the hands of the rent control machinery to approve any arbitrary rate of rent which may not attract the prospective investor in housing activities. Therefore, any new houses that are constructed should not fall within the purview and mischief of this Act. If that is done, it will be giving great encouragement and incentive to private investors to invest in building. Government would not stand to lose thereby, nor will the tenants lose anything because these houses do not exist today and no tenants will be affected by these. But if no such amendment is made and if this facility is not offered then the likelihood is that no houses will be coming up. On the other hand, if by giving this facility you encourage the coming into existence of a larger number of houses, then sagacity, prudence and wisdom require that such restrictions should be removed so that private investors may be in a position freely to invest in housing activities so that as more houses come up the housing problem will be less and less acute. That will go to the relief of the tenants, landlords and Government. Therefore, even in this amending Bill a very small amendment to eliminate section 7A can be introduced.

This measure was passed in 1947 as an emergency piece of legislation and has been in force now for four years. Now my hon. friend wants to extend its life for a further period of two years. Well, even if it was an emergency in 1947, now it has ceased to be so by the very fact that its life has been for such a long period. The controls have come to stay with all the evils arising from them. If the Government through its administrative machinery is not in a position effectively to control and check the evils of these controls, then my submission is that Government has no right to come before this legislature and ask for its approval to continue these controls. In the case of this control, as in the case of others, there has been open dishonesty on the part of tenants and on the part of landlords and the moral statute of the nation

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has gone down. And it can very well be presumed that as long as this measure continues, these evils, which it was the object of the measure to suppress, will continue. These evils have been in existence, they will be in existence unless Government through serious efforts try to bring into existence a larger number of houses so as to cope with the increasing population. My submission, therefore, is that until and unless you can effectively administer this Act and check the evils arising from this control, as has been frankly admitted by the hon. Minister, you have got no justification whatsoever to come before the legislature and ask for the extension of the life of this measure. Either you must effectively control or you must decontrol, but we cannot allow the moral degradation and degeneration to spread any more. My submission, therefore, is that it will be better if the hon. Minister would reconsider the entire position and at least agree to limit the extension of life only to one year and delete the provisions which work as a serious hindrance to fresh construction activity.

**Shri J. R. Kapoor:** I am afraid I cannot find my way to lend support to this Bill unless it is suitably amended. This Act has been in operation for the last several years and its working has led us to the conclusion that it has not been an un-mixed good. There is no doubt that it has served a very useful purpose in keeping down and controlling rents but for which the poor tenants would have suffered greatly. There is no doubt that if such an enactment had not been there many a poor tenant would have been by this time thrown on the streets because of the large influx of population in the city during the last three years and more—persons coming from West Pakistan and from other places, many of them being rich enough to pay any amount of *pugri* and any amount of rent to secure suitable accommodation. To that extent, it has served a useful purpose but there is the other side of the picture also. It has not only retarded building activities but practically stopped them. Therefore, we must admit that this legislation needs amendment in such a manner that its defects may be removed and there would be no obstacles against new buildings being erected. I submit that new buildings have not been constructed primarily because this legislation brings within its purview new buildings also.

Again, there are some provisions in the Act which cause hardship to

landlords. They have led to various abuses and very often tenants take advantage of the protection afforded by this legislation and let the buildings be ruined. They also adopt certain undesirable methods which harass and oppress the landlord. Therefore, the Act should not be allowed to be extended further in its present form but should be suitably amended.

While I do appreciate the necessity for legislation controlling rent, I cannot but blame Government for creating conditions in which it has become necessary to extend this Act with or without amendment. As has been very ably pointed out by my learned friend Shri Deshbandhu Gupta, the population of Delhi has considerably increased. In the immediate past, it has increased by leaps and bounds.....

**Shri Gadgil:** And increased out of bounds also.

**Shri J. R. Kapoor:** Yes, increased out of bounds also.

With his characteristic frankness, the hon. Shri Gadgil has admitted in the Statement of Objects and Reasons that the problem is a very acute one and it has continued to be so for the last four years and more and at present it has become almost desperate. That being so, what have Government been doing to remove this desperation? The hon. Shri Gadgil has taken shelter under the curious proposition that Government have not taken upon themselves the responsibility of providing accommodation for the citizens.

**Shri Gadgil:** I said 'as yet'.

**Shri J. R. Kapoor:** I wonder if he really meant it. I am sure on re-consideration, he will resile from that position. If he does not, the question will be whether Government propose to abide by the specific directions given to Government in the Constitution or not. The Constitution specifically lays down in article 47 that "the State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health...as amongst its primary duties." The Constitution definitely lays down that the State shall regard the raising of the standard of living of the people as amongst its primary duties.

**An Hon. Member:** And health also.

**Shri J. R. Kapoor:** It also lays down that the improvement of public health will be another of its primary duties. How can the standard of living of the people be raised unless they have a roof to live under, and how can their

health be improved—or even the present health be maintained—unless people have some shelter to live under? Thus, it is the obligation of the State to see that every citizen has living accommodation. I submit that Government have taken a stand through the hon. Shri Gadgil which is not a correct stand. It is a stand which is definitely against the specific provision of the Constitution.

The other day the hon. Shri Gadgil boasted with a great deal of gusto that as many as 25,000 houses had been constructed by Government. I should think that the credit for 21,000 houses should go to the Ministry of Rehabilitation and only the credit or is it discredit for 4,000 houses should go to the hon. Shri Gadgil's Ministry.

**Shri Gadgil:** I, that is, the C.P.W.D. have built all the 25,000 houses.

**Shri J. R. Kapoor:** Under ordinary circumstances, this figure of 25,000 houses may appear to be pretty substantial, but in the present situation it is a very inadequate figure and Government should not rest content with having built 25,000 houses but should seriously consider the needs of the existing situation and consider it their duty to take further steps to improve the position. Looking at the problem from that point of view, it will be readily admitted by all reasonable persons that Government have not done what they should have to meet the situation. When I say 'reasonable persons' I mean reasonable persons outside the Government, because none of the Government members will admit his mistake. I do not know whether I should call them unreasonable—I will not go to that length—but situated as Ministers are they feel shy in admitting their mistakes. Even though Government did not do anything substantial themselves, they have not helped even private individuals or corporate bodies to apply themselves to new constructions. Even if it be admitted for the sake of argument that Government's stand is correct that it is not obligatory for them to provide accommodation for everybody, certainly it is the duty of Government, as they have themselves admitted, to provide accommodation for all Government servants. This is something to which I would specifically like to draw the attention of the hon. Shri Gadgil. He accepted the responsibility of providing accommodation to all Government servants. Even that responsibility has not been adequately discharged. If it had been done we would have gone a long way in the solution of this problem. But

we find a very large number of Government servants, senior officers, junior officers, ministerial servants and even *chaprassis*, are occupying houses which do not belong to Government and which they have taken on rent from private landlords. Not only that, Government themselves have located many of their offices in requisitioned buildings. Is it not the duty of Government, even according to their admitted responsibility to have erected during the last several years accommodation sufficient and necessary to locate their own offices and provide accommodation for Government servants? If they had discharged that responsibility thousands of houses which are now occupied by offices and Government servants would have been made available for the use of private individuals. I, therefore, submit that Government have failed even in that limited responsibility.

I should have thought that the Government would have seriously applied their mind to bring into being a big building corporation. I remember about a year or so back there was some such scheme under the consideration of Government. Mr. Mohanlal Saksena, then the hon. Mr. Mohanlal Saksena, I remember had drawn up a scheme for a housing corporation, which was circulated to some of us. We were happy about it, had blessed it and had assured Government of all our cooperation. I do not know what has happened to that scheme. That seems to have been put into cold storage for reasons best known to the Government. May I humbly request the hon. Mr. Gadgil to look those shelves of the Government, where the development scheme has been thrown into and apply his mind seriously to that scheme with a view to seeing whether it cannot still be revived.

Then, again, about a year ago—I do not remember the point of time—when another Bill of a similar nature was under discussion before this House I had made a specific suggestion and request to the hon. Mr. Gadgil that he might invite a number of banks, insurance companies or capitalists whose branch offices or head offices are in Delhi, and see whether the money which they are keeping idle or in long term investments cannot be utilised for building activities in Delhi. I do not know whether any serious attention was given to that suggestion. At that time, of course, I was promised—or shall I use the word assured—that it would be seriously considered. I do not know what has been done in that regard. If something has been done, I would be happy. But

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to the best of my knowledge no such corporation has been established either by Government, or in co-operation with insurance companies or bankers. Such a step may yet be taken. If it is really the intention of Government to add to the existing houses in Delhi and Ajmer Merwara—and particularly in Delhi—I am sure it must be their intention—they must necessarily do one thing and that is to exempt the newly constructed buildings from the operation of this Act. I want to ask one simple question. What really is the objective of Government? Is their objective to increase the number of houses in Delhi, or is it simply to satisfy their fad for controlling rents? If their object is the latter, let them satisfy their fad and I would have nothing to say. But if their object is really to add to the number of houses in Delhi what they must do is to create conditions which will encourage building activities. One such condition is that the Rent Control Act must not be made applicable to buildings which are constructed hereafter. To do any other thing, to take any other step is to put the cart before the horse. That will certainly not succeed. It may be performing a novel feat; but it will not do any credit to Government. It may be argued that if new houses are allowed to be constructed without their being brought within the purview of the control order, then exorbitant rents will be charged by landlords. I admit it will be so. When I make that suggestion I am not unconscious of it. It is bound to happen. Of course, public consciousness has not been roused to a very high moral level, and I am prepared to concede that if you exempt the new houses from the operation of this Act very exorbitant rents will be charged by the landlords. You have two alternatives before you: more new houses with exorbitant rents, or no houses at all. What would you choose? I say that we must choose the lesser of the two evils. If you have the rent control order made applicable to them, new houses will not come into being. If they come into being, it will remove the acute shortage of accommodation in Delhi. In the long run when more and more houses are built, naturally the economic forces of supply and demand will come into play and rents will gradually come down. Why do you want to cut your nose in order to spite your face? Unscrupulous capitalists will have a bad day some time. Leave them to their own fate in due course. I cannot understand the policy which argues that simply because they will be earning huge sums of money we should not have more houses. I submit, therefore, that

it is absolutely necessary for the sake of achieving the object which my hon. friend Mr. Gadgil has in view, that the new constructions should not be made subject to the provisions of this Act.

I would very much wish that the Government would at least profit by its own experience in another Ministry. May I in this connection bring to the notice of the hon. Mr. Gadgil the very good results that the Government has been able to achieve by adopting a policy of partial decontrol in the matter of sugar—a policy which I am advocating for adoption even in the case of new houses in Delhi. Do we not know to our satisfaction and happiness that the partial decontrol in the matter of sugar has brought about very good results? The production has increased and we all know it for a fact that within a short time we are going to have very much more production of sugar than we had last year. Why is it? For the simple reason that while there is control up to a certain extent, up to the extent of the production of last year, there is to be no control on any extra production. Similarly here let there be control of rent so far as existing houses are concerned, that is all houses constructed up till now, and let there be no control of rent so far as houses which may be constructed hereafter are concerned. Let that wise policy adopted by the hon. Mr. Munshi—I am glad he is represented this time in the House by his gallant lieutenant on whose face I see a cheerful smile at the very good results that the policy of the Food Ministry has achieved—let that good example set by the Ministry of Food and Agriculture be followed by the hon. Mr. Gadgil. If he does follow that policy, before long he will be in as good and happy a position as the hon. Mr. Munshi and Mr. Thirumala Rao are. I would therefore submit that that policy which has brought about such good results should be followed by the hon. Mr. Gadgil, and I would submit it may also be followed by other Ministries.

There are one or two other suggestions that I have to make.

**Mr. Deputy-Speaker:** There are some other hon. Members also wishing to take part in the debate.

**Shri J. R. Kapoor:** I will not take very long. I have some concrete suggestions to make. One of them is that according to the existing Act it is not possible for any landlord to add to the existing building at all, even if it be possible for any additional building being constructed on the existing premises. I know that under section 10 of the Act it is permissible for a land-



lord to apply to a court that he may be permitted to make new building on any piece of land which is lying open and which is attached to the existing premises. That is very good so far as it goes. But similar provision must be incorporated in the Act which should make it possible for the landlord to build a second story on the existing premises or add to the premises otherwise, provided of course that the construction of the second storey or any other addition elsewhere in the premises can be made consistent with the existing municipal bye-laws; and after such additions are made it should be open to the court to re-assess the rent of the existing portion of the premises. That is one suggestion which I would ask the hon. Mr. Gadgil to seriously consider. I think he should have no difficulty in accepting it because it is perfectly in consonance with the already existing section 10.

The second suggestion that I have to make is this. I have to draw his attention to the fact that according to the existing Act it is not possible for a landlord to get possession of a business premises. Well, it may be reasonable so far as it goes. But under the cover of this section what many a tenant is doing is that they simply put up a sort of business sign-board on the premises and when the case goes before a court of law they take up the plea that the premises are not purely residential premises but also commercial premises. That sort of thing is creating a great deal of hardship. According to section 9 it is laid down that a landlord can secure possession of a premises for his own use provided he satisfies the court that he has not been able to obtain premises elsewhere for his residential purposes and provided the premises are purely residential premises. But under the conditions which I have just pointed out, his efforts are frustrated. Therefore it should be incorporated in the Act that such portion of the premises which are used purely for residential purposes should be available to the landlord if he wants it for his own residential purposes.

I have just one word to say in connection with the question of assisting displaced persons. I submit that there are a number of displaced persons who are owners of premises in Delhi. Their number must be very big—but even if their number may be small they deserve consideration. I would respectfully urge on the hon. Mr. Gadgil to consider this suggestion also that if such landlords as are displaced persons want to have any premises for their own residential purposes, provided they have not been able to secure

any other premises, such displaced persons should be entitled to get possession of their own property whether such property is purely residential property or it is residential-cum-commercial property. Because, the needs of the displaced persons are paramount and for the purpose of their rehabilitation it is very necessary that if they are themselves the owners of the building they should be permitted to occupy such building for their residential purposes. With these objects in view and to enable the Government to carry out these objects I have tabled an amendment. I am not moving it just now, but I am only making a reference to it so that, if there be any apprehension in the mind of the Chair with regard to its admissibility or otherwise, it may be removed at the earliest stage. Even if no other amendment is acceptable to the hon. Mr. Gadgil, or even if no other amendment appears to be in order to Chair, I would like to submit that one little amendment which I am suggesting should be acceptable. And that is this:

In part (iii) of clause 2. at the end, add:

“and after the words ‘in such areas’ the words ‘and for such class or classes of premises’ be inserted”.

This amendment of mine does not go beyond the scope of the present Bill. It does not seek to amend any section of the Act which is not being sought to be amended by the present amending Bill. The present amending Bill seeks to amend section 1 of the existing Act. My amendment also seeks to further amend section 1 of the existing Act. The implication of my amendment is a very small one and it is this. Hitherto, under the existing Act, it is open to the Government to exempt any areas from the operation of this Act. I want one little thing more, that it should be open to Government to exempt any class or classes of premises from the operation of this Act. The principle that it should be open to Government to exempt any area from the operation of the Act is accepted by the Government. It is already in the Bill itself and it will not in the slightest degree be deviating from the accepted principle of the Act or from the accepted principle of this amending Bill itself. It will be perfectly in line with it.

My amendment would not extend the scope of this Bill but on the other hand it would restrict the scope of this Bill. The Speaker has been recently pleased to rule that while it may not be in order to extend the scope of a

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Bill, certainly it would be in order to restrict the scope of the Bill. The scope of the Bill is that all classes of houses shall come within the purview of this Act. According to my amendment, it will be open to the Government to restrict the operation of this Act and not to extend it to all classes of houses, but to exempt certain classes of premises. I submit, therefore, that such an amendment of this nature would appear to be perfectly relevant and admissible. If this is accepted by the hon. Mr. Gadgil, I think the Bill may be acceptable to the House and we may wait for a more comprehensive Bill to be introduced at a very early stage. Should however it be not acceptable to the hon. Mr. Gadgil or if it should appear not to be in order to the Chair, I am afraid, it will not be possible for the House and certainly not easy for the House to accept the Bill in its present form. I do hope and trust that the Chair will see its way to admit this amendment and the hon. Minister in charge of the Bill will also see his way to readily and gladly accept this amendment. Nothing is lost thereby. The entire power lies with the Government and they may or may not exercise it. We are giving more powers and we are not taking away any existing power. The discretion will be theirs and not ours. With more time at their disposal Government might consider the various suggestions and act on them under the authority of the power which my amendment will vest in them. I hope and trust that this amendment of mine will be accepted.

**Shri Sidhva:** Out of so many Acts of control, of laws and rules of control, if any Act is popular amongst the people, it is the Rent Control Act. I can say without the slightest exaggeration that this Act has given relief to hundreds and thousands of people. Whatever the defects may have been, it is a boon. I should say to that class of people who would have been really without any shelter if the Rent Control Acts had not been in existence in all parts of the country.

I also say that if the Rent Control Act did not exist, there would have been revolution in the country and I would not be mistaken if I use the words: there would have been a bloody revolution in the country. After all, I consider that shelter is as important and necessary as food. If a person does not get a house, then we know what the condition and fate of that person is. I therefore heartily support this measure that the Government has brought forward. On the contrary, I would ask my hon. friend, Mr. Gadgil

to be strong on this matter. What is the use in bringing this measure for an extension for two years? I know the condition of houses not only in Delhi but in India. At least for ten years this Act should have been extended...

**Shri J. R. Kapoor:** Is my hon. friend so hopeless about our Government that he wants it to be extended for ten years?

**Shri Sidhva:** You are not going to solve the housing problem for nearly two decades. That is the minimum that I am putting to you. Face facts. My hon. friend must have seen for himself that even after these Acts have been extended for a number of years, the progress that we expected is not forthcoming. It is not that the Government is not coming forward but it is the landlords who are to be blamed. If the landlords were more patriotic, I can assure you the housing problem would have been fairly well solved. I will not say it would be 'absolutely' solved but I would say it would be 'very well' solved. Unfortunately in Delhi, I have seen that the landlords are not as patriotic as the landlords of Bombay. My hon. friend Shri Deshbandhu Gupta has referred to this. It is perfectly right that in Bombay a number of private houses are today being built up along with the building programme of the Government. What is it due to? I have seen the Bombay Government introducing certain easy terms for building private houses. Even before this a number of houses have sprung up in that city. I know it for a positive fact that even under the existing conditions, restrictions and controls a number of landlords have built a large number of houses in the Marine Drive in Bombay during the last three years, particularly the refugees from Sind. The story in each building comprises of nearly 60 flats with six storeys. This has relieved considerably the tension that prevailed in Bombay. Therefore, let us face facts. Why is it that this Act is required to be extended? My hon. friend, Mr. Kapoor has compared the control of sugar with the control of houses. I am sorry that such a comparison should be made. I agree with him that there is sufficient stock of sugar and it should be decontrolled. My theory is that there is also sufficient stock of food. I have proved that. I would support decontrol progressively. I will not go for absolute decontrol in food but partial control in food but certainly not in houses, because there is an immense dearth of houses. It is an essential factor in a person's life that he must have a house.

Rent Control (Amendment)  
Bill

**Shri J. R. Kapoor:** Will we have more houses by control?

**Shri Sidhva:** Yes You yourself spoke for three quarters of an hour against the Bill but eventually supported this Bill. What does that show? Coming as you do from the city of Agra, you know the value of the control of houses. The Rent Control Act is in force in U.P.

The President of India has ruled that the Act shall not be applicable to the cantonments of Agra as the Cantonments are in Union List. The people who are residing in the Agra Cantonment have come to me stating that they find themselves in a difficult position. This led me to put a question and I understand that the U. P. Government and our Government are considering the enacting of an Act for the Agra Cantonment area. My hon. friend, Mr. Kapoor cannot deny this.

**Shri Deshbandhu Gupta:** Is my hon. friend agreeable to the extension of the U.P. Act to Delhi?

[MR. SPEAKER in the Chair.]

**Mr. Speaker:** Hon. Members should not be standing at the same time. It is one of the very salutary rules. There is hardly any time—one minute.

**Shri Sidhva:** I was stating that this is a problem in which, while we sympathize with the landlords that they are not earning too much, by way of rents, they must equally be patriotic towards the millions of people who are today suffering for want of food, for want of jobs, for want of cloth etc. We should at least see that they do not charge a house rent more than they are entitled to. We know very well that if the landlords are let loose, they are not going to show any kind of mercy towards the tenants and they will surely raise the rent. Government, therefore, are perfectly justified in bringing such a measure as this so that some kind of relief may be given to that class of people who would otherwise not get it. There is no doubt that this Bill requires some amendments to be made. I will straightaway say that I am not in favour of the tenants sub-letting the houses. Where justice is required, whether he is a tenant or a landlord, I will speak for him. I know that some of the tenants have sub-let their houses. I oppose that. I do not like that a tenant should make money. I was surprised to hear from Shri Deshbandhu Gupta that under the *pugree* system the landlord had

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to pay *pugree* to the tenants. I am yet to come across a case where the landlord had to pay.

**Mr. Speaker:** Now the hon. Member might resume his seat.

## RUBBER PRICES

**Mr. Speaker:** We will now proceed with the half-hour discussion on the notice given by the hon. Member Mr. Poonacha.

5 P.M.

**Shri Poonacha (Coorg):** I gave notice for raising a discussion on the answers given to Starred Question No. 1649. Therein, I had raised four points for debate. The first is in respect of the prices fixed for the raw rubber produced in India, particularly the price of raw rubber as against the ruling world prices which are, in the words of the hon. Minister himself, 300 per cent. more than the ruling prices of Indian raw rubber. In this respect, I want to draw the attention of the House to the fact that the India Rubber Board is no doubt charged with the responsibility of developing the planting industry so far as raw rubber production is concerned. The over-all requirement of India of raw rubber is something about 20,000 tons a year and our production of raw rubber is something like 15,000 tons a year. There is an over-all deficit of nearly 5,000 tons on an average so far as raw rubber is concerned. This deficit is supposed or intended to be closed up by a programme of development of the rubber planting industry. So far as the policy of the Government is concerned, whether in the matter of fixing of prices, or in the matter of giving encouragement to the growers as such, in respect of the rubber planting industry, it should have been with this object of making India absolutely self-sufficient so far as raw rubber is concerned.

According to the figures that we have with us, and also according to the Industry and Supply Bulletin, the quarterly journal of the Ministry of Industry and Supply, supplied to Members very recently, we see that the production of rubber has more or less, dwindled down, rather than going up. If we take the production figures from 1941-49, according to this Bulletin itself, it has been more or less static; from 16,000 tons in 1941 it came down in 1949 to 15.5 thousand tons. There has been absolutely no improvement so far as the production side is concerned. Let us take the

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plantation side. There has been absolutely no new plantations so far as rubber cultivation is concerned. I should say that it has come to a standstill absolutely, whereas in previous years, particularly in the years between 1943 and 1948 the rate of extension of rubber planting was on an average 4,000 acres per year. This particular industry which is supposed to be one of the vital industries and is also of strategic importance so far as India is concerned, (as admitted on page 26 of this bulletin of the Ministry concerned), is now at a standstill. That in my opinion, has been largely due to the Government's rubber policy and particularly their price fixation policy. Regarding this price fixation policy it is argued that it is fixed on the cost of production basis. It is only since 1947 when the India Rubber Board was constituted, that this cost of production basis has been maintained. Before that, in order to secure a certain degree of protection to the industry the price of India rubber was in fact fixed at a higher level than the world price. Therefore during those years raw rubber could be available in the world markets at a rate cheaper than in India. But recently the situation has completely changed. Because of the stock-piling programmes of different nations so far as this strategic material is concerned, the price of rubber has gone up by as much as 300 per cent. It will be very interesting to know what happened during the intervening years. When the world market had a lower price for rubber than India, what did the manufacturers do? And here I may mention in passing, that the manufacturers in India are mainly three in number—Dunlops, Firestone, and the Batas. These three together consume as much as 76 per cent. of the rubber produced in this country. During those years they were actually buying their requirements from the world markets at a lower price and were thus causing distress so far as Indian rubber was concerned and rubber stocks in India sometimes accumulated to such an extent that actually sometimes distress sales were taking place, and thus the planting industry was hit during those days.

After that, when the world prices went up for rubber, these manufacturers found it absolutely impossible to get rubber from the world markets as the price had gone up by 300 per cent. the producer here was not entitled to take any benefit of the situation but was pinned down to a position where he had to sell his rubber at Rs. 90-9-0. Of course, that has been now slightly

raised, but that is not much. So in those days the planting industry has suffered to such an extent that today rubber plantation is completely at a standstill. There have been no replacements and in different parts they are actually cutting down rubber placements and in different parts they areas with other kinds of money crops which might bring to growers better returns.

Therefore, my point is this. On account of the Government's rubber policy the Government have brought the planting industry to a point of acute suffering and this industry will never expand. Therefore the objects advocated by Government have not been fulfilled.

Now, coming to the other point...

**Mr. Speaker:** The hon. Member may remember that there is a strict time-limit, not imposed by me, but in the interest of giving an opportunity to other Members and also to enable the hon. Minister to explain the situation fully.

**Shri Poonacha:** Yes, Sir. My point is that the yard-stick with which the whole position can be measured is the simple fact whether the rubber planting industry, has developed or come to a standstill. And that object which the Government and the Board have been keeping in view, namely to expand the industry, has been totally negated. Therefore the public at large do require the Government's explanation for carrying on a policy of this kind and thereby causing complete dissatisfaction in the rubber-planting industry.

**An Hon. Member:** What is your suggestion?

**Mr. Speaker:** It is not for him to suggest.

**Shri T. T. Krishnamchari (Madras):** rose—

**Mr. Speaker:** The procedure I am following is that after the Member who has given notice has made his statement the hon. Minister will reply, so that other Members may be in a better position to put questions.

**The Minister of Commerce and Industry (Shri Mahtab):** The question of the price of rubber has been raised in this House more than once in the form of interpellations and I have tried my utmost to place as much material as possible before the House for their information. My friend has also indirectly placed some of those materials before the House

though he has drawn wrong conclusions from them.

First of all rubber price was controlled in 1947 by an Act which gave power to Government to control the price of rubber. As a matter of fact it was not controlled in the sense it is used with regard to other articles. It gave a higher price to rubber, although the price abroad was very much lower than the price here. After making the necessary cost accounting it was fixed at about 70 to 80 per cent. higher than the price abroad. This was done to encourage the rubber growing industry here. That increased price continued in India from 1947 to 1949. Before 1947 there was no control and Indian rubber used to compete with foreign rubber but it could not compete because of the lower price of foreign rubber and the higher cost of production here. In the course of these three years the rubber industry has tried to take advantage of the increased price and probably they have done something to extend the cultivation of rubber. But it is pointed out now that the rubber production is steady. Taking into consideration the figures from 1941 to 1950, if the production is steady, then the control is not responsible for that. Control was introduced only in 1947. Probably rubber cultivation did not increase on account of its competition with foreign rubber, as the price of Indian rubber was about 70 to 80 per cent higher than the price of foreign rubber. The increased price allowed to rubber will have its effect in a few years, because it is an article which is not produced from year to year like food crops: it takes time. Unless we wait for four or five years more I do not think we can actually assess the effect of the increased price allowed to Indian rubber.

In the meantime in 1950 the situation was changed. The price of foreign rubber became five to six times higher than the price allowed here. The foreign price today is about Rs. 300 to 350 per hundred lbs., whereas what was allowed here was Rs. 90 and it has now been raised to Rs. 122-8-0. This is a problem to be solved by everyone of us. If we tag on our price to the world prices the position will become intolerable. Not only in the case of rubber but in the case of other commodities also the world prices are now much higher than the prices prevailing here. It is so in the case of cotton, food crops, other agricultural products etc. If the contention is that the Indian prices should be tagged on to world prices, irrespective of the cost of production

here, there will be complete chaos. Therefore we have to choose our own prices purely on the basis of the cost of production, margin of profit and the incentive which that price will offer to the growers. In the case of rubber the point to be considered is not that whether the world prices are higher or lower than the Indian prices but whether the price allowed here gives sufficient incentive to the growers to produce more rubber.

As I have already said, the cost-accounting was done in 1947 and according to that the price was fixed at Rs. 90-0-0. When the world prices rose and when there was a clamour on the part of rubber growers here, the Rubber Board, constituted under the Act, considered this matter in October last and on the 7th October, 1950, the Rubber Board unanimously recommended that the price should be raised from Rs. 90 to Rs. 100-0-0. The situation subsequently changed and I personally went to Madras and discussed this point with the representatives of the Travancore-Cochin Government, the representatives of the Madras Government, and the representatives of the rubber industry. We came to a unanimous conclusion that as an *ad interim* measure the price should be raised to Rs. 122-8-0, pending the recommendation of the Tariff Board. The questions of price and development of the Indian rubber growing industry have been referred to the Tariff Board and the rubber industry is fully co-operating with the Tariff Board. I am told the Tariff Board have finished their enquiry and are going to submit their report to the Government very soon. When that report is received, then it will be open to hon. Members to express their opinion on the report or on the way in which Government treats that report. We are very anxiously awaiting the report of the Tariff Board.

In the meantime an *ad interim* increment has been given to the extent of Rs. 32-8-0. That is much beyond the recommendation of the rubber Board itself. There the matter stands today. The annual consumption of rubber in India is about 15,000 tons. There are a few manufacturing firms here which require about 9500 tons of Indian rubber for their manufacture, and which have to import foreign rubber to the extent of about 5,000 tons. That being the position, if the suggestion is made today that the price of Indian rubber should be brought to the same level as that in other countries, then practically control has to be lifted. What will be the effect if the control is lifted?

[Shri Mahtab]

My hon. friend has said that if the rubber price is kept low, the cultivators would take to some other cultivation in order to get more money. If the rubber prices are brought to the level of world rubber prices, the reverse will be the process: the land used for other cultivation will be brought under rubber cultivation. Therefore, it cannot be done. If we connect all our prices to world prices it is all right, but it cannot be done only at one point—all the prices have to be arranged accordingly. If the rubber prices are adjusted to world prices, the prices of cotton, foodgrains etc. should also be brought to that level. It cannot be done at one point. That is my submission. Therefore, what has been allowed to the rubber growing industry gives, not only in my opinion but in the opinion of the cost accounting officer who was deputed for the purpose, and in the opinion of the rubber industry itself, sufficient incentive to the rubber growers to grow more rubber. It may not fulfil the desire of some people for more money but it meets the needs and gives the necessary incentive to the planters for production of more rubber. There has been up till now sufficient pressure on the Government to increase the price by Rs. 32-8-0 and now that has been done. I do not think there is any point in saying today that that increase is not sufficient and that more increase should be allowed. There is no point in it especially because the Tariff Board has already finished their enquiry and they are going to submit their report very soon. The Tariff Board is an impartial body and have made an expert investigation into the whole affair, and we have to wait till we receive their report. To me the suggestion seems to be that that report need not be awaited but that meanwhile prices should be tagged on to world prices. This cannot be done in the interest of the rubber industry itself. That industry has enjoyed a higher price for more than three years and there was no complaint on behalf of the manufacturers or on behalf of the consumers as to why more price had been given to Indian growers. On the contrary, Government from the beginning of 1947 have shown sufficient enthusiasm in not only protecting but helping the rubber industry as far as possible. There is no doubt about it. I think there the matter should rest. Let us all wait till the Tariff Board's recommendations are received.

**Shri Damodara Menon (Travancore-Cochin):** One of the points which my

hon. friend did not touch when he spoke was the fact that the cost of rubber tyres in India has increased from 15 to 23½ per cent. This increase is not justified at all. The hon. Minister stated just now that we cannot raise the price of raw rubber without reference to the cost of production. I want to know whether he has conducted any cost-accounting enquiry into the cost of production of rubber tyres. Here is a case where in our own country the price of raw rubber is purposely depressed and at the same time the price of manufactured rubber goods is increased with a view to help the manufacturers. That is a position which is not helpful to the economy of this country.

Another point which the hon. Minister made just now was that if we increased the price of raw rubber there was a possibility of lands under other money crops being diverted to rubber growing. I think that that is a contention which has no relevancy to the reality of the situation. Rubber cannot be grown in all places. Rubber can be grown only in a particular climate and in particular places. Therefore, to say that other money crops would be diverted to rubber.....

**Mr. Speaker:** Order, order. The hon. Member need not enter into elaborate arguments. There are four other hon. Members.

**Shri Damodara Menon:** I beg your pardon, Sir. I want the hon. Minister to reply to the points I have just raised.

**Shri Mahtab:** It is a new point which was not raised originally. If you will permit me, I shall deal with this question of the price of manufactured rubber articles in one or two sentences.

**Mr. Speaker:** I would prefer, if the hon. Minister is agreeable, to give an opportunity to all hon. Members to place whatever points they have to make and then call upon the hon. Minister to reply at the end. Otherwise, some of them will be crowded out.

Shri Alexander.

**Shri M.V.Rama Rao (Mysore):** With your permission, Sir, I should like to put only a question for eliciting information.

**Mr. Speaker:** I cannot give permission. Once I give permission to one hon. Member, I must always give it

to other hon. Members and the purpose of the discussion will be lost. Only those who have given their names to me in advance can participate.

**Shri Alexander** (Travancore-Cochin): I would like to know from the hon. Minister what is the total production of manufactured rubber goods in India and what is the total quantity of raw rubber produced here. If my information is correct, only rupees two crores worth of raw rubber is produced in India, while about Rs. 20 crores worth of manufactured rubber goods are produced here. This means that even if the price of raw rubber is raised by full 100 per cent. the increase would amount to rupees two crores only whereas with the increase of 15 to 20 per cent. in the price of manufactured goods the amount comes to definitely very much more. I would like to know from the hon. Minister why he has raised the price of manufactured rubber goods without reference to this fact and how his argument is tenable in view of this.

**Shri T. T. Krishnamachari**: The point I would like to raise is about the other side of the picture, namely, while the rubber growers are not given an economic price resulting in a state of affairs in which out of 44 companies which are producing rubber only the shares of eleven companies are being quoted in the market. On the other hand, the beneficiaries of this price scheme which Government have consistently supported aided by the Rubber Board and the Rubber Prices Committee are the manufacturing concerns Dunlops, Firestone and Bata. So far as Dunlops are concerned, I would like the hon. Minister to let me know if he has taken note of their last published balance sheet. In 1949, they declared bonus shares of the value of Rs. 50 lakhs and their reserve stood at over rupees one crore. They have written down their capital assets by over a crore. These have all been done out of the profits made by one company which has been purchasing in the region of 50 per cent of the rubber output in this country.

As my hon. friend Mr. Menon pointed out, tyre prices have been consistently raised with the support of the Government. Today the tyre prices in this country are more than 50 to 60 per cent. higher than the prices in the United Kingdom where also Dunlops manufacture. Dunlops in U. K. buy rubber at the rate of 4s. 8d. a pound in Malaya as against 13½ annas in India. So, it seems that

there is a conspiracy on the part of somebody in his Ministry, though he is not himself responsible, to see that the rubber prices in this country are kept down, and that the tyre manufacturers are given an advantage. As against the perilous state of rubber producing companies, Dunlops, as I have said, have given Rs. 50 lakhs as bonus shares, a 20 per cent. dividend every year, depreciated their capital and added to their reserves. When they floated debentures last year for rupees one crore 33 lakhs they were over-subscribed. It seems to me, therefore, that an enquiry should start somewhere within the Government of India to find out why these have happened. No increase in tyre prices should be given unless the Tariff Board goes into that question and recommends it. I would like to get a reply from my hon. friend to these points.

**Shri S. C. Samanta** (West Bengal): The hon. Minister said that the production of rubber is at a standstill. I would like to know whether both production and the import of rubber have declined in 1950 and how many export licences have been issued to producers and dealers separately in 1950.

**Shri Mahtab**: With regard to the price of tyres, if I were to give the House some information, I do not think there would be any necessity for any enquiry. Perhaps, one point which is not well known is that excepting cycle tyres and tubes, no other tyres and tubes are controlled. Their prices are not controlled under the Essential Supplies Act. In the case of the prices of other tyres and tubes the manufacturers have increased the prices by about 18 per cent. Now the explanation which they give is this. Three per cent. is due to the excise duty; fifteen per cent. is due to the increase in the price of foreign rubber. They argue that their prices should be increased on three counts, namely, increase in the cost of manufacture, increase in the prices of foreign rubber, which as I have already said has risen from about Rs. 60 to Rs. 350 at the present moment, and also the increase which has been allowed for the indigenous rubber.

When these matters were thoroughly examined in our Ministry it was found that the cost of manufacture was a matter which should be closely investigated. The cost of manufacture has to be gone into and then only can an increase be acquiesced in. With regard to the price which has been

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allowed to the indigenous growers that was not taken into consideration. The only thing that remained was the increase in the price of foreign rubber. The total quantity they import, as I have said, is about 5,000 tons. Out of that deduction was made with regard to exports of 1,000 and odd tons in the shape of manufactured articles. For the remaining 4,000 tons exact calculations were made and it was found out that the increase on that account alone—that is to say the foreign rubber which these manufacturers are using in order to make their tyres—would justify about 18 to 23 per cent. rise in prices. But that they have not done. They have raised it only by 15 per cent. and they are clamouring that this should be allowed to them, that at least the Government should not stand in the way. They are really nervous that if they raise the prices of tyres to some unjustifiable extent the Government might step in and might control these articles. I do not think there is any other count on which they have increased their prices or are proposing to increase them. When the Tariff Board Report comes and if the recommendations of the Tariff Board are accepted and a bigger price is given to indigenous rubber, I do not know what they will do. But we would suggest to them not to take into account the indigenous price because of the marginal profit left with them—that will also have to be taken into account. The obvious thing is that they are paying a bigger price for foreign rubber. While they were paying at one time about Rs. 60 they are now paying about Rs. 350.

If the hon. Members want to know how the actual costing comes to, it is like this. Four thousand tons of foreign rubber at Rs. 300 per 100 lbs. which comes to Rs. 2,68,80,000. 9,500 tons of indigenous rubber at the controlled rate of Rs. 90-8-0 per 100 lbs. which comes to Rs. 1,92,58,400. The total for 13,500 tons comes to

Rs. 4,61,38,400. That is it comes to about Rs. 152-9-0 per 100 lbs. Thus if we calculate the percentage this will justify an increase in the price of tyres by 174 per cent. But that they have not done. They have raised it only by 15 per cent. They have added three per cent. more on account of the excise duty which has been levied on this.

This being the position we cannot say on the materials available that they have done something unjustifiable. It is only when the whole cost of manufacture is examined, and if it is known that the margin of profit which they have been enjoying before this control was introduced was considerable, then alone we can ask them to reduce their price or exercise some control. If we take the price which was prevailing before control as justifiable, then the rise in price to the extent of 15 per cent. is justified on the materials available to us. This is the position.

There is no ground to suspect that the manufacturers are manipulating in some way to have their prices increased and keep down the rubber prices. The Rubber Board consists of representatives of manufacturers as well as of growers also, and various State Governments also are interested in it. For instance the Madras Government and specially the Travancore-Cochin Government—all these Governments are interested. So if anything is being done it is being done after thorough examination of all the materials available and I do not think there can be any kind of underhand dealing in these matters. This is what I have to submit before the House.

**Mr. Speaker:** The time is up and the House now stands adjourned till tomorrow.

*The House then adjourned till a Quarter to Eleven of the Clock on Tuesday, the 20th March, 1951.*